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THE CURRENT SITUATION IN SUDAN AND THE PROSPECTS FOR PEACE

HEARING

BEFORE THE

COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE

ONE HUNDRED EIGHTH CONGRESS

SECOND SESSION

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THE CURRENT SITUATION IN SUDAN AND THE PROSPECTS FOR PEACE

THURSDAY, SEPTEMBER 9, 2004

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

The committee met, pursuant to notice, at 9:32 a.m. in SD-G50, Dirksen Senate Office Building, Hon. Richard G. Lugar (chairman of the committee), presiding.

Present: Senators Lugar, Hagel, Chafee, Brownback, Alexander, Coleman, Sununu, Biden, Sarbanes, Dodd, Feingold, Boxer, Bill Nelson, and Corzine.

Also present: Senator Frist.

OPENING STATEMENT OF SENATOR RICHARD G. LUGAR, CHAIRMAN

The CHAIRMAN. This hearing of the Senate Foreign Relations Committee is called to order.

The Committee on Foreign Relations convenes for the first time since the conclusion of a long, but busy, recess to consider the tragic events in Sudan. We're especially pleased to welcome Secretary of State Colin Powell, who has recently visited Darfur and Khartoum, and who has taken a direct interest in this humanitarian catastrophe.

The immediacy of the Darfur emergency is paramount, and the lives of hundreds of thousands of people will be at risk during the coming months. Time and again, groups of Sudanese have suffered a similar violent refrain. Government planes bomb villages in advance of attacks by proxy militia, who destroy homes, burn crops, and steal livestock before driving innocent villagers into the wilderness and beyond assistance. This has happened in villages across Sudan during the long civil war, and is now occurring in Darfur.

Today, the 1.4 million Darfurians on the run or huddling in barren camps are vulnerable to murder, rape, starvation, and disease. This is the result of a calculated strategy by the government in Khartoum and their janjaweed proxies who decimate the civilian supporters of their political opponents.

The United States is committed to helping resolve the civil war in Sudan that has already claimed the lives of two million people. The fruits of that labor appear to be within reach as the North-South peace talks resulted in framework peace agreements in June. But a sustainable peace in Sudan requires a reversal of the continuing policies of the Government of Sudan that constitute war crimes and crimes against humanity. The janjaweed militias were

trained and armed by the government, and must be demobilized now.

In addition, United Nations Security Council Resolution 1556 demands that the Sudanese Government bring to justice those responsible for the atrocities in the Darfur region. Sudanese must see justice imposed if the current culture of impunity and intimidation is to be overcome.

During a Foreign Relations Committee hearing on the intersection of hunger and AIDS held on May 11 of this year, James T. Morris, the director of the World Food Program, described the acute fear and desperation of the people he encountered while traveling in Darfur. Crowded refugee camps have little access to life-sustaining food, medicine, shelter, and clean water. The inevitable outbreaks of cholera and other diseases threaten to kill thousands of people a day. If lives are to be saved and hope is to replace fear, the international community must coalesce and respond to this humanitarian catastrophe, and it must do so quickly.

The lessons of past atrocities, remembered this spring in the 10th year observance of the Rwandan genocide, should inform and empower our actions. The Sudan crisis is complex, but it has not been sudden. It has gradually unfolded, providing ample opportunity for humanitarian action by the international community.

Although many nations have responded, the resolve and unity of the international community has not been commensurate to the horrors of the crisis. Khartoum's status as an oil exporter, a major arms importer, and an Islamic government has diminished the appetite for decisive action in some foreign capitals. But neither economic interest's nor religious identification should trump responsible international actions in a case where genocidal policies are being conducted.

Secretary General Kofi Annan issued a warning last spring that a United Nations intervention might be necessary. Last week, following the expiration of the deadline set by Security Council Resolution 1556, he stated that attacks against civilians have continued, militias had not been disarmed, and no concrete steps had been taken to arrest or even identify militia leaders and perpetrators of attacks.

The threat of sanctions must now be followed by the act of sanctioning the Sudanese Government, perhaps by restricting the flow of oil that fuels that government with an estimated income of $2 billion.

The African Union has responded to this challenge on its continent by deploying a monitor and protection force to police the ineffective cease-fire signed in April. The African Union convened talks between the parties to the Darfur dispute in Abuja last week and called for an expanded force of 3,000 to 4,000 troops, including major contingents from Rwanda and Nigeria. The resistance by the Sudanese Government to this expansion is unacceptable.

The international community should authorize the deployed African Union force, insist on its expansion to a size adequate to address the needs of a region the size of France, and give it a mandate to protect civilians. The Rwandan Government, to its credit, has stated that its soldiers will not stand by if civilians are attacked. To be successful, this force needs to receive the resources

and support necessary to operate in some of the harshest conditions on Earth.

Congress has been active with respect to Sudan. On May 6, the Senate passed Senate Concurrent Resolution 99, which expressed congressional concern over the deteriorating human rights and humanitarian situation in Darfur and condemns the Sudan Government's actions. On July 22, Congress passed Senate Concurrent Resolution 133, which declared the policies of the Government of Sudan in the Darfur region to be genocide.

The Senate Foreign Relations Committee has worked hard on bipartisan legislation that is designed to provide significant funding to address the humanitarian crisis in Darfur and to advance the prospects for a comprehensive peace. Together with Senator Biden and other Senators on this committee, I've introduced the Comprehensive Peace in Sudan Act of 2004. This bill reflects many bipartisan ideas developed by Senator Biden as well as other co-sponsors.

The State Department has been very helpful in the committee's deliberations, advising us on how to approach this complex problem and on funding needs.

Secretary Powell, we would greatly appreciate your personal assessment today of the current situation and the prospect for a coordinated international response to the Darfur crisis, especially in light of the Secretary General's report of last week. We understand you are prepared to discuss the result of the State Department's own investigation of the Darfur crisis, which is based on more than 1,000 refugee interviews. Your thoughts on the approaching Presidential determination on the North-South peace process would also be welcome, as well as any recommendations on our legislative efforts.

Your presence here provides an excellent opportunity to expand public understanding of the crisis in Darfur and to strengthen the foundations for effective action. We appreciate your coming once again. When Senator Biden arrives, I'll recognize him for an opening statement. For the moment, the floor is yours, and we welcome you.

STATEMENT OF HON. COLIN L. POWELL, SECRETARY OF STATE, U.S. DEPARTMENT OF STATE

Secretary POWELL. Thank you very much, Mr. Chairman. It's a pleasure to be back before the committee as you conduct these deliberations on one of the most difficult situations the international community is facing, and that's the tragedy in Darfur, where, as you noted, so many hundreds of thousands of people are at risk, so many hundreds of thousands of people have been forced from their homes, from their villages to camps, and where there is an absolute need for the international community to come together and speak with one voice as to how we deal with this situation.

Mr. Chairman, I do have a prepared statement that I'd like to offer for the record, and then I will draw from that in my opening remarks.

The CHAIRMAN. It will be published in full and please proceed as you wish.

Secretary POWELL. Mr. Chairman, members of the committee, let me thank you for this opportunity to testify on the situation in Darfur, and let me begin by reviewing a little history. The violence in Darfur has complex roots in traditional conflicts between Arab nomadic herders and African farmers. The violence intensified during 2003 when two groups, the Sudan Liberation Movement and the Justice and Equality Movement, declared open rebellion against the Government of Sudan, because they feared being on the outside of the power- and wealth-sharing agreements that were being arranged in the North-South negotiations, the Naivasha discussions as we call them.

Khartoum reacted aggressively, intensifying support for Arab militias to take on these rebels and support for what are known as the janjaweed. The Government of Sudan supported the janjaweed directly and indirectly as they carried out a scorched earth policy toward the rebels and the African civilian population in Darfur.

Mr. Chairman, the United States exerted strong leadership to focus international attention on this unfolding tragedy. We first took the issue of Sudan to the United Nations Security Council last fall. President Bush was the first head of state to condemn publicly the Government of Sudan and to urge the international community to intensify efforts to end the violence.

In April of this year, the United States brokered a cease-fire between the Government of Sudan and the rebels and then took the lead to get the African Union to monitor that cease-fire. As some of you are aware, I traveled to the Sudan in mid-summer and made a point of visiting Darfur. It was about the same time that Congressman Wolf and Senator Brownback were there as well as Secretary General Kofi Annan. In fact, the Secretary General and I were able to meet in Khartoum to exchange our notes and to make sure that we gave a consistent message to the Sudanese Government of what was expected of them.

Senator Brownback can back me up when I say that all of us saw the suffering that the people of Darfur are having to endure. And Senator Corzine was just in Darfur recently. He can vouch for the fact that atrocities are still occurring. All of us met with people who had been driven from their homes by the terrible violence that is occurring in Darfur, indeed many of them having seen their homes and all of their worldly possessions destroyed or confiscated before their eyes.

During my visit, humanitarian workers from my own agency, USAID, and from other nongovernmental organizations told me how they are struggling to bring food, shelter, and medicine to those so desperately in need, a population, as you noted, Mr. Chairman, of well over a million.

In my mid-summer meetings with officials of the Government of Sudan, we presented them with the stark facts of what we knew about what is happening in Darfur, from the destruction of villages to the raping and the killing, to the obstacles that impeded relief efforts. Secretary General Annan and I obtained from the Government of Sudan what they said would be firm commitments to take steps and to take steps immediately that would remove these obstacles, help bring the violence to an end, and do it in a way that we could monitor their performance.

There have been some positive developments since my visit, since the visit of Senator Brownback, Congressman Wolf, and the Secretary General. The Sudanese have met some of our benchmarks, such as improving humanitarian access, engaging in political talks with the rebels, and supporting the deployment of observers and troops from the African Union to monitor the cease-fire between Khartoum and the rebels.

The AU Ceasefire Commission has also been set up and is working to monitor more effectively what is happening in Darfur. The general who is in charge of that mission, a Nigerian general by the name of General Okonkwo, is somebody that we know well. He is the same Nigerian general who went into Liberia last year and helped stabilize the situation there, a very good officer, a good commander who knows his business.

The AU's mission will help to restore sufficient security so that these dislocated, starving, hounded people can at least avail themselves of the humanitarian assistance that is available. But what is really needed is enough security so that they can go home, not be safe in camps. We need security throughout the countryside. These people need to go home. We are not interested in creating a permanent displaced population that survives in camps on the dole of the international community.

And what is really needed to accomplish that is for the janjaweed militias to cease and desist their murderous raids against these people and for the Government in Khartoum to stop being complicit in such raids. Khartoum has made no meaningful progress in substantially improving the overall security environment by disarming the janjaweed militias or arresting its leaders.

So we are continuing to press the Government of Sudan and we continue to monitor them. We continue to make sure that we are not just left with promises instead of actual action and performance on the ground, because it is absolutely clear that as we approach the end of the rainy season, the situation on the ground must change and it must change quickly.

There are too many tens upon tens of thousands of human beings who are at risk. Some of them have already been consigned to death in the future because of the circumstances they are living in now. They will not make it through the end of the year. Poor security, inadequate capacity, and heavy rains which will not diminish until later this month, continue to hamper the relief effort.

The United Nations estimates that there are 1,227,000 internally displaced persons in Darfur. In July, almost 950,000 IDPs received food assistance. About 200,000 Sudanese refugees are being assisted by the UNHCR and partner organizations across the border in Chad. The World Food Program expects two million IDPs will need food aid by October.

The U.S. Government provision of aid to the Darfur crisis in the Sudan and Chad totaled $211 million as of September 2, 2004. This includes $112 million in food assistance, $50 million in non-food assistance, $36 million for refugees in Chad, $5 million for refugee programs in Darfur, and $6.8 million for the African Union mission.

The United States also strongly supports the work of the AU monitoring mission in Darfur. In fact, we initiated the mission

through base camp setup and logistic support by a private contractor that we are paying for. The AU mission is currently staffed with 125 AU monitors now deployed in the field, and those monitors have already completed 20 investigations of cease-fire violations and their reports are now being written up and being provided to the AU and to the U.N. and to the international community.

The UA monitoring staff is supported by a protection force of 305 troops made up of a Rwandan contingent of 155 who arrived on August 15 and a Nigerian contingent of 150 who arrived on August 30. Recognizing the security problems in Darfur, the U.N. and the United States have begun calling for an expanded AU mission in Darfur through the provision of additional observers and additional protection forces so their presence can spread throughout this very, very large area that is about 80 percent the size of the State of Texas. It is not a simple geographic or monitoring or military mission. It is very complex.

Khartoum seems to have expressed a willingness to consider such an expanded mission. I am pleased to announce, Mr. Chairman, that the State Department has identified $20.5 million in fiscal year 2004 funds for initial support of this expanded AU mission. We look forward to consulting with Congress on meeting additional needs that such a mission might have.

As you know, as we watch the month of July—as you watched through the month of July, we felt that more pressure was required. So we went to the United Nations and asked for a resolution and we got that resolution on July 30 after a bit of debate, but it was 13 to 0 with two abstentions.

This resolution, 1556, demands that the Government of Sudan take action to disarm the janjaweed militia and bring janjaweed leaders to justice. It warns Khartoum that the Security Council will take further action and measures, which is the U.N. term for sanctions. Measures is not a softer word. It includes sanctions and any other measures that might be contemplated or available to the international community. And it warned Khartoum that the United Nations, through its Security Council, will take actions and measures if Sudan fails to comply.

That resolution urges the warring parties to conclude a political agreement without delay, and it commits all states to target sanctions against the janjaweed militias and those who aid and abet them, as well as others who may share responsibility for this tragic situation.

Too many lives have already been lost. We cannot lose any more time. We in the international community must intensify our efforts to help those imperiled by violence, starvation, and disease in Darfur. But the Government of Sudan bears the greatest responsibility to face up to this catastrophe, rein in those who are committing these atrocities, and save the lives of its own citizens.

At the same time, however, the rebels have not fully respected the cease-fire, and we are disturbed at reports of rebel kidnaping of relief workers. We have emphasized to the rebels that they must allow unrestricted access of humanitarian relief workers and supplies, and that they must cooperate fully, including cooperating with the AU monitoring mission.

We are pleased that the Government of Sudan and the rebels are currently engaged in talks in Abuja hosted by the AU. These talks are aimed at bringing about a political settlement in Darfur. The two sides have agreed on a protocol to facilitate delivery of much-needed humanitarian assistance to rebel-held areas, and are now engaged in discussions of protocol on security issues. These negotiations are difficult. We expect that they may be adjourned for a period of time after these initial agreements, and we are some ways away from seeing a political resolution between the two sides.

We are urging both sides to intensify negotiations in order to reach a political settlement, and I have personnel from the State Department who are on the ground in Abuja on a full-time basis to assist the negotiators in their work.

When I was in Khartoum earlier in the summer, I told President Bashir, Vice President Taha, Foreign Minister Ismail, the Minister of Interior, and others, that the United States wants to see a united, unified, prosperous, democratic Sudan. I told them that to that end we are fully prepared to work with them. I reminded them that we had reached an historic agreement on June 5, an agreement that we had worked on for so long, an agreement between the Government of Sudan and the Sudan People's Liberation Movement, the so-called North-South agreement. And this North-South agreement covered all of the outstanding issues that had been so difficult for these parties to come to agreement on, they had come to agreement on.

Since then, the parties have been engaged in final negotiations on remaining details. However, the parties now are stuck on the specifics of a formal cease-fire agreement and have not yet begun the final round of implementation modalities. Special Envoy Sumbeiywo met recently with the parties, but could not resolve the remaining cease-fire-related issues.

Khartoum appears unwilling to resume talks at the most senior level, claiming that it must focus on Darfur. That would be fine if its focus were the right focus, but it is not. The SPLM is more forward-leaning, but still focused on negotiating details. We believe that a comprehensive agreement would bolster efforts to resolve the crisis in Darfur by providing a legal basis for a political solution and by opening up the political process in Khartoum.

President Bashir has repeatedly pledged to work for peace, and he pledged that again when I met with him earlier in the summer. But President Bush, this Congress, Secretary General Annan, and the international community want more than promises. We want to see dramatic improvements on the ground right now. Indeed, we wanted to see them yesterday. In the meantime, while we wait, we are doing all that we can.

We are working with the international community to make sure all those nations who have made pledges of financial assistance and other kinds of assistance meet their pledges. We are not yet satisfied with the response from the international community to meeting the pledges that they have made. In fact, the estimated needs have grown, and the donor community needs to dig deeper.

America has been in the forefront of providing assistance to the suffering people of Darfur and will remain in the forefront. But it is time for the entire international community to increase their as-

sistance. The U.S. has pledged $299 million in humanitarian aid through fiscal year 2005 and $11.8 million to the AU mission, and we are well on our way to exceeding those pledges.

Clearly, we will need more assistance in the future and we are looking at all of our accounts within the Department to see what we can do, and when we are beyond our ability to do more from within our current appropriations, we will have to come back to the Congress and make our request known.

Secretary General Annan's August 30 report called for an expanded AU mission in Darfur to monitor commitments to the parties more effectively, thereby enhancing security and facilitating the delivery of humanitarian assistance. The Secretary General's report also highlighted Khartoum's failure to rein in and disarm the janjaweed militia, and noted that the Sudanese military continued to take part in attacks on civilians, including aerial bombardment and helicopter strikes.

We have begun consultation in New York on a new resolution that calls for Khartoum to fully cooperate with an expanded AU force, and for cessation of Sudanese military flights over the Darfur region. It also provides for international overflights to monitor the situation in Darfur and requires the Security Council to review the record of Khartoum's compliance to determine if sanctions, including on the Sudanese petroleum sector, should be imposed.

The resolution also urges the Government of Sudan and the SPLM to conclude negotiations, the Lake Naivasha negotiations, on a comprehensive peace accord.

And, Mr. Chairman, there is finally the continuing question of whether what is happening in Darfur should be called genocide. Since the United States became aware of the atrocities occurring in Sudan, we have been reviewing the Genocide Convention and the obligations it places on the Government of Sudan and on the international community and on the state parties to the Genocide Convention.

In July, we launched a limited investigation by sending a team to visit the refugee camps in Chad to talk to refugees and displaced personnel. The team worked closely with the American Bar Association and the Coalition for International Justice, and were able to interview 1,136 of the 2.2 million people the U.N. estimates have been affected by this horrible situation, this horrible violence.

Those interviews indicated first a consistent and widespread pattern of atrocities, killings, rapes, burning of villages committed by janjaweed and government forces against non-Arab villagers. Three-fourths of those interviewed reported that the Sudanese military forces were involved in the attacks. Third, villagers often experienced multiple attacks over a prolonged period before they were destroyed by burning, shelling, or bombing, making it impossible for the villagers to return to their villages. This was a coordinated effort, not just random violence.

When we reviewed the evidence compiled by our team and then put it beside other information available to the State Department and widely known throughout the international community, widely reported upon by the media and by others, we concluded, I concluded, that genocide has been committed in Darfur, and that the

Government of Sudan and the janjaweed bear responsibility and that genocide may still be occurring.

Mr. Chairman, we are making copies of the evidence that our team compiled available to you and to the public today. We are putting it up on our Web site now as I speak.

We believe in order to confirm the true nature, scope, and totality of the crimes our evidence reveals, a full-blown and unfettered investigation needs to occur. Sudan is a contracting party to the Genocide Convention and is obliged under the Convention to prevent and to punish acts of genocide. To us at this time, it appears that Sudan has failed to do so.

Article 8 of the Genocide Convention provides that contracting parties may, I'll quote now, "may call upon the competent organs of the United Nations to take action, such action under the charter of the United Nations as they, the competent organs of the United Nations, as they consider appropriate, actions as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated under Article 3 of the Genocide Convention."

Because of that obligation under Article 8 of the Convention, and since the United States is one of the contracting parties, today we are calling on the United Nations to initiate a full investigation. To this end, the United States will propose that the next U.N. Security Council Resolution on Sudan requests a United Nations investigation into all violations of international humanitarian law and human rights law that have occurred in Darfur with a view to ensuring accountability.

Mr. Chairman, as I have said, the evidence leads us to the conclusion, the United States to the conclusion that genocide has occurred and may still be occurring in Darfur. We believe the evidence corroborates the specific intent of the perpetrators to destroy a group in whole or in part, the words of the Convention. This intent may be inferred from their deliberate conduct. We believe other elements of the Convention have been met as well.

Under the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, to which both the United States and Sudan are parties, genocide occurs when the following three criteria are met: First, specific acts are committed, and those acts include killing, causing serious bodily or mental harm, deliberately inflicting conditions of life calculated to bring about physical destruction of a group in whole or in part, imposing measures to prevent births or forcibly transferring children to another group. Those are specified acts that if committed raise the likelihood that genocide is being committed.

The second criteria, these acts are committed against members of a national, ethnic, racial, or religious group. And the third criterion is they are committed with intent to destroy in whole or in part the group as such.

The totality of evidence from the interviews we conducted in July and August and from other sources available to us show us that the janjaweed and Sudanese military forces have committed large-scale acts of violence, including murders, rape, and physical assaults on non-Arab individuals.

Second, the janjaweed and Sudanese military forces destroyed villages, foodstuffs, and other means of survival. Third, the Sudan Government and its military forces obstructed food, water, medicine, and other humanitarian aid from reaching affected populations, thereby leading to further deaths and suffering. And finally, despite having been put on notice multiple times, Khartoum has failed to stop the violence.

Mr. Chairman, some seem to have been waiting for this determination of genocide to take action. In fact, however, no new action is dictated by this determination. We have been doing everything we can to get the Sudanese Government to act responsibly. So let us not be too preoccupied with this designation. These people are in desperate need and we must help them. Call it civil war, call it ethnic cleansing, call it genocide, call it none of the above. The reality is the same. There are people in Darfur who desperately need the help of the international community.

I expect—I more than expect—I know that the Government in Khartoum will reject our conclusion of genocide anyway. Moreover, at this point, genocide is our judgment and not the judgment of the international community. Before the Government of Sudan is taken to the bar of international justice, let me point out that there is a simple way for Khartoum to avoid such wholesale condemnation by the international community, and that way is to take action to stop holding back, to stop dissembling.

The Government in Khartoum should end the attacks and ensure its people, all of its people are secure, ensure that they are all secure. They should hold to account those who are responsible for past atrocities and ensure that current negotiations taking place in Abuja and also the Naivasha Accords are successfully concluded.

That is the only way to peace and prosperity for this war-ravaged land. Specifically, Mr. Chairman, the most practical contribution we can make to the security of Darfur in the short term is to do everything we can to increase the number of African Union monitors. That will require the cooperation of the Government of Sudan, and I am pleased that the African Union is stepping up to the task. It is playing a leadership role and countries within the African Union have demonstrated a willingness to provide a significant number of troops, and this is the fastest way to help bring security to the countryside through this expanded monitoring presence so we can see what it is going on and act to prevent it.

In the intermediate and long term, the security of Darfur can best be advanced by a political settlement in Abuja and by the successful conclusion of the peace negotiations between the SPLM and the Government in Sudan, the Lake Naivasha Accords.

Mr. Chairman, I will stop here and take your questions. Thank you.

[The prepared statement of Secretary Powell follows:]

PREPARED STATEMENT OF HON. COLIN L. POWELL

Mr. Chairman, members of the committee, thank you for the opportunity to testify on the situation in Darfur. Let me start by reviewing a little history.

