

**Calendar No. 350**112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. RES. 397**

Promoting peace and stability in Sudan, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 15, 2012

Mr. COONS (for himself, Mr. ISAKSON, Mr. DURBIN, Mr. WICKER, Mr. CARDIN, Mr. LIEBERMAN, Mr. BLUMENTHAL, Mr. RUBIO, Mr. CASEY, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Foreign Relations

MARCH 28, 2012

Reported by Mr. KERRY, with an amendment and an amendment to the preamble

[Strike out all after the resolving clause and insert the part printed in *italic*]

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**RESOLUTION**

Promoting peace and stability in Sudan, and for other purposes.

Whereas ~~conflict between the Government of Sudan and the Sudan People's Liberation Movement-North (SPLM-N) has been ongoing since June 2011 in Sudan's border state of South Kordofan and since September 2011 in the border state of Blue Nile, resulting in a humanitarian crisis;~~

Whereas the Government of Sudan has refused repeated requests by the United States Government, the United Nations, the African Union, the League of Arab States, nongovernmental organizations, and others to allow humanitarian access to the conflict areas;

Whereas the Governments of Sudan and South Sudan signed a memorandum of understanding on non-aggression and cooperation in Addis Ababa on February 12, 2012, agreeing to respect each other's sovereignty and refrain from launching any attack against the other, including bombardment;

Whereas the United Nations estimates that more than 130,000 refugees have fled South Kordofan and Blue Nile for South Sudan, Ethiopia, and elsewhere since June 2011, and hundreds of thousands more have been internally displaced or severely affected by conflict;

Whereas the Government of Sudan bombed the Yida refugee camp in South Sudan on November 10, 2011;

Whereas both the Government of Sudan and the Sudan People's Liberation Movement-North have reportedly prevented civilians from leaving Blue Nile and Southern Kordofan;

Whereas the Famine Early Warning Systems Network (FEWSNET), funded by the United States Agency for International Development, estimated in March 2012 that conflict-affected areas of South Kordofan would deteriorate further in coming weeks to Phase 4 emergency levels of food insecurity (one step before being classified as a famine), due mainly to conflict and government policies that have limited cultivation, displaced the popu-

lation, restricted trade, and refused access for international humanitarian assistance;

Whereas the United Nations Security Council issued a statement on February 14, 2012, expressing deep and growing alarm with the rising levels of malnutrition and food insecurity in some areas of Southern Kordofan and Blue Nile, calling on the Government of Sudan to allow immediate access to United Nations personnel, and urging the Government of Sudan and the Sudan People's Liberation Movement-North to agree to an immediate cessation of hostilities and return to talks to address the issues that have fueled the current conflict;

Whereas the United Nations High Commissioner for Refugees appealed urgently to donors in February 2012 for \$145,000,000 to assist refugees from South Kordofan and Blue Nile;

Whereas President Barack Obama released a statement in June 2011 calling on the Government of Sudan and the Sudan People's Liberation Movement-North to agree immediately to a ceasefire, end restrictions on humanitarian access and United Nations movements, and agree on security arrangements for Southern Kordofan and Blue Nile States through direct, high-level negotiations as opposed to the use of force;

Whereas President Obama released a statement on February 2, 2012, strongly condemning the bombing by the Armed Forces of Sudan of civilian populations in Southern Kordofan and Blue Nile States in Sudan, which stated that aerial attacks on civilian targets are unjustified, unacceptable, and a violation of international law and compound the ongoing crisis in these areas;

Whereas neither South Kordofan nor Blue Nile were able to complete the popular consultation process with the Government of Sudan as stipulated in the Comprehensive Peace Agreement (CPA) before violence broke out;

Whereas, despite the independence of South Sudan on July 9, 2011, many key issues between Sudan and South Sudan remain unresolved, including transit fees for oil pipeline use, citizenship, the status of Abyei, and border demarcation;

Whereas the goal of democratic governance reform in Sudan as envisioned in the CPA has not been met;

Whereas, in addition to the growing conflict-induced humanitarian and human rights crisis in Sudan's southern border states, the humanitarian crisis and ongoing insecurity in Darfur continues; and

Whereas the United Nations High Commissioner for Refugees estimates that more than 4,000,000 people in Sudan remain internally displaced, and in 2011, though for the first time since the Darfur conflict began, more Darfuris voluntarily returned to their homes (87,000) than were newly displaced (70,000), and additional tens of thousands are being displaced in southern Sudan: Now, therefore, be it

*Whereas conflict between the Government of Sudan and the Sudan People's Liberation Movement-North (SPLM-N) has been ongoing since June 2011 in Sudan's border state of Southern Kordofan and since September 2011 in the border state of Blue Nile, resulting in a humanitarian crisis;*

*Whereas the Government of Sudan has refused repeated requests by the United States Government, the United Na-*

*tions, the African Union, the League of Arab States, non-governmental organizations, and others to allow humanitarian access to the conflict areas;*

*Whereas the Governments of Sudan and South Sudan signed a memorandum of understanding on non-aggression and cooperation in Addis Ababa on February 12, 2012, agreeing to respect each other's sovereignty and refrain from launching any attack against the other, including bombardment;*

*Whereas the United Nations estimates that more than 130,000 refugees have fled Southern Kordofan and Blue Nile for South Sudan, Ethiopia, and elsewhere since June 2011, and hundreds of thousands more have been internally displaced or severely affected by conflict;*

*Whereas the Government of Sudan bombed the Yida refugee camp in South Sudan on November 10, 2011;*

*Whereas both the Government of Sudan and the Sudan People's Liberation Movement-North have reportedly prevented civilians from leaving Blue Nile and Southern Kordofan;*

*Whereas the Famine Early Warning Systems Network (FEWSNET), funded by the United States Agency for International Development, estimated in March 2012 that conflict-affected areas of Southern Kordofan would deteriorate further in coming weeks to Phase 4 emergency levels of food insecurity (one step before being classified as a famine), due mainly to conflict and government policies that have limited cultivation, displaced the population, restricted trade, and refused access for international humanitarian assistance;*

*Whereas the United Nations Security Council issued a statement on February 14, 2012, expressing deep and growing*

*alarm with the rising levels of malnutrition and food insecurity in some areas of Southern Kordofan and Blue Nile, calling on the Government of Sudan to allow immediate access to United Nations personnel, and urging the Government of Sudan and the Sudan People's Liberation Movement-North to agree to an immediate cessation of hostilities and return to talks to address the issues that have fueled the current conflict;*

*Whereas the United Nations High Commissioner for Refugees appealed urgently to donors in February 2012 for \$145,000,000 to assist refugees from Southern Kordofan and Blue Nile;*

*Whereas President Barack Obama released a statement in June 2011 calling on the Government of Sudan and the Sudan People's Liberation Movement-North to agree immediately to a ceasefire, end restrictions on humanitarian access and United Nations movements, and agree on security arrangements for Southern Kordofan and Blue Nile States through direct, high-level negotiations as opposed to the use of force;*

*Whereas President Obama released a statement on February 2, 2012, strongly condemning the bombing by the Armed Forces of Sudan of civilian populations in Southern Kordofan and Blue Nile States in Sudan, which stated that aerial attacks on civilian targets are unjustified, unacceptable, and a violation of international law and compound the ongoing crisis in these areas;*

*Whereas neither Southern Kordofan nor Blue Nile were able to complete the