The violence in Darfur has complex roots in traditional conflicts between Arab nomadic herders and African farmers. The violence intensified during 2003 when two groups—the Sudan Liberation Movement and the Justice and Equality Movement—declared open rebellion against the Government of Sudan because they feared being

on the outside of the power and wealth-sharing agreements in the north-south negotiations. Khartoum reacted aggressively, intensifying support for Arab militias, the so-called *jinjaweid.* The Government of Sudan supported the jinjaweid, directly and indirectly, as they carried out a scorched-earth policy towards the rebels and the African civilian population.

Mr. Chairman, the United States exerted strong leadership to focus international attention on this unfolding tragedy. We first took the issue of Sudan to the United Nations (UN) Security Council last fall. President Bush was the first head of state to condemn publicly the Government of Sudan and to urge the international community to intensify efforts to end the violence. In April of this year, the United States brokered a ceasefire between the Government of Sudan and the rebels, and then took the lead to get the African Union (AU) to monitor that ceasefire.

As some of you are aware, I traveled to the Sudan in midsummer and made a point of visiting Darfur. It was about the same time that Congressman Wolf and Senator Brownback were there, as well as Secretary General Kofi Annan. In fact, the Secretary General and I were able to meet and exchange notes. We made sure that our message to the Sudanese government was consistent.

Senator Brownback can back me up when I say that all of us saw the suffering that the people of Darfur are having to endure. And Senator Corzine was just in Darfur and can vouch for the fact that atrocities are still occurring. All of us met with people who had been driven from their homes—indeed many having seen their homes and all their worldly possessions destroyed or confiscated before their eyes—by the terrible violence that is occurring in Darfur.

During my visit, humanitarian workers from my own Agency—USAID—and from other Non-Governmental Organizations (NGOs), told me how they are struggling to bring food, shelter, and medicines to those so desperately in need—a population of well over one million.

In my midsummer meetings with the Government of Sudan, we presented them with the stark facts of what we knew about what is happening in Darfur from the destruction of villages, to the raping and the killing, to the obstacles that impeded relief efforts. Secretary General Annan and I obtained from the Government of Sudan what they said would be firm commitments to take steps, and to take steps immediately, that would remove these obstacles, help bring the violence to an end, and do it in a way that we could monitor their performance.

There have been some positive developments since my visit, and since the visit of Senator Brownback, Congressman Wolf, and the Secretary General.

The Sudanese have met some of our benchmarks such as engaging in political talks with the rebels and supporting the deployment of observers and troops from the AU to monitor the ceasefire between Khartoum and the rebels. Some improvements in humanitarian access have also occurred though the government continues to throw obstacles in the way of the fullest provision of assistance.

The AU Ceasefire Commission has also been set up and is working to monitor more effectively what is actually happening in Darfur. The general who is in charge of that mission, a Nigerian general by the name of Okonkwo, is somebody that we know well. He is the same Nigerian general who went into Liberia last year and helped stabilize the situation there.

The AU's mission will help to restore sufficient security so that these dislocated, starving, hounded people can at least avail themselves of the humanitarian assistance that is available. But what is really needed is enough security so that they can go home. And what is really needed is for the jinjaweid militias to cease and desist their murderous raids against these people—and for the Government in Khartoum to stop being complicit in such raids. Khartoum has made no meaningful progress in substantially improving the overall security environment by disarming the jinjaweid militias or arresting its leaders.

So we are continuing to press that government and we continue to monitor them. We continue to make sure that we are not just left with promises instead of actual action and performance on the ground. Because it is absolutely clear that as we approach the end of the rainy Season, the situation on the ground must change, and it must change quickly. There are too many tens upon tens of thousands of human beings who are at risk. Some of them have already been consigned to death because of the circumstances they are living in now. They will not make it through the end of the year. Poor security, inadequate capacity, and heavy rains (which will not diminish until late September) continue to hamper the relief effort.

The UN estimates there are 1,227,000 Internally Displaced Persons (IDPs) in Darfur. In July, almost 950,000 IDPs received some form of food assistance. About 200,000 Sudanese refugees are being assisted by UNHCR and partner organizations in Chad. The World Food Program (WFP) expects two million IDPs will need food aid by October.

U.S. Government provision of aid to the Darfur crisis in Sudan and Chad totaled $211.3 million as of September 2, 2004: This includes $112.9 million in food assistance, $50.2 million in non-food assistance, and $36.4 million for refugees in Chad, $5 million for refugee programs in Darfur, and $6.8 million for the African Union mission.

The U.S. also strongly supports the work of the AU monitoring mission in Darfur. In fact, we initiated the Mission through base camp set-up and logistics support by a private contractor. The Mission is staffed with 125 AU monitors now deployed in the field and has completed approximately 20 investigations of cease-fire violations. The AU monitoring staff is supported by a protection force of 305, made up of a Rwandan contingent of 155 (they arrived on August 15) and a Nigerian contingent of 150 (they arrived on August 30). Recognizing the security problems in Darfur, the UN and the U.S. have begun calling for an expanded AU mission in Darfur through the provision of additional observers and protection forces. Khartoum appears to have signaled a willingness to consider an expanded mission.

I am pleased to announce, Mr. Chairman, that the State Department has identified $20.5 million in FY04 funds for initial support of this expanded mission. We look forward to consulting with the Congress on meeting additional needs.

As you know, as we watched through the month of July, we felt more pressure was required. So we went to the UN and asked for a resolution. We got it on July 30.

Resolution 1556 demands that the Government of Sudan take action to disarm the jinjaweid militia and bring jinjaweid leaders to justice. It warns Khartoum that the Security Council will take further actions and measures—UN-speak for sanctions—if Sudan fails to comply. It urges the warring parties to conclude a political agreement without delay and it commits all states to target sanctions against the jinjaweid militias and those who aid and abet them as well as others who may share responsibility for this tragic situation. Too many lives have already been lost. We cannot lose any more time. We in the international community must intensify our efforts to help those imperiled by violence, starvation and disease in Darfur.

But the Government of Sudan bears the greatest responsibility to face up to this catastrophe, rein in those who are committing these atrocities, and save the lives of its own citizens. At the same time, however, the rebels have not fully respected the ceasefire. We are disturbed at reports of rebel kidnapings of relief workers. We have emphasized to the rebels that they must allow unrestricted access of humanitarian relief workers and supplies and cooperate fully, including with the AU monitoring mission.

We are pleased that the Government of Sudan and the rebels are currently engaged in talks in Abuja, hosted by the AU. These talks are aimed at bringing about a political settlement in Darfur. The two sides have agreed on a protocol to facilitate delivery of much-needed humanitarian assistance to rebel-held areas, and are now engaged in discussions of a protocol on security issues. We are urging both sides to intensify negotiations in order to reach a political settlement.

At midsummer, I told President Bashir, Vice President Taha, Foreign Minister Ismail, the Minister of Interior and others, that the United States wants to see a united, prosperous, democratic Sudan. I told them that to that end we are fully prepared to work with them. I reminded them that we had reached an historic agreement on June 5—an agreement between the Government of Sudan and the Sudan People's Liberation Movement (SPLM). That agreement covered all the outstanding issues in the north-south process.

Since then, the parties have been engaged in final negotiations on remaining details. However, the parties are stuck on the specifics of a formal ceasefire agreement and have not yet begun the final round of implementation modalities. Special Envoy Sumbeiywo met recently with the parties, but could not resolve the remaining ceasefire-related issues. Khartoum appears unwilling to resume talks at the most senior level, claiming it must focus on Darfur. That would be fine if its focus were the right focus. But it is not. The SPLM is more forward leaning, but still focused on negotiating details. We believe that a comprehensive agreement would bolster efforts to resolve the crisis in Darfur by providing a legal basis for a political solution (decentralization) and by opening up the political process in Khartoum.

President Bashir has repeatedly pledged to work for peace, and he pledged that again when we met in midsummer. But President Bush, this Congress, Secretary General Annan and the international community want more than promises. We want to see dramatic improvements on the ground right now. Indeed, we wanted to see them yesterday.

In the meantime, we are doing all that we can. We are working with the international community to make sure that all of those nations who have made pledges of financial assistance meet those pledges. In fact, the estimated needs have grown

and the donor community needs to dig deeper. America has been in the forefront of providing assistance to the suffering people of Darfur and will remain in the forefront. But it is time for the entire international community to increase their assistance. The U.S. has pledged $299 million in humanitarian aid through FY05, and $11.8 million to the AU mission, and we are well on the way to exceeding these pledges.

SYG Annan's August 30 report called for an expanded AU mission in Darfur to monitor commitments of the parties more effectively, thereby enhancing security and facilitating the delivery of humanitarian assistance. The report also highlighted Khartoum's failure to rein in and disarm the jinjaweid militia, and noted that the Sudanese military continued to take part in attacks on civilians, including aerial bombardment and helicopter strikes.

We have begun consultation in New York on a new resolution that calls for Khartoum to cooperate fully with an expanded AU force and for cessation of Sudanese military flights over the Darfur region. It also provides for international overflights to monitor the situation in Darfur and requires the Security Council to review the record of Khartoum's compliance to determine if sanctions, including on the Sudanese petroleum sector, should be imposed. The resolution also urges the Government of Sudan and the SPLM to conclude negotiations on a comprehensive peace accord.

And finally there is the matter of whether or not what is happening in Darfur is genocide.

Since the U.S. became aware of atrocities occurring in Sudan, we have been reviewing the Genocide Convention and the obligations it places on the Government of Sudan.

In July, we launched a limited investigation by sending a team to refugee camps in Chad. They worked closely with the American Bar Association and the Coalition for International Justice and were able to interview 1,136 of the 2.2 million people the UN estimates have been affected by this horrible violence. Those interviews indicated:

- A consistent and widespread pattern of atrocities (killings, rapes, burning of villages) committed by jinjaweid and government forces against non-Arab villagers;
- Three-fourths (74%) of those interviewed reported that the Sudanese military forces were involved in the attacks;
- Villages often experienced multiple attacks over a prolonged period before they were destroyed by burning, shelling or bombing, making it impossible for villagers to return.

When we reviewed the evidence compiled by our team, along with other information available to the State Department, we concluded that genocide has been committed in Darfur and that the Government of Sudan and the jinjaweid bear responsibility—and genocide may still be occurring. Mr. Chairman, we are making copies of the evidence our team compiled available to this committee today.

We believe in order to confirm the true nature, scope and totality of the crimes our evidence reveals, a full-blown and unfettered investigation needs to occur. Sudan is a contracting party to the Genocide Convention and is obliged under the Convention to prevent and to punish acts of genocide. To us, at this time, it appears that Sudan has failed to do so.

Article VIII of the Genocide Convention provides that Contracting Parties "may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in Article III."

Today, the U.S. is calling on the UN to initiate a full investigation. To this end, the U.S. will propose that the next UN Security Council Resolution on Sudan request a UN investigation into all violations of international humanitarian law and human rights law that have occurred in Darfur, with a view to ensuring accountability.

Mr. Chairman, as I said the evidence leads us to the conclusion that genocide has occurred and may still be occurring in Darfur. We believe the evidence corroborates the specific intent of the perpetrators to destroy "a group in whole or in part." This intent may be inferred from their deliberate conduct. We believe other elements of the convention have been met as well.

Under the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, to which both the United States and Sudan are parties, genocide occurs when the following three criteria are met:

- *specified acts are committed:*

  a) killing;

b) causing serious bodily or mental harm;

c) deliberately inflicting conditions of life calculated to bring about physical destruction of a group in whole or in part;

d) imposing measures to prevent births; or

e) forcibly transferring children to another group;

- *these acts are committed against members of a national, ethnic, racial or religious group: and*
- *they are committed "with intent to destroy. in whole or in part [the group] as such".*

The totality of the evidence from the interviews we conducted in July and August, and from the other sources available to us, shows that:

- The jinjaweid and Sudanese military forces have committed large-scale acts of violence, including murders, rape and physical assaults on non-Arab individuals;
- The jinjaweid and Sudanese military forces destroyed villages, foodstuffs, and other means of survival;
- The Sudan Government and its military forces obstructed food, water, medicine, and other humanitarian aid from reaching affected populations, thereby leading to further deaths and suffering; and
- Despite having been put on notice multiple times, Khartoum has failed to stop the violence.

Mr. Chairman, some seem to have been waiting for this determination of genocide to take action. In fact, however, no new action is dictated by this determination. We have been doing everything we can to get the Sudanese government to act responsibly. So let us not be preoccupied with this designation of genocide. These people are in desperate need and we must help them. Call it a civil war. Call it ethnic cleansing. Call it genocide. Call it "none of the above." The reality is the same: there are people in Darfur who desperately need our help.

I expect that the government in Khartoum will reject our conclusion of genocide anyway. Moreover, at this point genocide is our judgment and not the judgment of the International Community. Before the Government of Sudan is taken to the bar of international justice, let me point out that there is a simple way for Khartoum to avoid such wholesale condemnation. That way is to take action.

The government in Khartoum should end the attacks, ensure its people—all of its people—are secure, hold to account those who are responsible for past atrocities, and ensure that current negotiations are successfully concluded. That is the only way to peace and prosperity for this war-ravaged land.

Specifically, Mr. Chairman, the most practical contribution we can make to the security of Darfur in the short-term is to increase the number of African Union monitors. That will require the cooperation of the Government of Sudan.

In the intermediate and long term, the security of Darfur can be best advanced by a political settlement at Abuja and by the successful conclusion of the peace negotiations between the SPLM and the Government of Sudan.

Mr. Chairman, I will stop here and take your questions.

DOCUMENTING ATROCITIES IN DARFUR
(A Report Prepared by the U.S. Department of State)

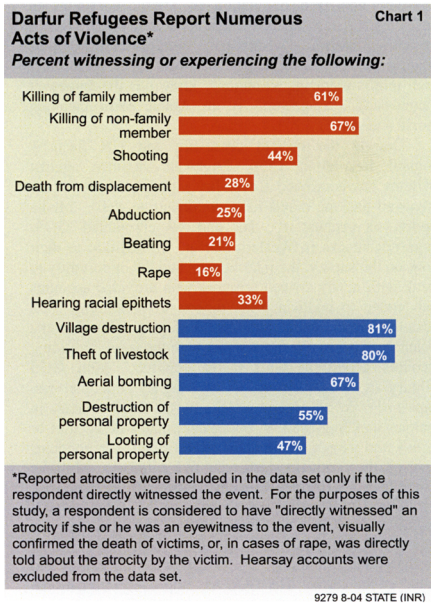
SUMMARY

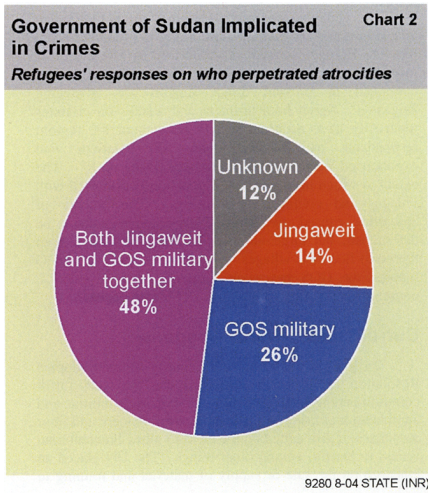
The conflict between the Government of Sudan (GOS) and two rebel groups that began in 2003 has precipitated the worst humanitarian and human rights crisis in the world today. The primary cleavage is ethnic: Arabs (GOS and militia forces) vs. non-Arab villagers belonging primarily to the Zaghawa, Massalit, and Fur ethnic groups. Both groups are predominantly Muslim.

A U.S. Government project to conduct systematic interviews of Sudanese refugees in Chad reveals a consistent and widespread pattern, of atrocities committed against non-Arab villagers in the Darfur region of western Sudan. This assessment is based on semi-structured interviews with 1,136 randomly selected refugees in 19 locations in eastern Chad. Most respondents said government forces, militia fighters, or a combination of both had completely destroyed their villages. Sixty-one percent of the respondents witnessed the killing of a family member; 16 percent said they had been raped or had heard about a rape from a victim. About one-third of

the refugees heard racial epithets while under attack. Four-fifths said their livestock was stolen; nearly half asserted their personal property was looted. This assessment highlights incidents and atrocities that have led to the displacement of large portions of Darfur's non-Arabs.

An Atrocities Documentation Team, assembled at theinitiative of the U.S. Department of State's Bureau of Democracy, Human Rights and Labor (DRL), conducted interviews in Chad in July and August. The team was primarily composed of independent experts recruited by the Coalition for International Justice (CIJ), and also included experts from the American Bar Association (ABA), DRL, and the State Department's Bureau of Intelligence and Research (INR) as well as the US Agency for International Development (USAID). INR was responsible for compiling the survey data and producing the final report. USAID met the costs of the CIJ and ABA.





Humanitarian Crisis

As of August 2004, based on available information, more than 405 villages in Darfur had been completely destroyed, with an additional 123 substantially damaged, since February 2003. Approximately 200,000 persons had sought refuge in eastern Chad as of August, according to the UN High Commissioner for Refugees (UNHCR); the UN Office for the Coordination of Humanitarian Affairs reports another 1.2 million internally displaced persons (IDPs) remain in western Sudan. The total population of Darfur is 6 million. The lack of security in the region continues to threaten displaced persons. Insecurity and heavy rains continue to disrupt humanitarian assistance. The UN World Food Program provided food to nearly 940,000 people in Darfur in July. Nonetheless, since the beginning of the Darfur food program, a total of 82 out of 154 concentrations of IDPs have received food, leaving 72 locations unassisted. Relief and health experts warn that malnutrition and mortality are likely to increase as forcibly displaced and isolated villagers suffer from hunger and infectious diseases that will spread quickly among densely populated and malnourished populations. The health situation for the 200,000 refugees in Chad is ominous. The relief access to IDPs in Darfur since July, but problems, including lack of security and seasonal rains, have hampered relief programs. Survey results indicate that most Sudanese refugees state that Jingaweit militias and GOS military forces collaborate in carrying out systematic attacks against non-Arab villages in Darfur.

U.S. Centers for Disease Control and Prevention estimate that one in three children in the refugee settlements in Chad is suffering from acute malnutrition and that crude mortality rates are already well above emergency threshold levels (one per 10,000 per day).

Human Rights Crisis

The non-Arab population of Darfur continues to suffer from crimes against humanity. A review of 1,136 interviews shows a consistent pattern of atrocities, suggesting close coordination between GOS forces and Arab militia elements, commonly known as the Jingaweit (Janjaweed). ("Jingaweit" is an Arabic term meaning "horse and gun.")

Despite the current cease-fire and UN Security Council Resolution 1556, Jingaweit violence against civilians has continued (cease-fire violations by both the Jingaweit and the rebels have continued as well). Media reports on August 10, 16, and 19 chronicled GOS Jingaweit attacks in Western Darfur. In addition to their work on the survey, the interviewers had the opportunity to speak with newly arrived refugees who provided accounts that tended to confirm press reports of continuing GOS participation in recent attacks. Refugees who fled the violence on August 6 and 8 spoke with the team, providing accounts consistent with media reports: joint GOS military and Jingaweit attacks; strafing by helicopter gun ships followed by ground attacks by the GOS military in vehicles and Jingaweit on horseback; males being shot or knifed; and women being abducted or raped. Respondents reported these attacks destroyed five villages. Multiple respondents also reported attacks on the IDP camp of Arja.

The UN estimates the violence has affected 2.2 million of Darfur's 6 million residents. The GOS claims it has been unable to prevent Jingaweit atrocities and that the international community has exaggerated the extent and nature of the crisis. The GOS has improved international

Ethnographic Background

Darfur covers about one-fifth of Sudan's vast territory and is home to one-seventh of its population. It includes a mixture of Arab and non-Arab ethnic groups, both of which are predominantly Muslim (see map below). The Fur ethnic group (Darfur means "homeland of the Fur") is the largest non-Arab ethnic group in the region. Northern Darfur State is home to the nomadic non-Arab Zaghawa but also includes a significant number of Arabs, such as the Meidab. Sedentary non-Arabs from the Fur, Massalit, Daju, and other ethnic groups live in Western Darfur State. The arid climate and the competition for scarce resources over the years have contributed to recurring conflict between nomadic Arab herders and non-Arab farmers, particularly over land and grazing rights. Various ethnic groups have fought over access to water, grazing rights, and prized agricultural land as desertification has driven herders farther south.

Political and Military Conflict

Ethnic violence affected the Darfur region in the 1980s. In 1986, Prime Minister Sadiq al-Mandi armed the ethnic-Arab tribes to fight John Garang's Sudanese People's Liberation Army (SPLA). After helping the GOS beat back an SPLA attack in

Darfur in 1991, one of these Arab tribes sought to resolve ancient disputes over land and water rights by attacking the Zaghawa, Fur, and Massalit peoples. Arab groups launched a campaign in Southern Darfur State that resulted in the destruction of some 600 non-Arab villages and the deaths of about 3,000 people. The GOS itself encouraged the formation of an "Arab Alliance" in Darfur to keep non-Arab ethnic groups in check. Weapons flowed into Darfur and the conflict spread. After President Bashir seized power in 1989, the new government disarmed non-Arab ethnic groups but allowed politically loyal Arab allies to keep their weapons.

In February 2003, rebels calling themselves the Darfur Liberation Front (DLF) attacked GOS military installations and the provincial capital of Al Fashir. The DLF complained of economic marginalization and demanded a power sharing arrangement with the GOS. In March 2003, the DLF changed its name to the Sudan Liberation Movement/Army (SLM/A), intensified its military operations, unveiled a political program for a "united democratic Sudan," and bolstered its strength to some 4,000 rebels. The Justice and Equality Movement, with fewer than 1,000 rebels, was established in 2002 but has since joined the SLM/A in several campaigns against GOS forces.

The GOS has provided support to Arab militiamen attacking non-Arab civilians, according to press and NGO reports. Refugee accounts corroborated by US and other independent reporting suggest that Khartoum has continued to provide direct support for advancing Jingaweit. Aerial bombardment and attacks on civilians reportedly have occurred widely throughout the region; respondents named more than 100 locations that experienced such bombardment (see map, p. 8). The extent to which insurgent base camps were co-located with villages and civilians is unknown. The number of casualties caused by aerial bombardment cannot be determined, but large numbers of Darfurians have been forced to flee their villages. According to press and NGO reports, the GOS has given Jingaweit recruits salaries, communication equipment, arms, and identity cards.

Current International Response

On July 30, 2004, the UN Security Council adopted Resolution 1556, which demanded that the GOS fulfill commitments it made to disarm the Jingaweit militias and apprehend and bring to justice Jingaweit leaders and their associates; it also called on the GOS to allow humanitarian access to Darfur, among other things. The UN placed an embargo on the sale or supply of materiel and training to non-governmental entities and individuals in Darfur. The resolution endorsed the African Union deployment of monitors and a protection force to Darfur. It requested the Secretary-General to report on GOS progress in 30 days and held out the possibility of further actions, including sanctions, against the GOS in the event of non-compliance.

The Security Council has expressed its deep concern over reports of large-scale violations of human rights and international humanitarian law in Darfur. The main protection concerns identified by the UN and corroborated by the Atrocities Documentation Team include threats to life and freedom of movement, forced relocation, forced return, sexual violence, and restricted access to humanitarian assistance, social services, sources of livelihood, and basic services. Food security has been precarious and will probably worsen as the rainy season continues. Many displaced households no longer can feed themselves because of the loss of livestock and the razing of food stores.

Relief agencies' access to areas outside the state capitals of Al Junaynah, Al Fashir, and Nyala was limited until late May. Visits by UN Secretary-General Annan and Secretary of State Powell in June 2004 brought heightened attention to the growing humanitarian crisis. As a result, the GOS lifted travel restrictions and announced measures to facilitate humanitarian access. Nonetheless, serious problems remain, specifically capacity, logistics, and security for relief efforts. USAID's Disaster Assistance Response Team and other agencies have deployed additional staff to increase emergency response capacity.

Refugee Interviews—Survey Results

The Atrocities Documentation Team conducted a random sample survey of Darfurian refugees in eastern Chad in July and August 2004. The team interviewed 1,136 refugees, many of whom had endured harsh journeys across the desolate Chad-Sudan border.

A plurality of the respondents were ethnic Zaghawa (46 percent), with smaller numbers belonging to the Fur (8 percent) and Massalit (30 percent) ethnic groups. Slightly more than half the respondents (56 percent) were women. (See map, p. 6, showing ethnicity of respondent refugees.)

Analysis of the refugee interviews points to a pattern of abuse against members of Darfur's non-Arab communities, including murder, rape, beatings, ethnic humiliation, and destruction of property and basic necessities. Many of the reports detailing attacks on villages refer to government and militia forces, preceded by aerial bombardment, acting together to commit atrocities. Respondents said government and militia forces wore khaki or brown military uniforms. Roughly one-half of the respondents noted GOS forces had joined Jingaweit irregulars in attacking their villages. Approximately one-quarter of the respondents said GOS forces had acted alone; another 14 percent said the Jingaweit had acted alone. Two-thirds of the respondents reported aerial bombings against their villages; four-fifths said they had witnessed the complete destruction of their villages. Sixty-one percent reported witnessing the killing of a family member. About one-third of the respondents reported hearing racial epithets while under attack; one-quarter witnessed beatings. Large numbers reported the looting of personal property (47 percent) and the theft of livestock (80 percent).

Most reports followed a similar pattern:

(1) GOS aircraft or helicopters bomb villages.

(2) GOS soldiers arrive in trucks, followed closely by Jingaweit militia riding horses or camels.

(3) GOS soldiers and militia surround and then enter villages, under cover of gunfire.

(4) Fleeing villagers are targets in aerial bombing.

(5) The Jingaweit and GOS soldiers loot the village after most citizens have fled, often using trucks to remove belongings.

(6) Villages often experience multiple attacks over a prolonged period before they are destroyed by burning or bombing.

When describing attacks, refugees often referred to GOS soldiers and Jingaweit militias as a unified group; as one refugee stated, "The soldiers and Jingaweit, always they are together." The primary victims have been non-Arab residents of Darfur. Numerous credible reports corroborate the use of racial and ethnic epithets by both the

Jingaweit and GOS military personnel; "Kill the slaves; Kill the slaves!" and "We have orders to kill all the blacks" are common. One refugee reported a militia member stating, "We kill all blacks and even kill our cattle when they have black calves." Numerous refugee accounts point to mass abductions, including persons driven away in GOS vehicles, but respondents usually do not know the abductees' fate. A few respondents indicated personal knowledge of mass executions and gravesites.

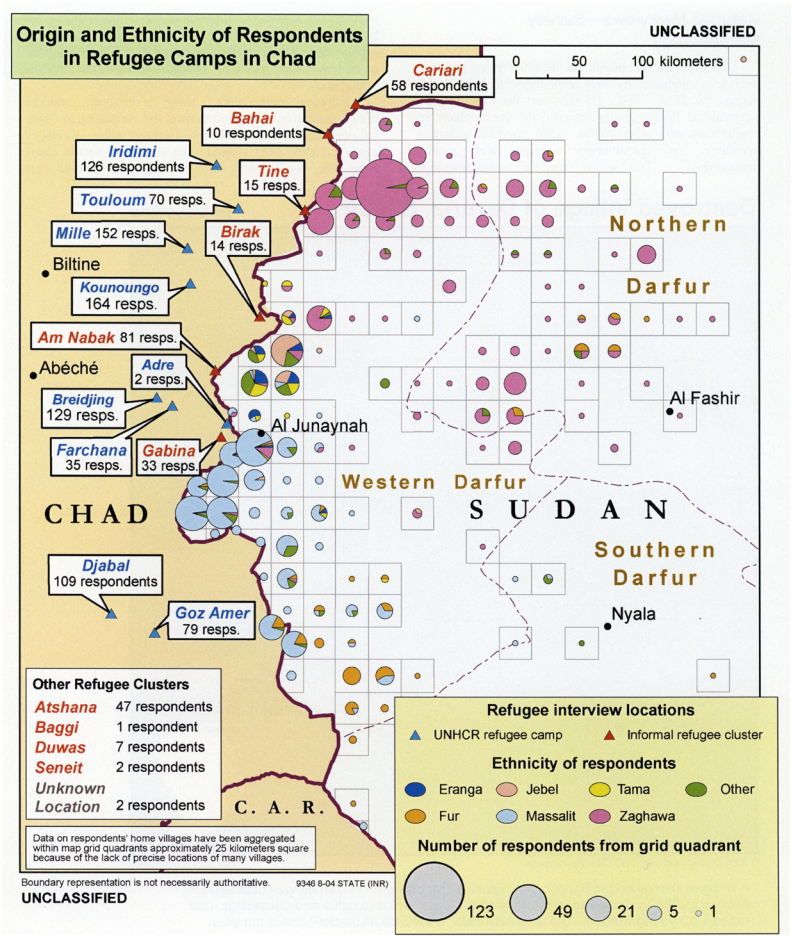
A subset of 400 respondents were asked about rebel activity in or near their villages. Nearly nine in 10 said there was no rebel activity before the attack. Nine percent noted rebels were in the vicinity; 2 percent said the rebels were present in their villages. The overwhelming majority (91 percent) said their village was not defended at all against the attack. One percent asserted their village had been successfully defended and another 8 percent cited an unsuccessful defense.

Respondents reported ethnic tensions in the region had risen over the past few years. For example, markets in which non-Arabs and Arabs had previously interacted have become segregated, and almost all villages are now said to be ethnically homogenous. According to many of the interviewees, GOS soldiers and Jingaweit attacked villages because of their non-Arab populations; men of fighting age have been abducted, executed, or both; and women and girls have been abducted and raped.

Rape as a Weapon.—Sixteen percent of the respondents said either that they had been raped or had heard about a rape from a victim:

One woman told the team that she had been raped repeatedly in front of her father by members of the Sudanese military and Jingaweit. Afterward, her father was dismembered in front of her.

Another woman recounted how five Jingaweit men held her for a week against her will and repeatedly raped her in front of her nine-month-old daughter. At one point, the woman was allowed to pick up the crying baby. When the baby continued to cry, one of the men grabbed her and hit her with the butt-end of a rifle. The mother and child escaped and made their way to a refugee camp in southern Chad.



Refugee Interviews—Survey Methodology

This report is based on results from personal interviews conducted by three teams between July 12 and August 18, 2004. DRL, USAID, and the Coalition for International Justice jointly designed the questionnaire in conjunction with other NGOs. INR provided technical assistance on questionnaire design and survey methodology.The teams used a semi-structured interviewing approach that permitted the refugees to give the broadest possible accounts of the events they had experienced. The interviews were conducted in 19 locations in eastern Chad, including UNHCR camps and informal settlements.

Refugees were selected using a systematic, random sampling approach designed to meet the conditions in Chad. Interviewers randomly selected a sector within a refugee camp and then, from a fixed point within the sector, chose every 10th dwelling unit for interviewing. All adults were listed within the dwelling unit, and one adult was randomly selected. This methodology ensures the results are as representative as possible in light of refugee conditions. Interviews took place in private, with only the refugee, a translator, and the interviewer present.

Several characteristics of the survey must be underscored. First, accounts of atrocities may be dated, depending on when the individual refugee fled his or her village. Second, the data may actually undercount the extent of atrocities because mass attacks often leave few survivors. Third, most respondents come from villages within 50 miles of the border in Western Darfur and Northern Darfur States. Fourth, it

is very likely that rapes are underreported because of the social stigma attached to acknowledging such violations of female members of one's family.

The results are broadly representative of Darfurian refugees in Chad but may not be representative of internally displaced persons still in Darfur because they were not included in the sample. A margin of error for this sample cannot be calculated because of the lack of accurate demographic information about the refugee camps and settlements. The methodology was designed to achieve as broadly representative a sample as was feasible under the prevailing conditions. Dates of events reported by refugees frequently utilized the Islamic calendar; these dates were then converted to dates on the Gregorian calendar. (See map above showing interview locations.)

The field data for the 1,136 interviews were compiledusing a standardized data entry process that involved the collection and coding of detailed information from each refugee respondent's set of answers. The researchers then used a statistical program to aggregate the data and analyze the results.

A Refugee's Story

At Am Nabak, the team interviewed a woman living in the camp with her two-year-old daughter and husband. Her four-year-old child has been missing since her village was bombed by an aircraft and attacked by ground forces. She noted that the village was bombed repeatedly, and then the military entered along with Jingaweit militia. While ground forces set fire to the homes, helicopter gun ships shot at villagers trying to escape.

She explained that when fleeing, she was able to bring only one child. "You try to take all your children with you but sometimes you can't and have to quickly decide to take one or two of them. You hope that those able to run will follow you."

The CHAIRMAN. Thank you very much, Secretary Powell.

We have, as should be anticipated, a very good attendance of the committee this morning, and so the Chair will ask that we have a limit of 7 minutes for questions and answers by members.

I'll begin the questioning by noting that constituents of mine discussing Darfur raise almost inevitably two lines of questions, one of which is, is diplomacy without backing of military force sufficient to convince any government, particularly one as intransigent as the one in Sudan, that the United States, the world community, the United Nations, anybody, means business? In other words, many constituents would say, this is incredible, when the Sudan situation goes on like the brook forever. No one seems to step in, no one is decisive with regard to this.

Now, on the other hand, constituents would also say we do not believe United States forces ought to be in Sudan. European countries have said about the same thing. Most countries have said essentially, we're already in a war against terrorism. Sometimes this is translated as a war against Islam, a war against Arab nations. Clearly, whether it is genocide as you are trying to describe it, there is an attempt being made in Sudan by one part of the country, those that I think you've described as Arabs against non-Arab settlers, to exterminate a lot of people. Over a million people or maybe two million, are involved in this process.

So the story goes, in the event that the United States becomes militarily involved, we inflame Arab states, we inflame everybody in the Middle East who already is inflamed over Iraq or over Iran or various other problems that we have in Palestine and Israel. So as a result, that's a non-starter. Therefore one editorial after another advises you to be stronger diplomatically. The thought is, the military thing just won't work. The world is not prepared to go in and straighten out Sudan, and simply say to this government to stop it and make peace.

So we call upon African Union countries to hopefully volunteer a few more people, to pay for their stay there. They're somewhat reluctant but coming along. Whether they make a difference, the credibility of that really is at stake. Will Sudan pay much attention to a few hundred African Union persons, or maybe even a few thousand, or monitoring, as opposed to putting coercion on the government itself.

Now, sir, the second line of questioning of my constituents comes back to the U.N. You, as Secretary of State have gone to the United Nations and you're getting success through, a resolution. It is not easy to do this. Ambassador Danforth is working the problem every day. He's on television expressing very strong feelings about this. He was involved in the North-South negotiations, and has a tremendous background to talk about this problem.

But constituents would say this once again proves that the U.N. is not very effective. In essence, you go to the mat, you get resolutions, but what does it mean? Does anybody, including the Government of Sudan, pay any attention to the U.N., when it comes down to it, if gut reactions within the country, as well as the domestic politics, have brought about something akin to civil war, if not genocide?

At the end of the day, the hope is that by having these resolutions, and hearings like this, world attention and somebody in Sudan will pay attention, and maybe they will. But on the other hand, there's skepticism as the months go on. The people die, and the weather gets bad, as you're describing. It is not clear that this is timely or enough. This is the conundrum that you and the President are placed into in terms of our policy.

How do we resolve this issue of credibility? Why would anybody in Sudan today pay attention to what we're doing here, aside from the fact that we feel strongly about it, and we're speaking out? A large attendance in the hearing room testifies to that. Why would anyone in Sudan change his or her mind with regard to the leadership situation?

Secretary POWELL. Well, I can assure you that the leaders in Khartoum are watching this hearing very, very carefully, and they are not completely indifferent or invulnerable to the effective international pressure. As a result of Kofi Annan's visit, my visit, visit of Members of Congress recently, Senator Frist's visit, many have been there, we did succeed over the last 2½ months in opening up a humanitarian system that had pretty much been shut down by the Sudanese.

When I went there at the end of June with Kofi Annan, they were not issuing travel permits. They were not giving visas. They were keeping humanitarian supplies and vehicles stuck in the ports. All that has now opened up. So that pressure worked with respect to getting the humanitarian aid in right now. Frankly, the more serious problem now is getting it distributed, the retail distribution of the aid, and making sure those who promised aid actually produce the aid. So there has been a response in that regard.

There has been a response with respect to not objecting to the African Union monitoring group and allowing protection forces to come in with those monitors. There has been a response in terms of political dialog that is now taking place in Abuja. It took us a

while to do that. And the threat of sanctions is still out there over them, particularly in the sector that is of greatest concern to them, and that is oil, a principal source of revenue.

Where we have not seen the kind of success we really need to see has been security, and we have had difficulty with this. We made it clear to the Sudanese that ultimately security is the problem, it is not just humanitarian aid. Humanitarian aid wouldn't be a problem if there was security so people can go back to their villages and take care of themselves.

And so we have to keep applying pressure. Now, diplomacy with the threat of force is always much more effective, but it is not just because people are not anxious to get involved in Darfur with their military forces. But when you take a look at Darfur, the size of the place, the very rugged and isolated nature of the country and what would the mission be of such forces coming from outside into a sovereign government, it's a daunting mission to contemplate for the reasons that you mentioned, Mr. Chairman.

And therefore, what the international community has determined, what we have determined, is the best way to go about this is continue to apply pressure on the Government of Sudan to take responsibility for its own territory and its own people. And they are not immune from diplomatic pressure, as we have seen, but we have to increase the pressure.

We also have to do it in a calibrated way, because there are political challenges inside of Khartoum within the government between hard-liners who resent any kind of pressure and those who believe that they have to respond to the concern and pressure applied by the international community. So what we have to do is calibrate the pressure. There is nobody prepared to send troops in there from the United States or the European Union or elsewhere to put it down in the sense of an imposition force.

What we do have is a willingness on the part of the African Union, and I'm very pleased that they have shown this willingness, to send in thousands of monitors and protection forces for those monitors. And I think if you get a goodly number of these folks in and their presence is felt throughout the countryside of Darfur, you have a better chance of bringing the situation under control and helping the Sudanese Government or giving them greater incentive to bring it under control.

The CHAIRMAN. Thank you very much, Mr. Secretary.

Let me just note procedurally that we've been joined by our distinguished majority leader. We are delighted that he will participate. I will, however, continue to go to both sides of the aisle. In the questioning, I'll call upon Senator Sarbanes next, and then I'll call upon the majority leader, and we'll proceed in that way.

Senator SARBANES. Mr. Chairman, I'm willing to defer if the majority leader needs to proceed now. I know he has a very intense schedule.

Senator FRIST. I do not, and I appreciate the chance to make really a fairly brief statement, but——

Senator SARBANES. Well, go ahead.

Senator FRIST [continuing]. I would prefer to follow the ranking member. Thank you.

Senator SARBANES. Well, Mr. Chairman, first of all, I think it's extremely important that this crisis in the Sudan be addressed at the highest possible level in our government, and therefore I want to commend you and Senator Biden for holding this hearing today, and to express to Secretary Powell our appreciation for his coming to be before us today.

I'm going to yield my time to Senator Corzine, who's just returned from the Sudan—he was there just last week. He has some, I think, extremely helpful perceptions and insights about the situation there. It's a matter on which he's taken a very keen interest, as we all well know, and I'll assure my colleagues I'll go to the end of the queue as a consequence. Thank you very much.

The CHAIRMAN. Senator Corzine.

Senator CORZINE. Thank you, Senator Sarbanes.

Let me say, Mr. Chairman, I think it would be appropriate if I yielded to the majority leader since he was also there and I think all of us would benefit from his commentary.

The CHAIRMAN. All right. Well then——

Senator FRIST. I'll jump right in. I'll take it. If nobody else wants it, I'll take it.

Senator SARBANES. This is an example of trying to get it to the highest levels of the government.

Senator FRIST. I like being majority leader of this body, you know, I'll make a decision. Mr. Chairman, I'd love to just jump right in then, and I think that the fact that the Secretary at really the highest level of the executive branch that two Senators here and others from the House have been in the Sudan and Chad and Kenya, surrounding countries, that you have addressed this so aggressively with the President speaks volumes, the size, the magnitude of this humanitarian crisis. And I want to commend you for that and really commend this body.

We acted early in this body, earlier than a lot of people, not in the Senate and in the Congress, but a lot of people in the world expected, when at the end of last month, or 2 months ago, in July, we, under the leadership of a lot of people who are here at this table and in the House of Representatives really unanimously said this is genocide.

And we said it's genocide before a lot of the individual interviews, which I'm sure Senator Corzine participated in, which I had the opportunity to participate in about 3 weeks ago, with the thousands of refugees, talking to scores individually of refugees that several weeks ago, several months ago, watched as their wives were raped, as their kids were separated, and as their brothers and fathers and sons were killed before their eyes, entire villages wiped out.

It's savagery, it's slaughter, and it's going on, in essence, as we speak, but it has been for several months. And the light that we should shine upon it, which is the first thing we do through action in this body and through the action with the House of Representatives in calling this genocide, and up to the Secretary's remarks a few minutes ago, demonstrates the importance. We have an opportunity, and we all recognize that, to reverse what could be one of the greatest humanitarian tragedies of all time. And too many times in the past we've waited and not acted.

So I'm very proud of the U.S. Congress, of the Senate, in a bipartisan way addressing this issue, and obviously the leadership of this particular committee.

I'm in the Sudan every year, so this isn't a one shot for me. I'm there every 8 months to a year. I was there before Darfur—people knew where Darfur was, and I spent a lot of time in Sudan doing different things. It's a little bit different than what the political figures usually do. I'm on the ground, and I'm on the ground not as a United States Senator, although this time I kind of wore the hat as a Senator going in and observing, but working with real people who don't have access to health care, and started going in about six, seven months after Osama bin Laden left in the mid 1996, 1997.

Since then, having watched with admiration the way this administration has addressed the North-South oversimplified conflict under the leadership of the Secretary and Jack Danforth, our former colleague, real progress, and we need to make absolutely sure that we don't lose sight of that as we go forward up through the Darfur crisis.

We went several weeks ago into Chad where we did talk to the refugees, went to a refugee camp called Touloum. There are many refugee camps there, probably 20 or 30 at this juncture, have anywhere from 10,000 to 20,000 refugees that have come in since February of last year. They come in droves. I had the opportunity to talk to lots of individuals who are being interviewed very appropriately to determine whether or not from a legal standpoint this meets the definition of genocide, which ties all sorts of legal—has all sorts of legal implications to it.

The story is crystal clear. You go from refugee camp—refugee to refugee camp within—refugee to refugee within a refugee camp, like in Touloum, or to another refugee camp, and the story is exactly the same, the way these villages are being wiped out, the way that people in uniform come in, airplanes fly over, terrorize, scatter, rape, pillage, burn down, support, direct support from the janjaweed and the janjaweed getting support from the government.

I also went to Chad, which is a country most everybody in here knows, but a lot of people around the world don't know, but they are going to know—Chad is the country right west where the refugees are—and met with President Deby and went to Kenya and met with President Kibaki there. And the story is exactly the same. They understand regionally the implications of this conflict.

One dimension that I'd like to just add to the table that I wasn't aware of, having talked to scores and scores of the refugees who have lost their family members and seen the slaughter that's gone on, that really didn't come out as I traveled through southern Sudan and met with the leadership, all eight Governors of the Sudanese Peoples Liberation Movement there, is the potential for regional instability that a crisis like this can cause, not just the humanitarian, but regional instability with the sort of cleansing that is going on.

And if you look in Ethiopia, if you look at Eritrea, comments are being made about this particular tragedy, and I wasn't aware before I was there, but the huge regional implications that this tragedy does indeed have. And then we'll continue on down, because I

know a lot of people have comments and question—I want to commend the administration for action thus far, but we need to be much, much more aggressive.

In talking to the Sudanese Peoples Liberation Movement and in talking to the leadership in Chad and in Kenya, the surrounding countries, it is clear to me that the African Union can play a major role. This is an African crisis, and though we do—I didn't hear all of your testimony—but provide 80 percent of the humanitarian effort, and that is good, it's not enough, and it's not going to stop it. So how far we go is what, I think, we need to be talking about today at this juncture.

And second, it is an African problem that Africans want to address. The African Union wants to address it. And I'm sure we'll get into the details of the 300, the task force. Are they being adequately supported? Could there be—and I wrote in a Washington Post editorial—a third, a third, a third, have a third of the forces that make sure that there's security, not just humanitarian aid, but security, a third come from the Sudanese Peoples Liberation Movement from the south, and a third come from Khartoum, and a third from the rest of the African Union is a proposal which I would at least put on the table.

With that, I very much appreciate the chance to recount some of my observations, commend the administration, but we've got a lot more to do.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Mr. Leader. We'll go now to Senator Corzine and for the full 7 minutes.

Senator CORZINE. Thank you, Mr. Chairman, and Senator Sarbanes. And much of what the majority leader said I would concur with. I'm extremely pleased that we're having this hearing, that this committee has given so much focus to this issue. It's absolutely vital that we keep that spotlight on and pressure on in conjunction with diplomacy, and I hope ultimately some kind of military support for bringing about security changes. And I want to thank Senator Brownback for his leadership on the genocide effort that we had at the end of the August resolution.

I think words, while they're not the important issue, they do have real implications with regard to moving the international community, and I think it gives us greater leverage in negotiating these U.N. resolutions and hopefully has more meaning even with the fear that it might strike in the hearts of the governmental officials and those responsible for these atrocities that I think are so palpable when you are there.

I must say I've never personally witnessed anything as horrifying as the visit to these camps, and quite frankly, we had access at ones that were more showcases than what I suspect is going on at the other 137 camps. I visited two of them, Al Fashir, as you did, Mr. Secretary, and again, I want to congratulate you for your leadership on this. The personal involvement, I think, has made a huge difference and brought great focus to this, but there's a lot more to do.

We went to another not-showcased camp, Al Junaynah, and the difference between one and the other is dramatic, and it only makes you wonder what number 137 on the list of camps is like

with regard to the suffering of children and the abuse of women and the general state of conditions of human life. It's appalling.

And I do think that there has been efforts made, particularly heroic ones by NGOs and the U.N. with regard to humanitarian aid, but I think by standards that most folks would accept there's a lot, lot more to do, quality of water, quality of sanitation, all of the issues that surround are just extremely dangerous.

But as you have so ably said, the real issue is security. We're creating a huge long-run problem if all we're going to do is spend a half a billion dollars a year providing humanitarian aid without getting to both the security and political situation. And we're also, I think, laying the groundwork if we don't deal with this on both those conditions, a long-run terrorism trap that could be extraordinarily dangerous for the world. You put 1.2 million into these kinds of conditions, they're not going to be happy over a long period of time. So expenditures today on other elements to provide for security and political facilitation and resolution to this problem I think may be a very wise investment. I hope that we can get to that mode.

I am particularly gratified to hear you talk about support for this African Union initiative. I think though this is one of those places—and I don't mean this in critical context—action speaks louder than words on all of our part. One hundred and twenty-five monitors, when there are 137 or 154 camps, is not a concept that makes any sense. You talked about the geographical size. We're really talking about thousands, and we're talking about not just troops, but serious logistical support, helicopters, C–130s, the kinds of airlift that allows that kind of effort to be effective. It also has the secondary benefit of helping with some of the distribution issues that you talked about, retailing the humanitarian aid.

But this needs to happen, and it needs to happen sooner rather than later in my mind, or we are going to set up a situation where that bitterness and retribution are going to, I think, reverberate to a much more serious long-term problem.

I think that this AU issue needs to get quantified, dimensioned, and action taken on it. That's why the U.N. resolution is important. But even without that, I think that we can move along those lines. The Abuja efforts are also terrific if they are—if people are held to stay with them. This recess notion is incredibly dangerous because it allows for further setting in a serious tone the continuation of what appears to be a transfer of janjaweed into the police force and militias that are claiming to be providing security. The urgency of this is real and I appreciate how strongly you have spoken of it.

I guess my specific question is, are we going to get the support of people who we need to work with in the U.N. on so many other issues? And I presume that that's China and Pakistan in this particular instance, with regard to giving us the ability to work with the AU and have the international community fund this in anything that approaches a timely fashion, month, 2 months, something practical in the context of the people who are living their lives in these camps.

And then the second thing I guess I would ask, are we prepared to do those things that will provide for the logistical support knowing we're not going to send troops, but are we prepared to do those

things that actually make the African Union forces successful? And if I heard once, I heard twice, five times, that without airlift, there is no ability to be able to actually deliver on what we're talking about. Where do we stand with regard to that?

Secretary POWELL. Senator Corzine, first of all, let me thank you for the work that you have been doing on this issue and thank you for having taken that trip recently and for your work along with Senator Brownback and others on the resolution, the genocide resolution, which really gave me another tool to work with when Congress passed that resolution.

On your first question, with respect to support for an AU force, I think there is a general feeling among most members of the Security Council that the right answer is to get this force up and running as quickly as possible. Now, how that translates into money, assets, planes, logistic support, I can't answer that until we've actually engaged with the Council.

There are some members of the Council—China and Pakistan—who have shown some reluctance to going for strong resolutions with respect to Sudan. As you know, they abstained on 1556 and we'll have to work our way through that. We are ready to support it. As I indicated earlier, we have placed millions of dollars aside to support it and we may have to come back to the Congress or find additional resources from within the accounts that I have available to me to support this deployment.

It may also be that at some point we may have to use our own Department of Defense assets in a logistics way to get things in. Generally, there is enough contract air around and companies that can provide on-the-ground logistics infrastructure support and food and water and things of that nature that if you have the money, you can provide that. Helicopters are more problematic. They generally have to come from military organizations that know how to keep these things in an austere environment and keep them up and flying. That's more difficult to achieve, as you know.

But I fully agree with you that the AU expansion is what we ought to be focusing on in the immediate future, because that will give us some semblance of control over the country and some semblance of knowing what's going on so that we can hold the Sudanese Government to account. And it will be first priority for our efforts in the days ahead as we move not only through the resolution that we put down yesterday, but in dealing with this entire problem.

Senator CORZINE. Have you thought, and do you have a dimension on what you think that African Union force should look like?

Secretary POWELL. Not yet. They are talking in terms of something from 2,000 to 5,000. The Rwandans have been forthcoming, the Nigerians have been forthcoming. We don't have what in my old days in the army I would have called an operational concept. In other words, fine, I've got 5,000 troops or 2,000 troops, how are they going to be deployed, where are they going to be deployed, what's their mission, are they monitoring, are they protecting monitors, or are they prepared to intercede when they see something bad happening?

The initial efforts of the monitoring group that's there now, when they have seen something, they have taken note of it and reported

it back, which gives us leverage to go back to the Sudanese Government and say, stop telling us you're not doing this when we can see you are doing it, and here's the evidence. That's pressure, and they can't ignore that kind of calling them to account for promises they have made.

So what we have to do is work with the AU, and we're prepared to do this, with diplomatic folks as well as military folks. We have some military personnel with the AU monitoring group now who are providing very solid advice to come up with an operational concept as to what these troops should actually do.

[The prepared statement of Senator Corzine follows:]

PREPARED STATEMENT OF SENATOR JON S. CORZINE

First, I would like to thank our chairman for holding this critical hearing. Having been in Sudan and visited Darfur last week, I can tell you that this is an urgent crisis. Just as the U.S. Government must mobilize the international community, we in the Congress cannot allow our attention to drift. I am pleased that Secretary Powell is testifying today. I also ask, Mr. Chairman, that we hold another hearing in the very near future at which private witnesses—including representatives of the NGO community who have done so much to bring this crisis to the world's attention—be permitted to testify.

Mr. Secretary, I want to commend you for your personal involvement in Darfur. Your visit to Darfur was immensely important. I am also gratified the administration has decided to call the situation in Darfur "genocide," and together with the unanimously passed resolution I sponsored with Senator Brownback and a similar overwhelmingly passed resolution in the House, I applaud the fact that we are now speaking with one voice. Now we have obligations under the Genocide Treaty that must be addressed. I believe there is much more that we should be doing, not just to alleviate the current humanitarian crisis but to address the currently unresolved security problem and to bring about an eventual political settlement. This includes appointing a Special Envoy, to confront head-on the crisis in Darfur and to ensure that other important issues in Sudan—including the stalled North-South agreement—receive consistent, high-level attention.

Allow me to make several observations from my visit. First, the humanitarian workers whom we met and our own USAID team in Sudan are doing remarkable work under unbelievably difficult circumstances. They deserve our thanks and our fullest support. Second, if there was one message that came through from our discussions with IDPs, it is that the security situation has not improved. They are intimidated within the camps and are afraid to leave them or return to their villages. I asked one man how long he expected to be displaced from his home. He answered, "30 years." Third, the camps are growing, not shrinking. Newly arrived IDPs do not yet have shelter, the food pipeline is delayed, and the humanitarian organizations are struggling to keep up. And fourth, there is no indication that the Government of Sudan is willing to even recognize the problem, much less come to a common understanding of how to resolve it. Foreign Minister Ismail's recent statement that only 5,000 people have died in Darfur is outrageous and indicative of the problem.

We must keep the pressure on the Government of Sudan. The UN has concluded that Khartoum has failed to live up to its obligations under Security Council Resolution 1556. We simply cannot allow this intransigence to stand. We should put maximum effort behind passing the strongest possible UN Security Council resolution so that the Government of Sudan is finally held accountable.

As bad as the situation in Darfur is, a real opportunity exists to promote security through a vastly expanded African Union force. The cease fire monitoring teams, which I met, are doing critically important work in investigating reported violations. And their composition—representatives of the Government of Khartoum and the rebels, AU soldiers, and representatives from Chad and the U.S. or EU—is itself an important symbolic step. But these teams need support, including air lift, vehicles, communications and other equipment, and housing. They need help setting up permanent bases in the six parts of the Darfur they have identified. Their reports should be taken seriously and made widely available, and their recommendations should be heeded. And, most of all, their numbers should be dramatically increased.

The numbers of "protection forces," of which there are currently 300 in Darfur, should also be expanded. The United States and the international community should throw its fullest support behind Nigerian President Obasanjo's call for at

least 3,000 troops. Their mission should be expanded to include protection of civilians. The Security Council resolution currently being considered should be explicit: sanctions will be applied if the Sudanese government fails to allow in this expanded force and accept its broader mandate.

The United States should also provide more assistance to the AU's mission in Darfur. Estimates of the costs of an expanded mission with adequate logistical support are $228 million. Thus far, the administration has requested one tenth this amount, none of which is new funding. We need to provide supplemental funding to cover the AU's mission. With humanitarian costs accounting for $500 million a year, with a long-term IDP problem creating more hatred and war, we can afford to provide $50-$100 million in support of an AU force that has the potential to bring security and create conditions for a political settlement.

The African Union, whose leadership I met in Addis Ababa, Ethiopia, stands at a crossroads. Not only for the sake of Darfur, but for the sake of all Africa, we must increase our assistance to this critical organization. If we merely support an expansion of the AU's force in Darfur without providing the necessary assistance, we risk setting the AU up for failure. This would be tragic. We must contribute more to the AU, promote it as an institution, encourage its plans to contribute to peace and security throughout the continent, and appoint an ambassador to the AU. Darfur has presented a real test, not only for the AU, but also for us. The question remains: when visionary African leaders step forward to confront Africa's gravest problems, will we do everything in our power to help?

Finally, we will not be able to resolve the crisis in Darfur without a real political solution. The African Union has stepped in to mediate talks between Khartoum and the rebels. These, and future negotiations, should be supported by the U.S. Otherwise, we can expect years of violence and suffering, which no amount of humanitarian assistance can resolve.

The CHAIRMAN. Thank you very much, Senator Corzine.

I know Senator Hagel has also recently visited Africa. I call now on Senator Hagel.

Senator HAGEL. Mr. Chairman, thank you.

Mr. Secretary, thank you for appearing this morning and your leadership and focus on this issue.

The chairman noted that I recently was in Africa. As you know, I was there a couple weeks ago. I was in West Central Africa, primarily focused on the five countries that represent the Gulf of Guinea area of West Central Africa. I happened to be in Nigeria the day that the Nigerian President Obasanjo convened the African Union conference on the Sudan, and spent about an hour with him on this issue.

A couple of observations, and then I would like to ask some questions. One, I think there is some good news overall for the long term on the African Continent in that true organization such as the African Union, ECOWAS, you noted what they did, role they played, continue to play in Liberia, Sierra Leone. There is a recognition, I suspect a new recognition, not by all, but by a number of African leaders on the African Continent that these problems, as the majority leader noted, are African problems. Yes, they affect us all, and we have some responsibility to help deal with those problems, but bringing together these coalitions of common interests and focus through organizations like the African Union and Gulf of Guinea Commission, ECOWAS, others, we're starting to see a consolidation of purpose, of focus, of leadership that we've never seen before.

It's interesting, the Middle East has had nothing like this, and that's part of our problem, as you know so well. But I see that as some good news, and we should not allow that to get by us in the wider angle view of what's happening there.

Now, with that noted and what Senator Corzine was talking to you about, assistance, certainly lift capability, and when I was in Angola meeting with the head of the Government of Angola, they have, as you know, some lift capability. And it's like everything, it's a harnessing of those resources to bring them together to see what we can do to focus more and more on using those capabilities in a relevant, real, and timely way.

So I won't spend my time on that, but I would just echo what Senator Corzine said. It's the same thing I heard in my visits with the leaders of these countries. And I think we're getting there and America has a tremendous role to play and they want us to play a role in that. We have to be careful with that role, as you know, because our purpose is too easily and often questioned and our motivations are questioned.

I want to go to the United Nations and your comments about sanctions. Can you define for this committee where we are with some of the major players, the 15-member Security Council now, primarily China, Pakistan, Angola, on the idea of sanctions, where they are with the tough U.N. resolutions, how far they're prepared to go? And if they're not prepared to go very far, why not?

Secretary POWELL. I can't give you a solid answer, Senator. We tabled or put the resolution out for comment yesterday afternoon and I do not yet have reports back from Ambassador Danforth on the reaction. But I will say that there—I think there is—there's an overall reluctance to impose severe sanctions against Sudan at the moment because people are unsure as to whether they would have the desired effect, or would they enhance the position of the hardliners, who will say no matter what you do, the international community led by the United States is coming after us. So I think we've got a lot of work to do before we could get the kind of sanctions that would actually change behavior of the authorities in Khartoum.

Keep in mind that the United States has sanctions on. There isn't much more we could do in the way of sanctions unilaterally that would affect the Sudanese very much. There's not much left in that closet. But getting the Security Council to act is going to be a challenge. Nevertheless, in the draft resolution that we put before the Council members last evening, we call for another 30-day period of looking at this, but any time between now and then if we think it's possible for the Council to act, we can ask the Council to act.

And we threw into the equation the possibility of oil sanctions, because that really is the strong one. The European Union last week in some statements they made seemed to be inclined more toward the necessity for sanctions, even if it involves sanctions on oil. China and Pakistan have not been forthcoming in that regard because of interests that they have in Sudan that are not necessarily coincident with the interests that we are trying to pursue at the moment.

May I say another word, Senator?

Senator HAGEL. Yes.

Secretary POWELL. You said it really is so accurate to say that Africa really wants to start taking care of African problems, and the leadership that has been provided by a number of African lead-

ers, whether it's President Obasanjo, President Kanari, President—so many others are showing this kind of leadership. I saw it in the Liberian situation last year where ECOWAS was in the lead, AU was in the lead, and at the right moment we put just enough American military presence in to stiffen up everybody and get the President out of the country and off into exile, Charles Taylor, and the situation stabilized. And it's not fixed, but it's stabilized and it's improving.

This gives me a chance to make a plug to you, gentlemen and ladies, for the President's initiative to enhance the ability of African countries to deploy peacekeepers by training them when there isn't a crisis, giving them the equipment they need, the experience they need, the training they need so that when a crisis comes along and you create a coalition of the willing, you have a competent coalition of the willing.

We saw that in Liberia last year when we started to put together this force with ECOWAS. People were coming to me saying, do not send the Nigerians back into Liberia. It was a very bad experience in the early 1990s. Well, they have been trained and professionalized with a lot of help from us in the late 1990s and they went in, they did an absolutely superb job. So we have to invest before these crises come along.

I'll make one other statement if I can take advantage of your time, Mr. Hagel. There is another crisis that is descending upon Africa—locusts. There is a locust infestation that is now spreading across Northwest Africa and is beginning to spread due east out of Mauritania, and you'll see more and more about and read more about it in your newspapers and television, because this will put an added burden on the international community for food support and to help people who are sitting there watching their farms eaten alive. And this generation of locusts is regenerating itself exponentially almost every day.

Senator HAGEL. Mr. Secretary, thank you. If I could ask the chairman for his indulgence to—since you did use some of my time, Mr. Secretary——

Secretary POWELL. Sorry, Chuck.

Senator HAGEL [continuing]. For your narrow parochial interests, which I'm glad you mentioned, Mr. Secretary, because they are important and I, at least this United States Senator completely supports what this agenda is about. But if I could ask just one brief question, would you explain for the committee, for those watching, briefly, succinctly, as you always do, what is behind this genocide? What is the purpose? What's the reason? I'm not sure we, the American public, has ever been told or explained to, what is this all about?

Thank you, Mr. Chairman.

Secretary POWELL. For decades there has been tension between the different parties in the western part of the Sudan, in the Darfur region between those who grow crops and those who are herders, between the Arab population and then the basically African population. As the Lake Naivasha Accords went forward and it looked like the North-South agreement was coming together, tension increased with respect to how this would affect the western

part of the country and would they be left out of the benefits of such an agreement.

At the same time, you had new oil wells coming into the country, so these tensions erupted in a rebellion, in a civil war between the SLA, SLM, and the other organizations, JEM, and the government. And the fighting broke out in earnest in the beginning of 2003 with attacks by the rebels against the government. The government responded, and not having, at least as they saw it, enough capacity within their own armed forces and police forces to deal with this in a sensible way using force of the state, legal force of the state, they resorted to these militias and they began arming these janjaweed, which essentially mean guys on horseback and camel, who go out and destroy these villages and run the people off, kill the people, rape the people, steal their possessions.

What is so terrible about it is that you can see that these are not just individuals who ride in on horses and camels. They're part of a coordinated attack as we would say in the infantry where they're supported by gun ships flown by the government, military forces giving them backup, and they go in and do the dirty work. And so the government launched this effort, launched these janjaweed, and now the government has to end it, bring it under control.

It is not a simple matter for the government to do this, having launched it, because they are still facing, as they see it, a rebellion. But nevertheless, they have to face this and they have to bring it under control, and to think that there will be some outside force that could come in and undertake military action against the janjaweed as if they're a military organization waiting to be defeated is naive in my judgment.

So we have to get the Sudanese Government to do it, and I think if you could get several thousand African Union monitors and protection forces for the monitors, and as the Rwandans have said, if we go in, we are not going to just look the other way if we see something terrible happening in a particular village.

And so I think if you can get that force in as quickly as possible, as Senator Corzine suggested, then I think you can have some ability to control the situation, monitor it well, and put additional pressure on the government, and essentially assist the government in bringing this situation under control.

Senator Corzine talked about some, some of the camps that are nowhere near being show camps, but in addition to camps, there are lots of other people out there that we don't know where they are. They are essentially foraging in this terrible place and they're living in villages that cannot really sustain them any longer, are at risk, and that gives us even more incentive to move forward quickly.

My experience though is that with these kinds of forces coming from the African Union, it takes time. It took us almost 2 months to get the Nigerian 150 troops in, even though President Obasanjo hoped he could do it rather quickly. By the time you kit them out, as my British colleagues would say, as you kit them out, get them ready to go, and then make sure that when they get there, they have food, they have water, they have the wherewithal, they have communications, they have transportation. It is not like deploying

the 82nd Airborne with the full logistics kit that comes with an American unit. It takes time, it takes resources, it takes money.

And just as Senator Corzine, we do have some money, but we're going to need a lot more, Senator.

The CHAIRMAN. Thank you very much, Senator Hagel.

I just wanted to query that point, Secretary Powell, because it pertains to our responsibility in the Congress. In the authorization and appropriation bills now, is there adequate money for both the humanitarian needs and the training of the African Union forces that you've pointed out are going to be critical?

Secretary POWELL. I have money remaining in this fiscal year 2004. The Congress was very generous. We started out asking for $94 million for 2004 for the Sudan and by the time we got through with supplementals, money given to us out of the Defense supplemental, we are close to $500 million in terms of all of the money, close to $600 million frankly, a little over $600 million of money available for the Sudan, to include Darfur but throughout the Sudan.

But as we look at what the needs of this African Union force are, and when they become better known, the money that I have already applied to that in the tens of millions will not be enough, so we will have to come back to the Congress. I cannot give you an estimate now of what it will take.

For 2005, we have requested just about $600 million, $594 million or thereabouts for 2005 funding throughout the Sudan.

The CHAIRMAN. Well, please come back to us quickly on the training money.

Secretary POWELL. Yes. That is a different program altogether.

The CHAIRMAN. I appreciate that. We have the majority leader here, and so he's heard this conversation, too. He has heard the importance of these troops being there. You've emphasized the need to pay for it.

Secretary POWELL. Right.

The CHAIRMAN. Senator Biden.

Senator BIDEN. I arrived late. I will yield to the Senator from Connecticut and wait my turn after the next Republican.

The CHAIRMAN. Very well. Senator Dodd.

Senator DODD. That's very generous. Thank you.

And welcome, majority leader. It's good to have you on the committee. Mr. Secretary, thank you very much for your presence here today.

And let me—Mr. Chairman, I think you framed the case tremendously well for all of us in your opening comments. I couldn't have said it any better than the way you phrased it all and placed it here that obviously this hearing is very important, the visits of our colleagues, Senator Corzine, the consistent visits of Senator Frist, the majority leader, over the years I think are tremendously important, and the efforts of Senator Brownback and others, which we all joined in the resolutions. And thank you, Mr. Secretary, for recognizing the value of having a resolution adopted by the Congress expressing its concerns, deep concerns about this issue.

And there point out what you've pointed out, Mr. Secretary, and others have, obviously it was 10 years ago that we saw the tragedies of Rwanda with 800,000 people slaughtered. And with all due

respect to all of us here, we didn't do enough about it at the time and I think people recognize that.

I appreciate the efforts being made, but would like to just address three quick questions, if I may, to you. One is, I'm not—I haven't forgotten that the Sudanese, of course, harbored Osama bin Laden. Now, they've changed their views considerably with regard to international terrorism, and I suspect that had something to do with the fact that we just didn't talk about removing the Taliban from Afghanistan, we acted on it, and it was in that context, in that timeframe that the Sudanese began to have a different view with regard to our efforts in that regard.

And I'm concerned, as the chairman expressed, that while these hearings are tremendously important and the resolutions are important, that action be taken. And I'm wondering if you might comment specifically on a couple of suggestions. One is, while I appreciate immensely the testimony you've given here this morning in which you identify this issue at Darfur as genocide, I note that the resolution that we're submitting today does not include the word genocide as I understand it. Is that correct?

Secretary POWELL. The resolution that is before the United Nations——

Senator DODD. That we have drafted and sent forward does not include genocide in the language of the resolution.

Secretary POWELL. It asks the United Nations to launch an international commission to make a judgment on behalf of the United Nations as to whether or not it constitutes genocide or not. I talked to Kofi Annan 2 days ago and told him that that was the conclusion we had reached as a government and I would be presenting that conclusion to you.

And in the resolution that we are putting forward, it asks—I'm looking for the specific paragraph—one of the operating paragraphs, request that the Secretary General establish as soon as possible an international commission of inquiry in order immediately to investigate all violations to determine whether acts of genocide have occurred. So we have put it in the resolution that way.

Senator DODD. Because genocide obviously is not a local crime. It's a crime against humanity, an international crime. Well, that's encouraging.

Second, give us your views if you would about the—and I realize this is done rarely, but it seems to me this situation would warrant certainly a serious consideration of invoking the Chapter 7, establishing the Chapter 7 actions under the U.N. Security Council, and that is establishing a real peacekeeping mission that would not only react to things they observed—you noted a minute ago the Rwandans had suggested that if they're involved here, they want to do more than just report on acts of violence, but would rather act—and obviously Chapter 7 allows the peacekeeping force to in fact intervene very directly.

Give us some appraisal of how likely it is you're think we're apt to get a Chapter 7 result here, and what timeframe is that apt to occur?

Secretary POWELL. The specific operative paragraphs under the draft resolution are under Chapter 7, but the likelihood of getting

a resolution that essentially says, let's have an intervention force, the likelihood of getting that is, I think, pretty low. And even if you could get such a resolution, I'm not sure who would come forward to provide such forces.

And so that's why the focus of our efforts and the focus on the resolution is the building up and expansion of the AU force as quickly as possible. That's what we're pushing. That's our No. 1 priority in this resolution and the No. 1 diplomatic effort we're undertaking is to get that AU force up and running, make sure we have agreement with the Sudanese Government and they don't object to this, and provide the wherewithal, as Senator Corzine was saying, to do it as quickly as we can.

Senator DODD. What about moving on the international court here and against individuals or organizations within Sudan that have been directly engaged in these genocidal acts?

Secretary POWELL. I really can't speak to that because at least as far as our work is concerned at this point, we haven't gotten to the point of identifying any particular individuals, and we are not in the position to say to the international court what it might do. I don't know whether it is following this closely or not. As you know, we are not party to that court.

Senator DODD. Thank you. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Dodd.

Senator Chafee.

Senator CHAFEE. Thank you, Mr. Chairman. And welcome, Mr. Secretary.

In the mid 1980s, the United States labeled Sudan "a viper's nest of terrorism." But on May 18 of this year, the State Department removed the Government of Sudan from the list of countries considered non-cooperative in the war against terrorism. And the State Department said at the time, "Sudan has taken a number of steps in cooperation against terrorism over the last few years." And now do you think this designation of genocide today, and also the threat of sanctions, are going to undermine the cooperation that was expressed on May 18?

Secretary POWELL. It's an open question, Senator, and it's a question that I considered carefully over the weekend as I looked at the report that I had from my group and as I looked at all the other information I had. And I came to the conclusion that, whether it did or did not undermine it, the facts led to no other conclusion, and, therefore, I went on the basis of the facts. I think it was the right choice to make, and the President agrees with the choice that I recommended to him.

We have seen improvement, in the 3½ years of this administration, in the Sudan on terrorism. They've cooperated in a number of areas. They have eliminated some organizations who were supporting terrorist activities from their presence in Khartoum. And after the Lake Naivasha—Naivasha Accords were coming along, we hoped to see even greater cooperation. We want to have a normal relationship with Sudan in due course, and we still can get there. And the impediment is this problem in Darfur.

So I hope that the Sudanese Government, when they digest what they're seeing here on television today, and when they digest what the U.N. is going to do, I hope, in the not-too-distant future, will

realize that this is not the time to start going backward, but the time to go forward. And I hope it will not undercut the progress we have seen. It is a still a state sponsor, but it is no longer a non-cooperating country, the way it had been in the past.

Senator CHAFEE. A number of us have talked here about the need for the African Union to participate. What has President Mubarak been saying on this subject?

Secretary POWELL. President Mubarak has been in touch with the Sudanese leadership and expressed his concern. The Arab League has met on this, in early August, and expressed its concern. I haven't seen a great deal of resources flow from that expression of concern, or any indication that they'd be willing to participate in monitoring forces. It's principally been the African Union, as opposed to the Arab League, that has stepped forward.

Senator CHAFEE. Of course, this is a country to his south. President Mubarak must have a very personal interest in what occurs there.

Secretary POWELL. Yes.

Senator CHAFEE. From what I've read, he's said, "Let the Sudanese Government have more time." Has anything changed since I last heard that?

Secretary POWELL. No.

Senator CHAFEE. And were we listening to them?

Secretary POWELL. There is a feeling in many countries, particularly in the Arab and Muslim world, that the Sudanese have to be given time to respond to the pressure put upon it by the international community. That's great, as long as you're not a refugee or an IDP who doesn't have time, because you want to know where the next meal is coming from, you want to know when you can get home to put in a crop for next year, you want to know when you can reconstitute your family——

Senator CHAFEE. Well, that——

Secretary POWELL [continuing]. You want to go home.

Senator CHAFEE [continuing]. Begs the question, then, Why is he saying that?

Secretary POWELL. I don't know that I can speak for him. It's just that there is a view that we should be careful about exerting too much pressure on Sudan, because—the Sudanese Government—because of the internal political situation in the country, and that we could well bring into power people who are even less interested in finding a proper solution to this problem.

Senator CHAFEE. How high is the risk of that? There's an article today from members of the Sudanese legislature saying that this is—if we designate, today, genocide on Sudan, that it's going to undermine the peace talks, and that it's going to disintegrate into a Somalia-style chaos. What are the risks of this?

Secretary POWELL. There is a risk. I can't put a number on it. But it's something that we've considered over the last few weeks. It's also why I took time to get a solid basis upon which to rest our determination, so that when, I think, the international community takes a look at what I have said today and the judgment that the administration has made, they will see that it rests on facts, not just the—you know, we're annoyed or we're mad or we want to do something. It rests on a solid basis of facts. And I hope that, there-

fore, it will cause the international community to put more pressure on the Sudanese. And I hope the Sudanese say, this is what the world is seeing. And you can't say it isn't happening; it is happening. You can't say you've fixed it when you haven't fixed it. You can't say that you're not supporting the jangaweed when the African Union monitors can see the airplanes in the air, firing at these villages and reporting it. And so I hope that, notwithstanding what the legislature has said, the Sudanese Government and the Sudanese legislature will reflect on what I have said here today and what I hope the international community will say in the next resolution.

We are not "after" Sudan. We are not trying to punish the Sudanese, people of the Sudanese Government. We're trying to save lives. And in that, we have a mutual interest with the Sudanese Government, if they are determined, as we are, that their people should not be put at this kind of risk. That's what they say they are. They say they are determined that their people should not be put at this kind of a risk. Well, then, they've got to do something about it. And we can't look the other way because it might cause political difficulties in the legislature of the Sudanese Government.

Senator CHAFEE. Thank you, Mr. Secretary.

The CHAIRMAN. Thank you, Senator Chafee.

Senator Biden.

Senator BIDEN. Mr. Secretary, thank you for your statement today, in calling this situation for what it is. No matter what the Sudanese Government would or wouldn't do, we have an obligation to do so, at a minimum, and I compliment you for being so straightforward.

I'd like to ask unanimous consent that a much longer opening statement be placed in the record as if read.

The CHAIRMAN. It will be placed in the record in full.

Senator BIDEN. Thank you.

I'd like to focus on two things, if I may, Mr. Secretary. I think the American people and a lot of our colleagues, as well, are confused about how much of what we're attempting to do to save thousands, and maybe tens of thousands of lives over time, relates to the need to have the approval of Khartoum.

Right now, the AU is in there in limited numbers as an observer with no mandate and no authority to protect civilians, but to observe and report. And, as I understand this beefed-up effort that we are looking for through and with the African Union observer's mission, that we have committed to play some part in preparing to have the capacity to do a better job—that it still doesn't envision the possibility of this military force protecting civilians, and that if we were to go to that step—if the world was to go to that step, if we were to push that step—it would require Khartoum's sign-off. Is that, factually, the situation?

Secretary POWELL. Sudan is a sovereign country with a government, and what they have agreed to, and what they have cooperated in, is the deployment of a monitoring group, and protection force for the monitoring group so the monitoring group can do its work. Now there's an effort to expand that significantly. The Sudanese have said, you know, you can't just come into our country as a peacekeeping force and as an intervention force totally indifferent

to the sovereignty of the nation and the sovereignty of the government. And what the African Union is doing now is working with the Government of Sudan and working with others to determine how large a group should go in, and what should they be called, and what will their mission be? Right now, the——

Senator BIDEN. But the bottom line is, please—I don't mean to interrupt——

Secretary POWELL. The bottom line is, it is going in——

Senator BIDEN [continuing]. Is that the Khartoum has to sign-off.

Secretary POWELL. It is—yes, Khartoum has to cooperate with the effort.

Senator BIDEN. Right.

Secretary POWELL. Now, Khartoum has been uncooperative in earlier episodes, but were brought around to cooperation because they found that it was in their interest to cooperate. And that's essentially the process that we are in and the AU is in.

Senator BIDEN. It's not precisely analogous, but we went through a similar thing with Milosevic and Kosovo, not Bosnia, and this notion of sovereignty, that we could not—not withstanding the fact that he was fully engaging in genocide, we could not move in Kosovo without—this is early on—without the consent, in effect, of the Government of Belgrade. This is different, I acknowledge.

But the fundamental concern I have here is, as we and our friends in the Security Council and our European friends—work out the new rules of the road of the 21st century, it seems to me—and I'm not asking you to respond, but it's something I'd like to have some time with you about at sometime—there seems to me a desperate need for us to come up with new rules of the road, internationally, to have some legitimate recognition that there's other circumstances in which a nation forfeits its sovereignty, short of going to war. I'd respectfully suggest we should consider the notion—I don't mean what our specific action would be, what precise action we would take—but it seems to me that, as a practical matter, and as a matter of international law, when a nation engages in genocide within their borders, cooperates with it, they forfeit their sovereignty. I've found it counterintuitive to suggest, as the first Bush administration did and some in the Clinton administration, that we could not intervene in Kosovo because of the sovereignty of Serbia, notwithstanding the fact we had a genocidal SOB who was clearly, clearly, clearly engaging in genocide.

And I thought the Secretary General's statements over the last year and a half, we're, sort of, beginning to work out new rules of the road. For example, we made it clear that if, in fact, a nation-state that's sovereign harbors terrorists, and those terrorists clearly, in fact, inflict damage upon us, and there's no action taken by that government to deal with them, they forfeit their sovereignty.

I'd respectfully suggest we should be debating whether or not Khartoum has forfeited their sovereignty under the traditional 20th century notion of what outside interests and countries are able to do within their territory, based on this doctrine of sovereignty.

That's way beyond this, I know, but it leads me to this question. I just want to know—and it's no surprise to you where I come from on this—one of the suggestions and maybe this has such relevance

to me, because I was so invested in the Balkans—the U.N.—Secretary General's special representative's recommendation reminded me slightly of the plan that the Brits came up with for Bosnia and the cantonization notion they had—when he suggested establishing safe areas for civilians who have been driven from their homes.

Now, my question is, if that ends up being part of the total package here—that is, the AU goes in with the permission of Khartoum, in larger numbers, slightly expanded mandate, and safe—I think the phrase they used was "safe areas" for civilians are set up—and this is genuinely a question—doesn't that plan threaten to consolidate the ethnic cleansing?

Secretary POWELL. Yes.

Senator BIDEN. And do you have a view on that plan?

Secretary POWELL. We have concerns about the concept that's being used that came out of the Darfur Action Plan, as it's called.

Senator BIDEN. Yes.

Secretary POWELL. The safe areas. Because it essentially says that once you're outside the boundary of a safe area, you're not safe, and it's a free-fire zone. So we have concept about the practicality—have concerns about the practicality of the concept.

Senator BIDEN. Have you told—I don't mean you, personally—have we told the U.N. that this plan might be unacceptable to the United States?

Secretary POWELL. We have expressed our concerns about this concept. I haven't talked directly to Secretary General Annan about it.

Senator BIDEN. And, very obviously, Mr. Secretary, I have no doubt where your heart is in this. I don't have the slightest doubt where your heart is. And you've made it clear where you're head is, as well. I'm not asking you to answer this question, but the question I'm so tempted to have answered—I'd love to get you aside and say, OK, you're still Chairman of the Joint Chiefs of Staff, and Lugar is President—or Bush is President, and he says to you, what could I do—don't give me this sovereignty crap—what could I do that could save, in the next two, three, five, seven, 10 weeks, thousands of lives, while we are beefing up the AU? What could I do that would not lock me in so that I am—I'm already overextended—would it matter, general, if you were able to commit to me, rapidly, 3,000 forces to go in and stabilize the area now while this is taking place?"

What would—and, again, I'm not asking you; I just want you to know that I think a lot of people are asking the same question I'm asking, in my own head—what—is there anything that comes off of what Senator Corzine, I thought—I caught the tail-end of his comments—you know, no one—nobody wants us to get, quote, "bogged down" in another place. We haven't finished Afghanistan, we haven't finished Iraq, we have Korea looming—not necessarily war, but, Korea's a giant problem, nuclear-threshold questions in Iran, the Middle East. I got it all. But I wonder—I would be asking the question of you, or General Myers, What could I do if it's going to take me a month or two with the international community to put the AU in a position they could do more—what could we do, like we did—like we did in Liberia, like we did in a few other places

where we went in, and we were out—we made no long-term commitment—and stabilized the situation.

You know, I realize it's not above your paygrade or competence; it may be beyond your willingness or brief to speak to that, but I hope someone has asked that question and has gotten an answer so the man sitting behind that desk knows what options are available. And if you conclude that sovereignty is the sole relevant issue, then, you know, this is all moot.

But, anyway, I thank you for what you've done. If you want to respond, I'd welcome it, but I will not ask you to. You don't have to.

Secretary POWELL. Let me say a word on the first part of your presentation, Senator, and that is that sovereignty may not have the same meaning in the 21st century that it might have had in the past or it had back in the days of Kosovo. But if—sovereignty isn't surrendered, usually. You've got to go take it away.

Senator BIDEN. Right.

Secretary POWELL. And so one has to be very careful. You've said—you presented your case, but then you said, "I won't tell you what action we're going to take." But you can't stop there, because if you're——

Senator BIDEN. Well——

Secretary POWELL [continuing]. You've got to——

Senator BIDEN. Well, actually——

Secretary POWELL [continuing]. If you—if some——

Senator BIDEN. With all due respect, sir——

Secretary POWELL. Yes.

Senator BIDEN [continuing]. So I'm not misunderstood——

Secretary POWELL. Yes.

Senator BIDEN [continuing]. You can stop there. We've made it really clear that we don't like what North Korea is doing. We've made it very clear they're a grave danger to us. We've made it very clear they are not doing—they are—we are in jeopardy as a consequence of them; otherwise, we wouldn't be talking about spending hundreds of billions of dollars on a star-wars program. We made it clear we think they are potentially a mortal enemy, and we're not doing a damn thing about threatening to use force. I'm not suggesting we should.

So you can make a judgment, like the President did, early on, and say there is—what was it?—an "axis of evil," and these are evil states, and then conclude that you are not prepared, at the moment, given the circumstances, to be able to do something.

And the only thing I'm saying is, the first step always is, what is the declaration, relative to the argument that "You cannot cross my border because I'm a sovereign country"? And I would just—that's all I'm suggesting.

So you can make that judgment, "You forfeited your sovereignty, we ain't doing something now, but we're looking, the world's looking."

So I just want to make it clear. I'm not—I do not believe, and I think our present actions demonstrate, that we can make judgments about how evil, how dangerous, how threatening a nation is to us, and not conclude we should use force.

[The prepared statement of Senator Biden follows:]

OPENING STATEMENT OF SENATOR JOSEPH R. BIDEN, JR.

Mr. Chairman, thank you for holding this extremely timely and important hearing.

It has been three months since our last hearing on the crisis in Darfur. Since then, there has been some progress, but the situation remains dire. The United States and the international community must take stronger measures to prevent an even greater humanitarian tragedy than has already unfolded.

On July 30, the United Nations Security Council passed resolution 1556, which gave Khartoum 30 days to disarm the janjaweed, improve security for internally displaced persons, bring human rights perpetrators to justice, and remove impediments to humanitarian access—or risk the imposition of sanctions.

In recent weeks, the Sudanese Government has removed a number of bureaucratic impediments to aid delivery. Food is being airdropped into the region. Aid flows to the camps have improved, as has access by humanitarian workers.

Khartoum also has engaged in a serious dialog with the Sudanese Liberation Army and the Justice and Equality Movement in Abuja under the auspices of the African Union.

The progress is real. But it is far outweighed by the peril in Darfur. Hundreds of thousands of lives remain on the line.

On September 2, the Secretary General's Special Representative to Sudan, Jan Pronk, reported to the Security Council that Khartoum has neither disarmed the janjaweed, nor provided effective security for the approximately 1,200,000 internally displaced people in Darfur.

Ambassador Danforth has stated that there are confirmed reports that the government participated in attacks on civilians in Darfur as recently as August 26.

And although assistance is reaching more people, humanitarian workers are discovering that more people need aid than they originally estimated.

The bottom line is that the Government of Sudan is not taking the actions demanded of it. And so the question before us is straightforward: what are we and our allies in the international community prepared to do to change the situation in Darfur?

Will the Security Council act to impose sanctions under article 41 of the UN charter as threatened in 1556?

Are we and our international partners prepared to push for a Chapter 7 peacekeeping force with a mandate that includes protection of civilians?

Will other members of the Security Council support strong action—or will they undercut it?

In short, what is our strategy to prevent what you have now agreed with Congress is genocide in Darfur?

If we fail to act—when the evidence of Sudan's crimes are clear for the world to see, and when we have the means to stop them—we renege on the promise of "never again" made after World War II, a promise repeated after the genocide in Rwanda.

Were those words merely empty rhetoric, or will the world fulfill its promises when confronted, as we are right now, by another terrible challenge to human decency?

I believe we should take strong measures, both domestically and internationally.

In late July, Senator DeWine and I introduced legislation aimed at increasing the pressure on the government in Khartoum to bring a halt to the violence in Darfur.

Senator Lugar subsequently introduced his own bill, which is similar in several respects, but takes a slightly different approach in others. I am pleased that we were able to introduce a joint bill today—a bill that we hope the entire Senate can support.

I thank the chairman. I look forward to hearing from you, Mr. Secretary.

The CHAIRMAN. Thank you very much, Senator Biden.

Senator Brownback.

Senator BROWNBACK. Thank you, Mr. Chairman. And, Secretary Powell, thanks for being here. Mr. Chairman, at the outset, I'd like to have the trip report [1] that Frank Wolf and I have filed included in the record, if it could be.

The CHAIRMAN. It will be placed in the record.

Senator BROWNBACK. Thank you.

[1] The text of the report can be found on page 61. The full report, which includes color photos, can be accessed at: http://www.house.gov/wolf

Mr. Secretary, thank you, God bless you. We really appreciate you stepping up on a tough issue, like you always do, and taking a very careful consideration, setting the factual basis for it, making a determination, and then articulating it very clearly. And I think this is very important. Words don't always capture the day. The words are important. And this word, the word on genocide, is very important and will have ramifications—I believe, significant ramifications—around the world and in the government in Khartoum. So I really appreciate what you're doing, and the care with which you do it, as well, I think, is very important.

I want to ask you—you've had a good discussion here, it seems like to me, on a number of tools that are available in your tool chest. Because I know when you consider an issue, administration considers an issue, when they take a stance, then you've got to figure out, OK, how are we going to get this done? It's not just that you issue the word, and, OK, we've said it, that's good enough. It's then, all right, how do we follow on through it? You're going to the U.N. now for a resolution, starting a process there for them to review the genocide. And if they make the genocide determination, as I understand it, then a series of issues and actions, required actions, kick in, where—which is—I think, were appropriate.

And, by the way—and this is a sidebar—I think this is an enormously important time for the world, where we are stepping up while a genocide is occurring, and calling it as such, to protect the people there. Your own State Department has said, we've got—30,000 to 50,000 people have died, but the likelihood of 300,000 is clearly there, given the situation. But we're trying to stop this before it gets to 300,000. And I think this is a great time for the world to say, we're going to step into these things before all the people die that are there.

As you look at the tools in your chest—you've described several of them already—but are there other leverage points that you can use, tools to get some of this forward? Will there be discussion on the sanctions, particularly oil, because that's the major issue for the Sudanese, that, OK, we will do this, and the U.N. will do this, and push this, unless Khartoum allows the international troops in? Because somehow we've got to get the security situation—you've identified it as a security humanitarian crisis—totally security-driven humanitarian crisis. It is. Can we use that, that tool, that threat of a sanction—but it's got to be a very real threat—to get the troops in on the ground? Can we personally, as the U.S., leverage more toward China, where they're the principal conduit through which the oil comes out of the country—not the only one, but the principal one; their companies, their market—can we leverage more our pressure on China to step up on Khartoum to get the international troops in?

And Egypt, which I'm—I appreciate some of the words that they've said, but this is not enough, given the humanitarian crisis. And it is right there on their border, and it is right there on their door, and their relations with Khartoum are probably some of the better in the world. And they're a big ally of ours, and we work closely with the Egyptians. I think they are woefully, woefully inadequate in their actions, and even in their words, to date, that they have issued. Is there more in our tool chest that we can do

toward the Egyptians to get the troops, the international troops, moved in to deal with the security situation?

Secretary POWELL. The issue of sanctions comes up frequently, and the one with the most bite and leverage to it, I think, would be oil. It would, of course, require concerted U.N. action, and the U.N. would have to do it in the form of a resolution so that it becomes binding in international law. There's nothing that can be done unilaterally on that.

And, yes, I think we can do more, in talking to the Chinese, Pakistanis, the Egyptians, the leadership of the Arab League to put more pressure on Khartoum.

I do think we will be able to persuade the Sudanese—and it won't take too much time, I hope—that it is in their interest to allow this monitoring force to be built up—this protection monitoring force to be built up as quickly as we can build it up. And that's going to be the focus of all of our efforts and energies in the days ahead. And I will be talking to both the Egyptian, as well as the Chinese, leadership about this.

Senator BROWNBACK. And Arab League leadership, you mentioned——

Secretary POWELL. Arab League, as well.

Senator BROWNBACK [continuing]. As well. Do you see other tools available to you that have not been discussed today to try to get those troops in on the ground in that western——

Secretary POWELL. The logistics problem is getting it done, getting the troops equipped so that they can perform the mission, making sure there's a concept, an operational concept, so that they know what they're going in to do, and then getting the actual contributors, not just, sort of, expressions of interest, we might be prepared to do something.' We'd get the nations of the African Union to make specific commitments in quantities, then put in place the command-and-control system. So it's really, sort of, the military logistics and command-and-control issues that I think we have to focus on right now.

The Sudanese don't want to be in the position that they find themselves in now with this kind of pressure. We were looking forward to a much more promising year, 2004, with respect to U.S./Sudanese relations. As you recall, Senator——

Senator BROWNBACK. We all were.

Secretary POWELL [continuing]. Brownback, I went there last fall and said, let's get this Naivasha deal done by the end of December. Well, they all said yes. A bit optimistic. It took another five or so months. But we got it.

Senator BROWNBACK. Got it done.

Secretary POWELL. And we were saying we're going to have a White House ceremony for this. We are going to get 8,000 or more peacekeepers to come in from throughout the United Nations to help you implement this accord. All sorts of economic benefits will flow from this accord. All of that is still there, waiting.

So there is an incentive for the Sudanese Government to do the right thing now, if they'll only do it, because benefits will flow from the Naivasha Accord and from an East-West settlement, the end of the crisis in Darfur. It will be to the benefit of all Sudanese people, to the benefit of the Sudanese Government, as they try to come out

of the isolation that they have been in, at least with respect to the United States and with respect to many of the nations in the world, especially within Europe. And to help them develop the resource that they have—oil—to benefit all of the people of Sudan. And that, of course, you'll recall, Senator Brownback, was one of the major sticking points in the negotiations between the North and the South as we worked on the Lake Naivasha Accord. But we solved it. We got an understanding of how that oil revenue would be distributed. So this is a country that has resources and assets, and they want to use them. And to use them properly, they need to be part of the international community and not a pariah of the international community.

And so I think we've got to continue to put the pressure on them. And the No. 1 item we should be working on now is the AU force getting in.

Senator BROWNBACK. I want to thank you and really praise your work and the President's work and Jack Danforth's work. We've been around the Sudan issue quite awhile. Senator Frist, as have a number of people on the dais, Senator Corzine, Senator Feingold, and Senator Alexander. I mean, there's a real chorus of people. But you guys are the first ones to really lean in and put action to your words. You've leaned in, and you've fought for the peace agreement between North and South, got it done. We passed the Sudan Peace Act. You're using some of the tools available to that. And there are carrots and sticks with it. And there are a lot of carrots that are here. And then I was, as well, with you, hopeful we were going to finally resolve this longest-running civil war this past year, and then this has stepped up.

I do, in conclusion, want to hope and urge that we will support, financially, the African Union effort, but also the Europeans, particularly, will step up with this. They should. They are in a position to do so, should get that done.

And, finally, Mr. Chairman, I'd like to recognize, particularly, one writer that traveled with us, Emily Wax, with the Washington Post, doing extraordinary work. I think she should get a Pulitzer Prize for the work that she's done, because a lot of this has been moved forward because the press has really focused in, and people have put some of their lives on the line to really cover this story in its graphic depth. And it is a horrific story. It is a very troubling story. But they've been there, and I really hope they keep reporting and shining the light on it.

Thanks, Mr. Secretary.

Secretary POWELL. Thank you, Senator. And thank you for your work on this.

[The prepared statement of Senator Brownback follows:]

PREPARED STATEMENT OF SENATOR SAM BROWNBACK

Today Secretary Powell and the State Department reaffirmed the conclusion of the U.S. Congress that genocide is taking place in Sudan. It is now clear that the Bush administration and Congress officially recognize the situation in Sudan for what it is: the killing of tens of thousands of innocent people, simply because of their race. President Bush's personal leadership on this issue began with the naming of Jack Danforth as a Special Envoy to the Sudan in 2001.

I applaud and thank Secretary Powell for taking such a strong and principled step. The United States cannot and should not resolve this crisis alone. The international community must step up. Given the overwhelming facts regarding the

Khartoum regime, how long can the international community continue to turn a blind eye and say that they see no evil? How many more people will have to die before the international community takes action as soon as possible beyond just setting another deadline for better behavior?

I visited the Darfur region of Sudan in late June and issued a report with recommendations for the international community to deal with the dire human rights situation there. Arab militias, known as the Janjaweed, and government forces continue their violent campaign against Darfur's Black African population. Reports indicate that some 200,000 refugees have fled to Chad, and over 1 million have been displaced inside the region. Some reports estimate that the final death toll could reach 1 million if humanitarian organizations are unable to deliver aid. I, along with Rep. Frank Wolf, personally visited five refugee villages and saw hundreds of burned-out homes.

I introduced Senate Concurrent Resolution 99 along with Senator Jon Corzine, which formally declared genocide in Sudan. The Senate passed the resolution in July. The House of Representatives passed similar legislation cosponsored by Rep. Donald Payne and Rep. Thomas Tancredo. I also introduced legislation, along with Senator Mike DeWine and Majority Leader Bill Frist, providing $95 million in emergency humanitarian aid to the Darfur region of the Sudan.

The CHAIRMAN. Thank you very much, Senator Brownback, for your comments on Africa; likewise, for the well-deserved praise to the press for illuminating these issues.

Senator Feingold.

Senator FEINGOLD. I, too, thank you, Chairman Lugar and Senator Biden, for holding this hearing today. And I especially thank Secretary Powell for being here, for all the time you've spent with us today, and for your intense engagement and efforts to stop the atrocities in Sudan.

For months now, many of us have been speaking out about the crisis in Darfur. We've recited the numbers, the mounting death toll, the malnutrition rates, the refugee flows, the numbers of displaced. We've called attention to the scope and scale of the violence, the systematic rape of women and girls, the destruction of whole villages. We've pointed to the ample evidence to indicate that the janjaweed militia forces responsible for most of the atrocities work hand-in-glove with the Sudanese military and the Sudanese Government. We have passed a genocide resolution, and the Secretary has made it his business to be directly engaged on this issue, traveling to Darfur and weighing in directly with Sudanese officials.

But what we haven't done, and what the administration hasn't done, is find a way to bring security to the terrorized people in Darfur. The Darfur catastrophe is not the result of a natural disaster; it is the result of a deliberate policy unleashed by the Government of Sudan on its own citizens. And so far, no one has found a way to make that government change course.

There are immediate steps that can be taken, on which I notice we tend to all agree: getting the African Union all the support it needs to be as effective as possible, continuing to urgently scale up our humanitarian response and to improve humanitarian coordination. But the very best reports from AU monitors will not, in and of themselves, bring security to Darfur.

I am deeply grateful for the AU efforts to date, but we must not make the mistake of expecting from the AU mission something that it has neither the mandate nor the manpower to deliver at this point. Likewise, the very best efforts of the humanitarian community cannot solve the security problem. To stop the violence, to cre-

ate conditions of security, we need to bring effective leverage to bear on the Government of Sudan.

First, with all due respect to the Secretary, we need someone in charge. The Secretary of State has quite a bit on his plate. We used to have a Presidential envoy for Sudan, but, when Senator Danforth took up his post as U.N. Ambassador, inexplicably, he was not replaced. Recently, our most senior official at our embassy in Khartoum was recalled to the United States. This is no way to manage a crisis of this magnitude.

Once again, as I have for months, I strongly urge President Bush to appoint a senior envoy to focus exclusively on this crisis each and every day, to keep sustained pressure on Khartoum, and, importantly, to convince other key international actors to increase their engagement.

And that leads to a second point. We need a dramatic strengthening of political will around the world. I wish that we did not find ourselves confronted with this task at a time when mistrust of the United States is at an all-time high, strengthening the hand of Sudanese officials who would like nothing more than to cast themselves, incredibly, as victims.

Finally, we need to think about the future. What kind of relationship can we really have with a government that has repeatedly over the years unleashed this kind of violence and misery on its own people? What political accommodations can be made to acknowledge that there is not a monolithic North and a monolithic South, but, rather, many actors in Sudan—by no means all armed—that want a voice in their own government and a hand in shaping their own destiny? How can we balance a very real, very serious interest in a solid counterterrorism relationship with Sudan with our reaction to the kind of unacceptable atrocities we see in Darfur right now? And how will those responsible for these crimes be held accountable for their actions?

One additional word before I ask a question. I certainly share the view that's been expressed by many that the AU effort in Darfur is admirable and is, in fact, indispensable. The AU is the only game in town right now. Likewise, I welcome the way in which West Africans have stepped up to try to stabilize Sierra Leone and Liberia. And South Africans are playing such an important role in Central Africa.

But I worry a little bit about where the "African solutions to African problems" mantra sometimes takes us. Genocide is not a regional problem; it is a whole-world problem. When there are three million people killed, as they have been in Eastern Congo, that is not just an African problem. I doubt that we would think of it as a European problem if it happened in Europe. This is important. Sometimes this language suggests that stability in Africa doesn't really relate to American interests. I think that's a bit of a dangerous idea in this era of global transnational threats, including the threats of terrorism and international crime.

And I say this knowing that I am speaking to somebody who has enormous commitment and depth of understanding of African issues, and we've worked together on many of these issues. But the concept of this as peculiarly African problem, or a problem where they, sort of, more or less, solve the problems themselves, with our

help, is not the same way, it seems, that we sometimes react to similar events in other parts of the world.

Having said that, I'd like to ask you, Mr. Secretary, in the draft resolution currently being circulated by the United States at the Security Council, what specific consequences will be triggered by the Government of Sudan's failure to improve the security situation in Darfur?

Secretary POWELL. There is no specific action, in the form of sanctions, if that's your context, Senator Feingold. It expresses its disappointment—the resolution expresses the U.N. Security Council's disappointment that more hasn't been done. And it tees up, from the previous resolution, the possibility of sanctions, to include the petroleum sector, if the Council is not satisfied with the forthcoming actions. And it speaks principally to the expansion of the AU force and asks for the Secretary General to form a group to go look into the question of genocide.

But it deplores the recent violence that has taken place, and it essentially tees the ball up again, and tees it up in a better way, if we do not see improvement and there is a will within the Council, to impose sanctions. But there's no immediate sanctions that come out of this resolution.

Senator FEINGOLD. What good does it do to pass U.N. resolutions with deadlines when there are no actual consequences triggered by a failure to achieve——

Secretary POWELL. The Sudanese would say to you that they—their understanding was that they had more time than just 30 days, based on their understandings with the Secretary General of the Security Council. So what we're saying is that we are now measuring it, at the 30-day point. They are found wanting. There has been improvement in humanitarian support, there is a political dialog that's underway. The monitors have been deployed, and we have the possibility of many more monitors and protection forces being deployed. And express our dissatisfaction through this resolution on the security situation. And as the specific language of this draft resolution will say, Government of Sudan has failed fully to comply, and Sudanese Government will—hang on a minute—declares the Council will take further action, including measures as provided for in Article 41, which is the measures article of the charter, including with regard to the petroleum sector and individuals. So it elevates the concern that the Council has with respect to what the Sudanese Government have been doing with respect to security, and sets in play, for Council consideration, that actions may be required affecting the petroleum sector and specific individuals. So it's a step forward from where we were 30 days ago, but it is not yet the pulling of a trigger.

Senator FEINGOLD. Let me just follow with a very quick followup. I mentioned in my statement the fact that I've urged President Bush to appoint a senior envoy to focus exclusively on this crisis each and every day to keep the pressure on Khartoum. Can we expect the administration to take a step like this soon?

Secretary POWELL. I have individuals who are doing nothing but following this every day, who have somebody permanently assigned to the negotiating team in Mbuzia, and former Principal Deputy Assistant Secretary Charlie Schneider is doing nothing but Darfur,

Sudan, right now. We have not made a judgment as to whether a special envoy was necessary. Senator Danforth, Ambassador Danforth, did a terrific job related to the Lake Naivasha negotiations, and made several trips to the region. But, of course, there was a full team that was working, on a day-to-day basis, and we have such a full team now. And if it makes sense, at some point, to put somebody else into an envoy position, I would have no reservations about doing that if it seemed appropriate.

Senator FEINGOLD. Well, I admire the people you have working on it, but I think it made a real difference to have somebody the stature of Senator Danforth working on this issue, and I would urge that it is time for somebody of that stature to be in charge of this operation again. But I thank you, Mr. Secretary.

Secretary POWELL. Thank you, Senator.

The CHAIRMAN. Thank you, Senator Feingold.

Senator Alexander.

Senator ALEXANDER. Thanks, Mr. Chairman. Mr. Secretary, thank you for being here.

On June 15, at Chairman Lugar's request and with the participation of a lot of the Senators who have already spoken, I chaired a hearing of the full committee on Sudan. And what we primarily heard from witnesses who had been there is a request for United States action. And the action, interestingly, that they specifically asked was not that we go there, but that we get the United Nations involved. That is what they thought, on June 15, would make the most difference.

Within a couple of weeks, I think—maybe three—you were in the Sudan, and you had gotten the United Nations involved. And as—I want to join with the other Senators on both sides of the aisle this morning in saying that your willingness to move quickly on this has been an enormous help.

You've had a lot of specific questions already asked. Let me ask you to look down the road a little bit with me and talk about security, and specifically about the African Union.

I was just thinking, as I was listening, how we can quickly shift our priorities here. Four years ago, we didn't want many spies. Today, we wish we had a lot. Four years ago, there was a bipartisan reluctance to engage in nation-building. Today, we wish we were better prepared for nation-building, and we have opportunities for it, it seems, new ones every day. And everywhere we look, a condition precedent to nation-building is security, whether it's Afghanistan elections or whether it's Iraq or whether it's Liberia or whether it's in Sudan, so that Sudan can take the benefit of the North-South agreement that's been worked on for so long.

Now, starting with the African Union, which we've talked about a lot today, as you reflect on your experience—both your military experience and then your experience now, as Secretary of State—and recognizing that suddenly we're now in a different sort of world, looking down the road 5 years, what should we be thinking about in this committee and what should we be doing differently to prepare—to help Africa prepare, and to help the world prepare, for the opportunity to secure conflicts so that there can be nation-building in places like Sudan? Starting with—well, start with Africa. Specifically, what can we be doing, and what should we be

thinking about doing, over the next 5 years that we probably weren't thinking about doing 2 or 3 years ago?

Secretary POWELL. In a tactical sense, the building up of the indigenous forces beforehand, through the peace initiative that the President has put before the Congress, so that there are trained, qualified, ready, equipped troops that can go in and establish security when called upon to do so, either by invitation or because there's been a collapse of authority. And the more money we put into that, the better off I think we are. And I hope that we can get very, very robust funding for that kind of activity.

Senator ALEXANDER. What's the level of appropriation that's——

Secretary POWELL. I think the request right now—and I'll have to get it for the record—it's a hundred million, but, you know, it ought to be a lot more, and it shouldn't just be Africa. We can be doing the same thing in Latin America, we could do the same thing in Asia, just to have troops in different parts of the world that are trained, ready, and competent, and professional.

At another level, though, the real guarantee for nation-building and to provide security is for people to not have cause to rebel or to create instability. And programs such as the President's Millennium Challenge Account, we're investing in those countries that are making the right choices with respect to democracy, with respect to economic freedom, with respect to human rights, with respect to the rule of law. If you make solid investments in those kinds of countries and in those sorts of programs, you're removing the cause of instability. And that's why I believe the Millennium Challenge Account is such an important program.

The first countries that we have identified for this are working hard to make sure that they get the right contract or compact with us. So many other countries that were not included in the first tranche are now coming to us saying, What do we have to do to get into this program?

And so the real solution to this comes from alleviating poverty, doing something about disease, doing something about HIV/AIDS, doing something about those factors that create instability, and, you know, make the ground fertile for civil war, for rebellion, for disaffected young people, who are not being educated, who are not being taken care of, who see no future in the political system they're living under, to fight against that political system and to create this instability.

So tactically, invest in peacekeeping forces. Strategically, do more with programs such as the Millennium Challenge Account. Give me a lot more funding for USAID programs. Give me a lot more funding for public diplomacy programs. Give me a lot more funding for exchange programs, so I can bring more and more people from countries around the world to the United States to be educated and learn so they can go back and help their societies. That's soft power that we talk about. The soft elements of power are as important as the hard elements of power.

I've been involved in a number of these situations. I remember when we went into Panama in December 1989. I was so privileged last week to be at the inauguration of yet another freely elected President of Panama, and to sit there. And 14 years ago, I was the one who was issuing the orders, on behalf of Secretary Cheney and

President Bush, to invade the place and take out Manny Noriega. And 14 years later, we see a democratically elected President yet again.

But when we went into Panama, it took us 3 days to deal with the military problem. And we started looking around, Well, how do we actually build this nation back up? And that didn't take 3 days; that took months and years to do it correctly.

And so another thing we have done in the State Department, we've created now a new office under Mr. Carlos Pasqual, and it is an office that's going to be looking at potential places of instability around the world and start thinking now what we might have to do to nation-build in these countries if called upon to do so, so that we start to put in place the staff, the capacity, the resources, and the competence needed, on an interagency basis within our government, to handle these kinds of challenges as they come along.

So strategically, the Millennium Challenge Account, USAID, HIV/AIDS, all those soft elements of power. Tactically, train units that can go in—indigenous units that can go in and provide security. And then, in between, start to create the infrastructure we need in the U.S. Government so that we're not constantly surprised by these demands when they come along.

Senator ALEXANDER. Thank you. I fully concur with your emphasis on the soft power. But I think the fact remains, parallel to that, which you concede, that we're awfully busy with security issues right now. And as we've gone down the row of Senators, there's no one, really, to send—to add to the protection of the monitors in the Sudan, except the African Union, at the moment. And I assume, from your answer, that if we were 5 years down the road, and if, between now and then, we've done a good job of helping the African Union expand its professionalism and train its available troops, or even in the new European countries where—in Georgia, for example, where the new President would like to have more United States aid to train a smaller, but more professional, level of troops that—would you envision that—as these opportunities for nation-building, which we'd be better prepared to do, come up, that there would be—it would be appropriate for there to be forces available from the African Union or even from these—the new European countries to help——

Secretary POWELL. Sure.

Senator ALEXANDER [continuing]. Provide the security that's conditioned to exercise——

Secretary POWELL. Absolutely. And a place like Cote d'Ivoire, there are French troops there—it's not, as the night follows day, they always have to be African troops. I think it's—these are regional and international problems. And what I find is, in my peacekeeping account, I'm going to need more and more funds in the years ahead. And I'm glad I'm going to need more and more funds, because it means there's peace to be kept, whether it's in the Congo or Cote d'Ivoire or Liberia or Haiti.

Haiti's a good example. We went in with our French colleagues and our Canadian colleagues, rather quickly, and some other colleagues, and now the United States troops came out within a couple of months' time, and there's a 3,000-person peacekeeping

force—Brazilians, Argentinians, Chileans, a number of others, Sri Lankans are coming, and even, to the surprise of many people, and the shock of some, the Chinese wish to send a small group of troops, police-type forces, in to help Haiti, as well.

So it is not just a regional matter; it is an international matter. And I think that we have to scale up, and the U.N. has to scale up our competency, resources, and funds to conduct these kinds of activities in the future.

Senator ALEXANDER. Thank you.

The CHAIRMAN. Thank you very much, Senator Alexander.

Secretary Powell, as you know, your Department has been very helpful to this committee in our work, thinking about nation-building. And in our authorization bill, which may or may not see the light of day by the end of the Congress, there is, in fact, money, as well as about 300 people within the State Department as a starter. Defense Department officials will meet with us soon, but they're apparently already onboard.

Secretary POWELL. They are.

The CHAIRMAN. And you're working with them.

Secretary POWELL. No, it's a very good effort. It's an interagency effort under Mr. Pasqual, and everybody's cooperating. We all know we have to do this right in the future.

The CHAIRMAN. Tremendously important, and we look forward to working with you some more.

Senator Boxer.

Senator BOXER. Thank you so much.

Mr. Secretary, I so appreciate your strong words that you used this morning, because I do think words matter. And I also think actions, of course, matter more. We have no Ambassador in Sudan, and I support that. We should not have an ambassador there. We don't have a chargé, and now we don't have a special envoy. And so I wonder, as—I'm just going to make a statement—I probably have two or three little questions, if you could respond—do we have plans to have a special envoy there?

I appreciate the fact that in the State Department document you call rape a "weapon," and clearly it is being used as a weapon. And what I want to do today, since I agree with everybody who spoke—I mean, I just don't take issue with anything that was said here, Mr. Chairman—I want to try to put a human face on what is going on, and I take this straight out of Amnesty International. This brutal crackdown that started in March 2003, which now has been deemed by our Secretary of State to be a genocide—as Senator Brownback has said, more than 50,000 killed, 395 villages destroyed, 1.4 million driven from their homes, all in a little more than a year. And women have been brutalized by the use of rape as a weapon of war. So let me talk about this, specific cases.

One woman was 5 months pregnant when she was abducted by the jangaweed with eight other women during an attack on July 24, 2003. Some of the girls abducted with her were as young as 8 years old. She said, "Five to six men would rape us, one after the other, for hours during 6 days, every night. My husband couldn't forgive me after this. He disowned me."

Another Darfuri reports, there was also another rape on a young single girl, age 17, "M"—they disguise her name—"was raped by

six men in front of her house, in front of her mother. M's brother, S, was then tied up and thrown into the fire."

Another case, a 30-year-old woman recounted the following to Amnesty delegates, quote, "Some 15 women and girls who had not fled quickly enough were raped in different huts in the village. The jangaweed broke the limbs of some women and girls to prevent them from escaping. The jangaweed remained in the village for 6 or 7 days. After the rapes, the jangaweed looted the houses."

So, clearly, this is beyond our ability to imagine the way we would feel if we were watching one of our children in this situation.

So we all agree that the world cannot stand by. Everyone is in agreement. So here's my question. Have you seen the Washington Post editorial today? I want to just read from it, and I'd like you to respond to it. "Although the United States has been generous financially, it has not expended the diplomatic capital necessary to achieve a solution."

So I'd like you to respond to that. "Earlier in the summer, Mr. Powell argued that the violence against Darfur civilians could be ended by Sudan's government, even though that same government had invented the policy of attacking villagers with helicopter gun ships, then sending in the jangaweed to burn their houses, kill and rape inhabitants, and poison wells. This mistaken belief conveniently absolved outsiders of the moral responsibility to provide peacekeepers. Sudan's government, however, showed no indignation or indication to stop the killings. It also lacked the means to re-bottle the jangaweed genie, even if it wanted to. Besides, there was no way that traumatized Darfuri villagers would return home in the absence of foreign peacekeepers, just as Kosovo's ethnic Albanians would never have returned home as long as the surrogates of Milosevic remained in control.

"Now, U.S. officials have drafted a U.N. Security Council resolution that calls on Sudan's government to accept an expanded force that would probably consist of 3,000 troops and a bit over a thousand police officers from the African Union. This is a good idea. But the problem with Mr. Powell's draft resolution is that Sudan's government has little incentive to pay attention to it."

So I'm hoping you will respond to that fact. What's the incentive for them to pay attention to it?

"In its current version, the resolution includes no deadline for Sudanese compliance." No deadline. "Its vague threat of sanctions is undermined by the fact that the U.N. issued the same threat in July, but seems to have forgotten it. The U.S. must propose a tougher resolution that delivers on July's threat of sanctions, and threatens more if Sudan's government fails to accept the African Union force. This sort of resolution would not win easy acceptance from Sudan sympathizers on the Council, and Mr. Powell would have to work very hard to secure passage, but at least this approach might force Sudan to pay attention. The alternative—and they call it 'the milk-toast resolution' that the State Department has put forward—creates the appearance of action without the substance."

So I'm sure you don't agree with this, I don't think, but I found it very compelling, and I wonder if you could respond to that, and also the issue of a special envoy.

Secretary POWELL. We have—Mr. Whitehead, who is on the ground acting as our representative in Khartoum—as you know, we do not have Ambassadorial-level representation, for reasons that are well known to you, Senator Boxer——

Senator BOXER. Oh, I agree with it.

Secretary POWELL [continuing]. And, as I mentioned earlier, we have an individual permanently assigned to the peace discussions—political discussions taking place in Mbuzia. And——

Senator BOXER. And who is that?

Secretary POWELL. His name is Mr. Hermond.

Senator BOXER. I'm sorry?

Secretary POWELL. Hermond.

Senator BOXER. What's his full name?

Secretary POWELL. I'll can get it for you. I don't have his full name in my——

Senator BOXER. Well, we need a high-level person, everybody knows their name. But that's OK, let's—go ahead.

Secretary POWELL. And Charlie Schneider is managing it as his sole duty. He was the Principal Deputy Assistant in the African Bureau—been replaced so that he can devote all his time and attention to that. And the idea of a more senior individual is something we will take under consideration.

Senator BOXER. Good.

Secretary POWELL. With respect to the Washington Post, they have had strong views on this for some time. The fact of the matter is, there is no peacekeeping force that is there. It's not a peacekeeping force that's suggested by the tone of the editorial, but a peace-making force, somebody to go in there and actually take control. And, I'm sorry, I don't see a source of such a force. So we are pushing for an expansion of the AU monitoring mission, and several thousand troops will make a difference, in my judgment.

With respect to the resolution, I think it's a strong resolution. It declares that the Council will take further action, including measures as provided for in Article 41, including with regard to the petroleum sector. It's a direct threat to the Sudanese Government with respect to that which is of value to them—that is, the petroleum sector—and, as well, the resolution talks about action against individual members in the event of noncompliance of the previous resolution, or failure to cooperate, and requests that the Secretary General report in 30 days to the Council on the progress, or lack thereof—30 days from the date of this resolution. So there is that timeline in there.

Can I guarantee or say to you that the Security Council will vote any particular sanction at the end of the next 30 days, or not? No, I cannot answer that question for you.

But this is a strong resolution. It is a resolution that I think will be debated. I think there are a lot of people who feel it is too strong. We will have a challenge getting full support for this resolution. And one of the things that we have to constantly make a judgment about on any resolution is, put forward a strong one, one that we believe is the right resolution that is appropriate to the challenge we're facing, and then argue it out with our Security Council colleagues to get approval for the resolution. And so I do

disagree with the Washington Post when it says that the resolution is not a strong one.

Senator BOXER. OK. I'd just conclude and just say this, that you haven't answered their issue—and maybe you can just do it in writing—that there's little incentive. And they don't call for more than a peacekeeping force. They think that's a great idea. They're just calling for more sanctions.

Secretary POWELL. We have applied—the United States has sanctions against Sudan now. If you look at what additional sanctions we can impose, they do not amount to much that we're not doing already. So what we're talking about is international sanctions. And what we have to make a judgment of is what the international community is prepared to do. And we have put some strong language in this operative paragraph of the resolution that we will be debating with our colleagues at the United Nations. We are trying to scale-up the number of monitors and protection forces for those monitors. And I think that is the right solution. And I don't know that I can say more with respect to the position of the editorial writers at the Washington Post.

Senator BOXER. No, that's fine.

Secretary POWELL. Yes.

The CHAIRMAN. Thank you, Senator Boxer.

Senator Coleman.

Senator COLEMAN. Thank you, Mr. Chairman.

Thank you, Mr. Secretary. We all share the outrage at what's going on in Darfur, and you've expressed it quite clearly, calling it for what it is today: genocide. And for that very clear and unequivocal expression, I express my appreciation.

I would note it's probably pretty easy to play Secretary of State in the editorial boardroom of the Washington Post, but I presume they don't have to figure out how to get a resolution passed, they don't have to worry about how to get a resolution enforced. And so I—I think it was Teddy Roosevelt once said, "It's not the critic who counts, but the person in the arena," and you are in the arena, and I appreciate that.

I also appreciate the work of colleagues at the State Department, the work that Ambassador Danforth did on the resolution in the North-South conflict, and the U.S. leading the world today in responding to genocide.

So I just want to say thank you. I want to applaud you for your personal intervention and for your efforts now to continue to work with the Security Council to get something done.

I do have just one question. My colleague, Senator Alexander, kind of, talked about the neighborhood and the neighbor response. There's been little discussion today about Chad. I know we've talked about Egypt. But they've been directly affected by this. Can you talk a little bit about the problems that the Darfur crisis has created for them? And are they getting the support they need? How are they fitting into this?

Secretary POWELL. Yes, they have been given a serious problem. And I think our estimate is that there are perhaps 200,000 Sudanese who are now in the camps on the Chadian side of the boarder being provided for by the United Nations agencies. And part of the

money that has been made available to us is being used to assist them.

Senator COLEMAN. Thank you, Mr. Secretary.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Coleman.

Several hours ago, Senator Sarbanes stood aside, and I'm prepared to recognize the Senator. Senator Nelson has come in subsequently, but—fair enough. Senator Nelson, please proceed.

Senator SARBANES. Go ahead.

Senator NELSON. Thank you to my colleague.

Mr. Secretary, what are the lessons learned from the Rwandan genocide, by us holding back, that we could apply those lessons learned here?

Secretary POWELL. That you have to get engaged early. I think we did. We made it a matter of international concern early on. We worked hard for the Naivasha Accord, which is really tied up in this whole situation. And we had success with that. We were able to arrange a cease-fire in early April, which was good at the time; but, unfortunately, it didn't bring a solution to the problem. We went from $94 million that we were planning to allocate to Sudan, and we've put in now up to close to $600 million for the fiscal year, so we responded in that way. We responded with our diplomatic efforts, our political efforts. Working with our friends in the Security Council, we put forward a resolution. And we put forward that resolution—about 6 weeks or so ago, people were not sure we could get a resolution passed. It took a lot of hard work on the part of our diplomats in New York and our diplomats in capitals around the Security Council world. We got it. We have succeeded in persuading the Government of Sudan to give greater access to humanitarian workers. The number of humanitarian workers has increased by multiples.

So the complaints or criticism that nothing has happened and none of this has served any purpose are not entirely placed well, because the aid is flowing. It's a matter of retailing it out and getting it to the people who need it.

Where we have not seen success is on the security side. And what Rwanda tells us is, that is what we have to do. This is not quite a Rwanda. We have this jangaweed force out there that is essentially committing these acts, as we now call them, of genocide. And they do it in a very horrible way. It is not quite as horrible as what happened in Rwanda, with the actual lining up of people and slaughtering of people en masse. But the lessons are: get involved early. The AU is getting involved. The AU has people on the ground. They want to put more people on the ground.

So I think we have learned from Rwanda. And I'll tell you the one who is deeply concerned about this, and has spoken about this, is Secretary General Kofi Annan. And that's why he has put a special representative on the ground, and why he has been so seized with this matter and has been personally involved. I talk to him about it several times a week. And he has been to Sudan himself.

Senator NELSON. Why do we think that the Chinese are not going to support us on the resolution?

Secretary POWELL. I don't know that they won't support us on the resolution. They found it necessary to abstain on the previous

resolution, and they have some interests there that suggests, to me, anyway, they thought it best for them to abstain. And I hope that as they have now seen another month pass, more than a month, and the security situation not improve, I hope this may cause them to reflect on their previous judgment and perhaps join in support of this resolution. And so I would not yet say they are not going to support us. I don't know what they will do yet.

Senator NELSON. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator Nelson.

Senator Sarbanes.

Senator SARBANES. Thank you very much, Mr. Chairman.

First, I'd just observe, as long as they don't oppose it, the resolution would carry, presumably.

Secretary POWELL. That's right. As long as they don't veto.

Senator SARBANES. Yes. Mr. Secretary, we appreciate your appearance this morning and the emphasis you've placed on this issue. I want to put just a few rather specific questions to you.

First of all, are we in a position to assure that the logistical support that any African Union force would require will be available to them?

Secretary POWELL. I don't know what the demand is yet. I don't know what they'll ask for. But we are standing ready, leaning forward, with funds available, to support them. Will I have enough funds? I don't know yet. But we're prepared to support them, principally through contractor support. We know how to hire aircraft. We know how to engage commercial companies that can provide housing, medicine, food, water, the other necessities of keeping a force in the field.

Senator SARBANES. Well, I think it's very important for us to be in a position to provide the support if the African Union can produce a substantially stepped-up force, so that the AU doesn't then flounder or falter over the lack of the logistical support which it requires. It seems to me that's a responsibility that we should be in a position to deliver on.

Secretary POWELL. We are. But, even more significantly, we've got to make sure that our other colleagues, and especially the European Union, is prepared to make its contribution to that effort, as well.

Senator SARBANES. That leads right into my next question, which is this:

I drew from your testimony this morning that in your view a number of other countries are not doing what they could to help, including some in the immediate area. Why not?

Secretary POWELL. A variety of reasons. Some feel a certain sympathy for the Sudanese Government in general and don't want to apply too much pressure against that government. Some have made financial commitments, but they have not yet been able to meet those commitments as a result of their own budget process and parliamentary requirements. Those are the ones we are really putting pressure on—the United Nations, especially, is putting pressure on them. As, I think, one of the Secretary General's representatives noted not too long ago, only 40 to 45 percent, roughly, of the commitments have been fulfilled. Humanitarian organizations that have said they would do more, we've got to get them to

do that, more that they talked about, in terms of people, in terms of resources on the ground. So we're going down each commitment that has been made to make sure that it is fulfilled.

Senator SARBANES. It seems to me that we ought to exert every pressure that we can to assure this participation. Some of it, as you've indicated, was already promised or committed, as I understand it, but not yet delivered. Others have refrained, but I hope could be drawn into providing support for the U.N. effort now underway. I think that's——

Secretary POWELL. Absolutely, Senator. It's part of our effort.

Senator SARBANES. Now, I'm also interested in the conditions in the refugee camps, which people report are deplorable—there's apparently danger of widespread disease, and so forth and so on. Under whose jurisdiction are these refugee camps?

Secretary POWELL. For the most part, they are under the overall supervision and jurisdiction of United Nations agencies, but a lot of NGOs are involved who actually operate the camps or——

Senator SARBANES. If that's the case, why should we have a potential humanitarian problem, with the conditions in the refugee camps that will, in fact, result in significant deaths? If the jurisdiction is in the hands of those who are trying to alleviate the crisis, then why should the conditions in the camps be such that they constitute a real threat, human threat?

Secretary POWELL. Because the camps are crowded. Not all of the assistance is there yet. Not all of the necessary humanitarian or NGO workers are there to fully take care of these populations. And, in some instances, malnutrition and illness already affecting these individuals may cause death in the months to come.

But this is what the United Nations and its agencies and the NGOs have been doing for the last couple of months, and that is rapidly scaling up their capacity to deal with the populations in these camps. And then, of course, there are new populations being found that are being brought into camps so that they can be taken care of.

Senator SARBANES. What can we do to—quickly—to strengthen that capacity and so that the very camps in which they're seeking refuge no longer pose a significant.

Secretary POWELL. A great deal is being done. We're putting a lot of money into it. Andrew Natsios, the Director of the USAID, is on his way over there now, again, to make an assessment and see what else we might be doing. Jan Egeland, of the United Nations, who's in charge of this for the United Nations, is deeply involved in soliciting additional contributions and finding additional workers to go in; Jan Pronk, who is the Secretary General's personal representative on the ground—everybody is working on this to increase the capacity.

What we did succeed in doing was opening the pipeline in order to put capacity into it. We got rid of most of the restrictions that the Sudanese had on provision of humanitarian aid. No more problems with travel documents and the like, and visas and the like, and customs problems and the like.

Senator SARBANES. That was an extremely important breakthrough, and that's why I asked at the outset, Under whose jurisdiction are the camps and what's the situation there? Having ac-

complished that, though, it seems to me this absolutely has to be made an immediate priority. Both the United States and those in the international community who have been willing to focus on this issue must now put on a full-court press, as we would say, to change the conditions in the camps.

Secretary POWELL. That's what they're doing, and that's what we are doing, Senator, trying to help them to the best of our ability. But they, you know, are still camps, people living under plastic shelter, people who have to go to a central point several times a day to get their ration, and putting in place clean water and sewage facilities. But that capacity and that infrastructure is being built up as rapidly as we can.

Can we move more rapidly? I hope so. And that's what we're working with the U.N. on.

Senator SARBANES. That's—I guess that's what I'm pushing you——

Secretary POWELL. Yes.

Senator SARBANES [continuing]. Pushing you and others to do, because I think it's a sad state of affairs, if, in fact, the people come into the camps seeking refuge, but the camps themselves end up posing a major problem to their life and their health.

Secretary POWELL. If they get to the camps, and if it's a camp that we do have access to—the U.N. and the other agencies do have access to, you can generally stabilize that population so that they are being fed.

Senator SARBANES. Well, what——

Secretary POWELL. And there is——

Senator SARBANES [continuing]. Percent of the camps do you not have access to?

Secretary POWELL. I can't answer that off the top of my head. There is something like 140 to 150 camps.

Senator SARBANES. Right.

Secretary POWELL. And I would—I'd rather give this for the record, but the U.N. would say—and it's really a U.N. judgment to make—that they have good control and access to, I would guess—the last number that was given to me by the U.N. is that they're confident that they can reach out to one million of the roughly 1.2 million people who are in this condition. And there is another 200,000 that are in Chad who are also under care. But there are probably many more people out in the countryside that we do not have access to.

When we talk about this two-million population, it's out of a population of Darfur of roughly six million. So it's about a third of the population that is displaced in camps in Sudan or across the border in Chad. How much of the remaining population is in distress or trying to get to camps, I don't have a good answer——

Senator SARBANES. I understand that problem, and the forces that are trying to do good are not in a position to control that situation——

Secretary POWELL. Right.

Senator SARBANES [continuing]. At least not as yet. But in those——

Secretary POWELL. In the camps——

Senator SARBANES [continuing]. Where we do control the situation, it seems to me imperative that it be made absolutely the first priority. And I would include in that the camps in Chad, as well.

Secretary POWELL. Yes.

Senator SARBANES. Because, presumably, the Government of Chad is trying to be helpful in this situation.

Secretary POWELL. Yes, Senator.

Senator SARBANES. You know.

Secretary POWELL. Yes. I wouldn't disagree with you in the slightest.

Senator SARBANES. OK.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator Sarbanes.

Secretary Powell, let me just ask this. Some have observed that when the United States sent some troops to Liberia, despite the fact that many were offshore, it was nonetheless a presence that showed the gravity of the situation and our interest. Is there any parallel application that you can envision in Sudan—perhaps a scenario in which we are not a part of the African Union force, but, on the other hand, by the presence of our military we are assisting the situation and increasing pressure and emphasis on the solution?

Secretary POWELL. Possibly, Senator. We don't have that kind of standoff capability, obviously, in a place like Sudan, as we did in Liberia. We do have some military personnel who are on the ground—U.S. military personnel—working with the African Union monitoring team under General Okonkwo. And I think that has given some assurance to the monitoring team. And, frankly, it's been a channel by which we know what's going on. And we can help buildup the monitoring team and the protection force. Then we have, of course, USAID personnel on the ground. And I expect that, as we get into the buildup of the AU force, you're liable to see additional U.S. personnel, both civilian and military, on the ground helping with that. I don't see, however, a force going in that would be, sort of, a force over the horizon of the kind that we had in Liberia.

The CHAIRMAN. But the presence of all these U.S. officials, either military or civilian, are known to the Sudanese Government presumably.

Secretary POWELL. Yes.

The CHAIRMAN. What would be the effect, in your judgment, if we had an international oil sanction, if that was the will of the Security Council? As you pointed out, we've sanctioned in many different directions and we are hard-placed as to how to go further. But the oil sanction is a different thing. What is the effect of that upon the Sudanese?

Secretary POWELL. I can't predict whether the—such a sanction, which would cut the revenues of the government—if it was an effective sanction—which would cut the revenues of the government significantly. I can't tell whether that would produce the kind of change that we would like to see or whether it would have other kinds of consequences on that government that we might not like to see. It's an unknown.

The CHAIRMAN. Is one of the reasons why Europeans are reticent to do this their worry about a possible spike in oil prices or some effect upon the world oil market in the midst of all the other effects that are occurring now? Admittedly, you've said that perhaps they're less inclined now to block that.

Secretary POWELL. Yes. It is a judgment call. And, as I said earlier in my testimony, what we want to do is to get results. And we believe that in that part of Sudan, this large expanse of territory, the best approach to this is—notwithstanding the Washington Post editorial—the best approach to this is to put the pressure on the Sudanese Government to solve this problem in Sudan—with the help of AU monitoring and protection forces, with the presence of the international community, politically and diplomatically, with money available to provide the wherewithal that these people need to survive—and the Sudanese Government has responded in some instances, and it has not responded in others. And we've got to keep the pressure up and calibrate the pressure in a way that does not kick in the law of unintended consequences and we find ourselves with an even more difficult situation.

The CHAIRMAN. Finally, you've mentioned soft power, and that Mr. Natsios, and USAID, are headed in that direction. You specifically mentioned today the Millennium Challenge Account which might apply to the Sudan in the long term. From my observances in travels, I would say that in Georgia, one of the countries selected, for MCC, this has had a tremendous impact upon their government's confidence as a young democracy as they think through the requests they are going to make. Correspondingly, in Albania, they hope that they are going to be on the MCC list very soon.

Secretary POWELL. Yes.

The CHAIRMAN. I would just report that the construction of democracy there, in Albania and Georgia, is proceeding remarkably, as well as is training in their military, including the requirement of English language training among their officers, and other subjects that might not have been anticipated.

Secretary POWELL. Yes.

The CHAIRMAN. The Millennium Challenge is limited because of the criteria, in a way. Corruption is a big factor, quite apart from the efficacy of how their systems work. How rapidly can the MCA be applied in Africa?

Sudan has all these problems. But at some point, Sudan may come out as a possible candidate. Now, if so, how many other candidates are there in Africa that could also benefit as we're shoring up the entirety of the continent, as we've talked about today?

Secretary POWELL. There are a number of other countries we're looking at. And, as you know, we've made the first awards.

The CHAIRMAN. Yes.

Secretary POWELL. Meaning, we're prepared to enter into a compact discussion with you to see what you're going to do with this money if we give to you. Then we have another category we're calling "threshold countries," where, we think you're close, and we'll give you a little seed money to get closer, to, sort of, you know, prove to us you're worthy of it. And there are a number of other countries who are not near. And they have been, sort of, pounding on the door, saying, What do we have to do? It's not hard. Democ-

racy, you've got to end corruption, and the rule of law has to be in place, and you've got to show you've made a commitment to market economics. Otherwise, we're not going to waste money on you. We're not going to just put money down in a rathole that has no impact. And you've got to make sure that you are prepared to invest this money in your infrastructure. And we want to know what your people think.

What's been surprising in the Millennium Challenge Account is, a number of countries—because we said we had to have some sense of what your people wanted—have, for the first time in their history, gone out and asked people to say, What do you want us to do with this money? And they have opened up Internet and chat rooms, and the people are coming and saying, This is what we want the money spent on, in some places where you wouldn't have thought they had the Internet or chat rooms to begin with, but they do, and they're learning how to do it.

So the Millennium Challenge Account has already shown leverage beyond just the first few countries to get the awards.

The CHAIRMAN. Well, it's a tremendously exciting idea, and I hope that, as you are able, you'll report to the committee the candidates in the threshold category; and, likewise, even anecdotal experience, such as you've suggested, of countries that are tapping on the door, as you pointed out. Because that will be helpful as members of our committee and others travel to these countries, to encourage them to move ahead.

Secretary POWELL. And I hope the Congress recognizes that they've got to keep the funds in the program, and not start whittling away because we're not, you know, quite sure what you're going do with it all, because it's that promise of significant funding that will be available to those countries who are doing the right thing that makes this program work.

The CHAIRMAN. And your reports to us will help boost our resolve; and, likewise, our testimony to our colleagues.

Secretary POWELL. I hope so, thank you, Senator.

The CHAIRMAN. I thank you very much, Mr. Secretary. We've had 14 members ask questions of you today; other members, perhaps discouraged, left; but there was very good participation, which shows the interest that we have. Obviously, your interest is really paramount on this topic. We're grateful to you for your testimony.

Secretary POWELL. Thank you, Mr. Chairman.

The CHAIRMAN. The hearing is adjourned.

[Whereupon, at 12:19 p.m., the committee adjourned, to reconvene subject to the call of the Chair.]

TRIP REPORT

SENATOR SAM BROWNBACK AND CONGRESSMAN FRANK WOLF

DARFUR, WESTERN SUDAN—JUNE 27–29, 2004

It was just 10 years ago—in 1994—when the world stood by and watched as more than 800,000 ethnic Tutsis were systematically murdered in Rwanda by rival extremist Hutus.

When the killing finally ended after 100 days—and the horrific images of what had taken place were broadcast around the globe—world leaders acknowledged it was genocide, apologized for failing to intervene, and vowed "never again."

That pledge from the international community is being put to the test today in western Sudan, where an estimated 30,000 black African Muslims have been murdered and more than 1 million have been driven from their tribal lands and forced to live in one of 129 refugee camps scattered across the western provinces of Darfur. More than 160,000 have fled across the border to Chad.

The United Nations Convention on the Prevention and Punishment of the Crime of Genocide describes genocide as acts committed with intent to destroy, in whole or in part, national, ethnic, racial or religious groups, such as:

- Killing members of the group;
- Causing serious bodily or mental harm to members of the group;
- Deliberately inflicting on the group conditions of life calculated to bring about physical destruction in whole or in part;
- Imposing measures intended to prevent births within the group, or
- Forcibly transferring children of the group to another group.

Having recently spent three days and two nights (June 27–29) in Darfur, we believe what is happening there may very well meet this test.

During our trip we visited five refugee camps: Abu Shouk; Tawilah; Krinding; Sisi, and Mornay—all sprawling tent cities jam-packed with thousands of displaced families and fast becoming breeding grounds for disease and sickness.

We drove past dozens of pillaged villages and walked through what was left of four that were burned to the ground.

We heard countless stories about rape, murder and plunder.

We even watched the barbarous men who are carrying out these attacks—Arab militiamen called Janjaweed—sitting astride camels and horses just a short distance from where young and old have sought what they had hoped would be a safe harbor.

Janjaweed is roughly translated in Arabic as "wild men on horses with G-3 guns." Ruthless, brutal killers, the Janjaweed have instigated a reign of terror on Darfur—a region about the size of Texas—for more than a year. They kill men. They rape women. They abduct children. They torch villages. They dump human corpses and animal carcasses in wells to contaminate the water. Their mandate is essentially doing whatever necessary to force the black African Muslims from their land to never return.

It is clearly the intent of Janjaweed to purge the region of darker-skinned Africans, in particular members of the Fur, Zaghawa, and Massaleit tribes.

JANJAWEED MANDATE

From where does this mandate come? The Government of Sudan disavows supporting the Janjaweed. Some officials in Khartoum even deny the existence of a humanitarian crisis in the region. Yet the facts prove otherwise. We witnessed the destruction. We heard horrific accounts of violence and intimidation. We talked to rape victims. We saw the scars on men who had been shot. We watched mothers cradle their sick and dying babies, hoping against all odds that their children would survive. We saw armed Janjaweed waiting to prey on innocent victims along the perimeter of refugee camps.

To hear the vivid, heartrending descriptions of the attacks it is clear the Janjaweed have the support—and the approval—of the Government of Sudan to operate with impunity. The same stories were repeated at every camp we visited. The raids would happen early in the morning. First comes the low rumble of a Soviet-made Antonov plane—flown by Sudanese pilots—to bomb the village. Next come helicopter gun-ships—again, flown by Sudanese pilots—to strafe the village with the huge machine guns mounted on each side. Sometimes the helicopters would land and unload supplies for the Janjaweed. They would then be reloaded with booty confiscated from a village. One man told us he saw cows being loaded onto one helicopter. Moments later, the Janjaweed, some clad in military uniforms, would come galloping in on horseback and camels to finish the job by killing, raping, stealing and plundering.

Walking through the burned out villages we could tell the people living there had little or no time to react. They left everything they owned—lanterns, cookware, water jugs, pottery, plows—and ran for their lives. There was not even time to stop and bury their dead.

The Janjaweed made certain that there would be nothing left for the villagers to come home to. Huts were torched. Donkeys, goats and cows were stolen, slaughtered or dumped into wells to poison the water. Grain containers were destroyed. In one village we saw where the Janjaweed even burned the mosque.

Only the lucky ones—mostly women and children—made it out alive.

ETHNIC CLEANSING

What is happening in Darfur is rooted in ethnic cleansing. Religion has nothing to do with what has unfolded over the last year.

No black African is safe in Darfur. Security is non-existent. The Janjaweed are everywhere. Outside the camps. Inside the camps. They walk freely through the marketplace in Geneina, a town in far western Oarfur, with guns slung over their shoulders. One shopkeeper, we were told, was shot in the head by a Janjaweed because he wasn't willing to lower the price of a watermelon.

Government of Sudan military and security forces also are omnipresent. At each of the places we visited we were either trailed or escorted by a mixture of military regulars, police forces and government "minders." There have been reports that the government has been folding the Janjaweed into its regular forces as a way to disguise and protect them. At two of the camps we visited, we were told the government had inserted spies to report on what was said or to threaten those who talked. We were told the "minders" repeatedly scolded refugees and told them in Arabic to shut up. Yet, even with these threats, refugees in every camp we visited were eager to tell their stories.

It should be understood that the Janjaweed are not "taking" the land from the black Muslim farmers they are terrorizing. The Janjaweed, whose historical roots are part of the region's roving nomads who have battled with the African farmers for generations, are employing a government-supported scorched earth policy to drive them out of the region—and perhaps to extinction. It also was clear that only villages inhabited by black Africans were being targeted. Arab villages sitting just next to African ones miles from the nearest towns have been left unscathed.

On our first day in the region, we met with local Government of Sudan officials in the town of El Fasher, a two-hour plane ride west of Khartoum. They blame the crisis in the region on two black African rebel groups—the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM)—who started an uprising in February 2003 over what they regarded as unjust treatment by the government in their struggle over land and resources with Arab countrymen. The rebel forces actually held El Fasher for a short period last year. A cease-fire was agreed to in April 2004 between the rebel groups and the Government of Sudan, but the Janjaweed have continued to carry out attacks with the support and approval of Khartoum.

While local government officials in El Fasher were adamant in saying there is no connection between the Government of Sudan and the Janjaweed, whom they called "armed bandits," the militiamen we saw did not look like skilled pilots who could fly planes or helicopters.

We also were told the Janjaweed are well armed and well supplied. If they are traditional nomads, how are they getting modern automatic weapons, and, more importantly, from whom? They also are said to have satellite phones, an astonishing fact considering most of the people in the far western provinces of Darfur have probably never even seen or walked on a paved road.

The impunity under which the Janjaweed operate was most telling as we approached the airport in Geneina on our last day in the region for our flight back to Khartoum. In plain sight was an encampment of Janjaweed within shouting distance of a contingent of Government of Sudan regulars. No more than 200 yards separated the two groups. Sitting on the tarmac were two helicopter gunships and a Soviet-made Antonov plane.

HUMANITARIAN CRISIS

The situation in Darfur is being described as the worst humanitarian crisis in the world today. We agree. But sadly, and with a great sense of urgency, things are only going to worsen. Some say that even under the best of circumstances, as many as 300,000 Darfuris forced from their homes are expected to die from malnutrition and diarrhea or diseases such as malaria and cholera in the coming months. Measles have already spread through Abu Shouk, a large refugee camp outside El Fasher.

According to some predictions, the death toll could reach as high as 1 million by next year. The Darfuri farmers have missed another planting season and will now be dependent on grain and other food stuffs provided by the international community for at least another year. The impending rainy season presents its own set of problems, making roads impassable for food deliveries and the likelihood of disease dramatically increasing with the heavy rains.

The potential for a crisis of catastrophic proportions is very real, especially since none of the villagers we talked to at the refugee camps believed they will be able to go back to their homes anytime soon. Having been brutally terrorized by the Janjaweed and fearing for their lives, they do not believe Government of Sudan officials who say it is safe to return to their villages. We heard stories of some families

who went back to their villages only to return to the camps a week later for fear of being attacked again.

The attacks have traumatized thousands of young children. In an effort to cope with what they have endured, programs have been established in the camps to help the young boys and girls deal with their psychological scars. Part of the program encourages them to draw pictures of what they have seen. The crayon drawings are chilling. Huts on fire, red flames shooting through the roof. Planes and helicopters flying overhead shooting bullets. Dead bodies. Depictions, perhaps, of their mother or father.

We also saw a group of children who had made clay figures of men on camels and horseback attacking villages. There is no way to measure the impact of these atrocities on the thousands of children living in these camps. Their lives are forever scarred.

DIFFICULT LIFE IN IDP CAMPS

Abu Shouk was the first of five IDP (Internally Displaced People) camps we visited. More than 40,000 people live in this sprawling tent city, created in April after El Fasher was overrun with homeless families. Methodically laid out with water stations, a health clinic, a supplemental feeding station and crude latrines, it is being hailed as a "model" by humanitarian relief workers in the region.

However, aid workers at Abu Shouk are deeply distressed. They observe that malnutrition and child mortality rates at this "model" camp have reached alarming levels. They fear what may be happening at the other camps, especially in the more remote areas of Darfur that have not been reached by humanitarian groups.

Life in the camps is difficult. Crude shelters made from straw and sticks and covered with plastic sheeting stretch as far as the eye can see. Families arriving at the camps—almost all after walking for days in the hot sun from their now abandon villages—are given only a tarp, a water jug, cookware and a small amount of grain.

The sanitary conditions are wretched. The sandy conditions make building latrines difficult. At Mornay, the largest of the IDP camps in Darfur with more than 70,000 inhabitants, it was hard not to step in either human or animal feces as we walked. In a few weeks, when the heavy rains begin, excrement will flow across the entire camp. Mortality from diarrhea, which we were told represents one-third of the deaths in the camps, will only increase.

To their credit, all the non-governmental organizations (NGOs) that have been allowed to operate in Darfur have done—and continue to do—a tremendous job under extremely trying circumstances. The Government of Sudan has repeatedly thrown up roadblocks to bringing in aid. It has denied or slowed visa processing for relief workers. It has kept aid vehicles locked up in customs for weeks at a time. It has blocked relief groups from bringing in radios. It has limited access to certain regions of the country. All this has made getting medicine, food and other humanitarian supplies, like plastic sheeting and water jugs, an uphill battle. While the Government of Sudan plays its games, people are dying as needed aid sits on tarmacs.

As we approached the Mornay camp on the last day of our three-day trip, we were stopped by Government of Sudan soldiers and security officers. They followed us throughout the camp, watching with whom we talked. Amazingly, their presence did not inhibit the refugees from recanting the horrors from which they escaped and, for some—mostly women—continue to endure.

The men said while they feel somewhat secure inside the confines of the camps, they dare not venture outside for fear of being shot or killed by the Janjaweed. They showed us scars on their arms and legs of the gunshot wounds they received while escaping from their villages. They are despondent over the fact that they are unable to provide food for their families because they cannot farm their fields. They expressed utter sadness and outrage about their wives and daughters who venture outside the borders of the camp to collect firewood and straw, knowing the fate that awaits them at the hands of the Janjaweed. Life and death decisions are made every day: send the men out and risk death or send the women out and risk rape.

Rape is clearly another weapon being used by the Janjaweed. Rapes, we were told, happen almost daily to the women who venture outside the confines of the camps in search of firewood and straw. They leave very early in the morning, hoping to evade their tormentors before they awake. With the camps swelling in size and nearby resources dwindling, they often walk several miles. The farther the women go from the camp, the greater the risk of being attacked by the Janjaweed. As we approached Mornay, we saw a number of Janjaweed resting with their camels and horses along the perimeter of the camp, easily within walking distance.

We heard the horrific story of four young girls—two of whom were sisters—who had been raped just days before we arrived. They had left the camp to collect straw

to feed the family's donkey when they were attacked. They said their attackers told them they were slaves and that their skin was too dark. As they were being raped, they said the Janjaweed told them they were hoping to make more lighter-skinned babies.

One of the four women assaulted, too shy to tell her story in front of men, privately told a female journalist traveling with us that if anyone were to find out she had been raped, she would never be able to marry.

We were told that some of the rape victims were being branded on their back and arms by the Janjaweed, permanently labeling the women. We heard the chilling account of the rape of a 9-year-old girl.

We also received a letter during our trip from a group of women who were raped. To protect them from further attacks, we purposely do not mention where they are from or list their names. The translation is heartbreaking:

> Messrs. Members of the U.S. Congress
>
> Peace and the mercy and the blessings of God be upon you.
>
> We thank you for your help and for standing by the weak of the world, wherever they are found. We welcome you to the [. . .] region, which was devastated by the Janjaweed, or what is referred to as the government "horse- and camel-men," on Friday [. . . 2004], when they caused havoc by killing and burning and committing plunder and rape. This was carried out with the help of the government, which used the [. . .] region as an airport and supplied the Janjaweed with munitions and supplies. So we, the raped woman of the [. . .] region, would like to explain to you what has happened and God is our best witness.
>
> We are forty-four raped women. As a result of that savagery, some of us became pregnant, some have aborted, some took out their wombs and some are still receiving medical treatment. Hereunder, we list the names of the raped women and state that we have high hopes in you and the international community to stand by us and not to forsake us to this tyrannical, brutal and racist regime, which wants to eliminate us racially, bearing in mind that 90 percent of our sisters at [. . .] are widows.
>
> [Above] are the names of some of the women raped in the region. Some of these individuals are now at [. . .], some are at Tawiah and some are at Abu Shouk camps. Everything we said is the absolute truth. These girls were raped in front of our fathers and husbands.
>
> We hope that you and the international community will continue to preserve the balance of the peoples and nations.
>
> Thank you.
>
> From: The raped women at [. . .].

These rape victims have nowhere to turn. Even if they report the attacks to the police, they know nothing will happen. The police, the military and the Janjaweed all appear to be acting in coordination.

DIRE SITUATION IS MAN-MADE

The situation in Darfur is dire, and from what we could see, it is entirely man-made. These people who had managed to survive even the severest droughts and famines during the course of their long history are now in mortal danger of being wiped out simply because of the darker shade of their skin color.

The first step in resolving this crisis is disarming the Janjaweed. It must be done swiftly and universally. If not, the Janjaweed will just bury their weapons in the sand, wait for the pressure from the international community to lift, then reinitiate their reign of terror.

A system of justice overseen by outside monitors must also be implemented. The heinous, murderous acts carried out by the Janjaweed cannot go unpunished. War crimes and crimes against humanity clearly have been—and continue to be—committed. Those responsible must be brought to justice.

Over the course of three days, we saw the worst of man's inhumanity to man, but we also saw the best of what it means to be human: mothers waiting patiently for hours in the hot sun so that they could try to save their babies; NGO aid workers and volunteer doctors feeding and caring for the sick and the dying, and the courage and bravery of men, women and children eager to talk to us so that we would know their story.

The world made a promise in 1994 to never again allow the systematic destruction of a people or race. "Never again"—words said, too, after the Holocaust. In Darfur, the international community has a chance to stop history from repeating

itself. It also has a chance to end this nightmare for those who have found a way to survive. If the international community fails to act, the next cycle of this crisis will begin. The destiny facing the people of Darfur will be death from hunger or disease.

When will the death of innocent men, women and children—who want nothing more in this world than to be left alone to farm their land and provide for their families—be too much for the conscience of the international community to bear?

We sat with the victims. We heard their mind-numbing stories. We saw their tears. Now the world has seen the pictures and heard the stories. We cannot say we did not know when history judges the year 2004 in Darfur.

RECOMMENDATIONS

The Government of Sudan

- The Government of Sudan should immediately implement key provisions of the April 8 cease-fire agreement, including: the cessation of attacks against civilians; disarming the Janjaweed, and removing all barriers to the admittance of international aid into Darfur. There should be a strict timetable holding the Government of Sudan accountable for implementing these provisions.
- The Government of Sudan should renew a dialogue with the Sudan Liberation Army and the Justice and Equality Movement to discuss the political, economic and social roots of the crisis.

The African Union

- Additional cease-fire observers should be deployed and violations of the cease-fire reported immediately. The current number of 270 observers is inadequate to monitor the activity of an area the size of Texas.

The United States

- The United States should publicly identify those responsible for the atrocities occurring in Darfur, including officials and other individuals of the Government of Sudan, as well as Janjaweed militia commanders, and impose targeted sanctions that include travel bans and the freezing of assets.
- The president should instruct the U.S. representative to the United Nations to seek an official investigation and hold accountable officials of the Government of Sudan and government-supported militia groups responsible for the atrocities in Darfur.

The United Nations

- The United Nations should pass a strong Security Council resolution condemning the Government of Sudan. It should call for: an immediate end to the attacks; the immediate disarming of the Janjaweed; the immediate protection of civilians by beginning a review of the security of refugees in Darfur; the determination of the feasibility of sending in U.N. protection forces; an immediate review of bringing legal action against those responsible for the policies of ethnic cleansing, crimes against humanity and war crimes in Darfur, and the imposition of targeted sanctions that include travel bans and the freezing of assets.
- The United Nations should immediately deploy human rights monitors to Darfur.
- The protection of civilians and access to humanitarian aid should be a primary concern; the Security Council must be prepared to establish a no fly zone if the cease-fire continues to be violated.
- The United Nations together with other organizations should continue to coordinate a relief strategy for getting aid into those regions of Darfur that have yet to receive humanitarian assistance. Alternative routes and means of delivering aid should be considered if the Government of Sudan continues to impede deliveries.
- The United Nations should take immediate steps to seek the removal of Sudan from the United Nations Commission on Human Rights.
- The United Nations should set a deadline for the Government of Sudan to comply with all obligations under the cease-fire and prepare contingency plans in the event those deadlines are not met.

* * *

We would like to thank everyone involved in organizing, coordinating and implementing our trip. Representatives from the State Department, USAID and the NGOs both in Washington and Sudan deserve special thanks.

We would also like to thank Sean Woo, general counsel to Senator Brownback (R-KS), and Dan Scandling, chief of staff to Representative Wolf (R-VA), for accompanying us on the trip. They played a critical role in writing this report and took all the photographs. In addition, we would like to thank Janet Shaffron, legislative director, and Samantha Stockman, foreign affairs legislative assistant, to Represenatitve Wolf and Brian Hart, communications director, and Josh Carter, legislative aide, of Senator Brownback, for editing the report. Colin Samples, an intern in Representative Wolf's office, did the design and layout.

We also want to extend our thanks to Secretary of State Colin Powell and U.N. Secretary General Kofi Annan for visiting the region. Their personal involvement in working to resolve this crisis is critically important.

RESPONSES TO ADDITIONAL QUESTIONS SUBMITTED FOR THE RECORD

RESPONSES OF HON. COLIN L. POWELL TO ADDITIONAL QUETIONS FOR THE RECORD SUBMITTED BY SENATOR JOSEPH R. BIDEN, JR.

Question 1. What precisely is the mandate of the current African Union Mission in Sudan?

Answer. The mandate for the mission is defined by the Ceasefire Agreement signed in N'djamena on April 8, 2004 and restated by the agreement signed between the parties in Addis Ababa on May 28, 2004. The mandate includes the following actions:

- Planning, verifying and ensuring the implementation of the rules and provisions of the ceasefire;
- Defining the routes for the movement of forces in order to reduce the risks of incidents; the administrative movements shall be notified to the Ceasefire Commission (CFC);
- Requesting appropriate assistance with demining operations;
- Receiving, verifying, analyzing and judging complaints related to possible violations of the ceasefire;
- Developing adequate measures to guard against such incidents in the future;
- Determining clearly the sites occupied by the combatants of the armed opposition and verifying the neutralization of the armed militias.

Question 2. Why doesn't the draft resolution on Sudan currently before the Security Council grant a mandate to the African Union to protect civilians?

Answer. Neither UNSC resolution 1556 nor the current draft resolution grant a mandate to the African Union Mission in Darfur. The African Union Mission in Darfur is an independent, regional operation, and the mission's mandate was established by the African Union itself, after consultations with the Government of Sudan. Both UNSC resolution 1556 and the current draft resolution strongly welcome and support the African Union's endeavor; resolution 1564 underscored the Council's support for an expanded and augmented force. The African Union has always made clear that it believes it has the mandate to intervene to protect civilians in imminent danger. The United States, along with other partners, is currently working with the African Union to encourage as rapid as possible deployment of an expanded mission. We have made clear to the AU and the Government of Sudan our strong belief that a more robust mission is necessary to protect civilians in Darfur. We urge the Government of Sudan to cooperate fully with an expanded mission to ensure a secure and stable environment, including the safety and security of civilians and humanitarian workers.

Question 3. Please describe in detail the African Union (AU) plan for expansion in Sudan. Do you believe the plan as conceived provides for a credible effective force capable of providing safety and security for the war effected population of Darfur?

Answer. The African Union has not yet provided details for expansion of the mission. They are working on a plan and expect to release it to the donor community by the end of September.

Question 4. Has the AU definitively agreed to move forward with an expanded mission? If so, when will the mission begin to deploy and how long before all the members of the expanded force are on the ground in a best case scenario?

Answer. The AU has agreed to increase the size of the current mission. We will not know the deployment speed until the AU announces its plans for generating and deploying forces and assembles a logistics support effort. The U.S. will continue to press for as rapid a deployment as possible.

Question 5. What exactly will an expanded AU mission cost? If there are no final figures available please give current estimates of what such a mission will cost. How much does Congress need to be prepared to pay during the next fiscal year?

Answer. The United Nations conducted an assessment for the African Union on what an expanded African Union (AU) Mission might look like and cost. Based on a mission with 4,200 personnel, the UN estimates costs of approximately $228 million for stand-up, deployment, and operation of this expanded AU mission for twelve-months. The State Department has identified $20.5 million in FY 2004 funds for initial support of this expanded AU mission. As soon as the AU finalizes its operational plans and budget, we will meet with the AU and other donors to determine a support strategy and consult with Congress on meeting additional needs that this expanded mission might have.

Question 6. Will finding the necessary African troops to serve in Darfur be a challenge given the number of troops that African nations currently have deployed in other peacekeeping missions in Africa and elsewhere?

Answer. Both Nigeria and Rwanda have offered to send additional troops and Tanzania has indicated willingness as well. While this deployment will stretch the AU's pool of peacekeepers, the AU is committed to the mission and has indicated that they will find the necessary forces.

Question 7. Will the AU send an expanded force to Sudan regardless of whether or not Khartoum accepts a mandate that entails allowing the monitoring force to undertake actions to protect civilians?

Answer. The African Union is planning to expand the current African Union ceasefire commission in Darfur, currently made up of approximately 130 monitoring personnel and staff and a 310-troop Nigerian and Rwanda protection force, regardless of Khartoum's acceptance of a civilian protection role. In a September 9 letter to the President of the United Nations Security Council, Sudanese UN Permanent Representative Erwa stated that the Government of Sudan had "officially requested the AU to increase its monitoring presence in Darfur."

Question 8. What is your evaluation of the quality of the 10,000 police sent to Darfur as referenced in the Secretary General Annan's September 2 report to the Security Council? Is it true that the police force is comprised of Jangaweed put in police uniforms?

Answer. It is unclear what level of training the newly deployed police have. The Government of Sudan has told us that they deployed 6000 police to Darfur who do not have a connection with Darfur or any of the tribes there. We can confirm that the number of police has definitely increased, and that internally displaced persons (IDPs) are generally feeling safer to venture outside of the camps, although they limit their movements to one to two kilometers from the camps. Regardless of these minor improvements, IDPs remain deeply distrustful of the police. Allegations of theft and sexual harassment committed by police in and around certain IDP camps are routinely made and confirmed by NGO workers. IDPs also claim that Janjaweed are being recruited into the police and the Government of Sudan aligned forces called the Popular Defense Forces (PDF); their level of confidence in police sent to Darfur from other areas appears to be very low as well. Without the trust of the people who they have been sent to protect, the ability of the police to fulfill their duty is very limited.

In her report on the situation in Darfur, United Nations Commission in Human Rights Special Rapporteur, Ms. Asma Jahangir, said that many of the armed Arab militias have by now been integrated into the regular armed or the Popular Defense Forces and that there is a link between some of the militia groups and government forces, as some of the militia leaders have been integrated into the Sudanese armed forces and given official military ranks.

Question 9. Will the expanded AU force have a police component? Have any members of the international community outside the AU offered to help with policing in Darfur? If so, who?

Answer. We do not know yet if the expanded mission will include a policing component.

RESPONSES OF HON. COLIN L. POWELL TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED BY SENATOR RUSSELL D. FEINGOLD

Question 1. What kind of domestic political risks does Nigerian President Obasanjo run if he pressures the Sudanese Government, which has proved so willing to ignore the fact that the victims in Darfur are Muslims and to characterize international concern as part of some Western-led campaign against Islam?

Answer. President Obasanjo has played a key role in leading African Union efforts to address the Darfur crisis. He has not faced significant domestic criticism for his roll and the Nigerian media has not focused serious attention on ongoing talks in Abuja or the deployment of Nigerian personnel for force protection in Darfur. The American Embassy in Abuja reported that they have not seen disparaging comments or reactions from religious groups, nongovernmental organizations (NGOs), or political parties that often level serious criticism at President Obasanjo.

Question 2. Does the AU monitoring force include female monitors who are trained to work with the large number of rape victims they are likely to encounter?

Answer. No, the monitors do not include any women. We have strongly encouraged the AU to include women monitors and will continue to press for their inclusion in the expanded mission.

Question 3. Some reports indicate that the JEM is linked to the most hard-line, extremist elements in Khartoum. Is the JEM likely to play a spoiler role in any attempts at negotiating a peace and a just political solution? What can be done to decrease their chances of success in this spoiler role?

Answer. The Movement for Justice and Equality (JEM) is believed to have links to the Popular Congress Party of former Sudanese Prime Minister Hassan Turabi. These links have not been confirmed. Thus far in the negotiations that resulted in the April 8, 2004 humanitarian ceasefire agreement in N'djamena, Chad, and the Darfur peace talks sponsored by the African Union (AU) in Abuja, Nigeria, JEM and the Sudan Liberation Army/Movement (SLA/M) have presented a common front to the Government of Sudan. We will have a better opportunity to access JEM's policy objectives and negotiating style as the Abuja talks take up political ssues in the next round. The Darfur political equation is, ultimately, much broader than the two armed movements, and JEM, as well as the SLA, must carefully focus on achieving just, realistic, and durable political solutions if it inspires to play a responsible role in the future of Darfur and the Sudan.

Question 4. Last month the President signed the Northern Uganda Crisis Response Act, a very modest bill which, among other things, calls for reporting on the relationship between officials in the Government of Sudan and the Lord's Resistance Army that has terrorized the people of Northern Uganda for nearly two decades. Has the Sudanese government pro-actively worked to cut off the LRA's support within Sudan, and to round up LRA leaders who find safe haven there? What has the U.S. Government done to impress the importance of this issue upon Sudanese officials?

Answer. Over the past three years, the Government of Sudan has distanced itself from the Lord's Resistance Army (LRA). Although the withdrawal of support and sanction from the LRA is due in large measure to improvement in relations with Uganda and progress in the north/south Sudanese political process stemming from the 2002 Machakos Declaration, American diplomacy has also played an essential role in motivating Khartoum to discontinue its support. U.S. officials have pressed senior Sudanese leaders at every opportunity to take decisive steps to end the LRA scourge.

In 2004, the GOS renewed an agreement with Uganda to permit the Ugandan Peoples Defense Force to pursue LRA forces in Sudan, and broadened its authorization to include the use of armed aircraft. Reports that some local Sudanese officials still provide limited logistical support to LRA elements have become fewer, and the lack of arms, food, and other supplies are increasingly apparent. The GOS has not, however, taken steps to arrest or detain LRA leaders or to free the thousands of children the LRA has abducted and forced to serve in its ranks. GOS control is uneven in the areas along the border with Uganda where the LRA operates, and does not generally extend much beyond the larger towns.

RESPONSE OF HON. COLIN L. POWELL TO AN ADDITIONAL QUESTION FOR THE RECORD SUBMITTED BY SENATOR JON CORZINE

Question. The UN has estimated that a 4,200 person AU force for Darfur will cost $228 million. Your administration recently identified $20.5 million for such a force, although not in new funds. Do you expect to make a request for supplemental funding to support an expanded AU mission? When would such a request be made, and for how much?

Answer. We are presently evaluating the UN costs estimate. Without a firm estimate from the African Union of what this augmented force might cost and information about other possible donor contributions, it is difficult to estimate the amount of funds we will need. We look forward to consulting closely with Congress on meeting additional needs that this expanded mission might have.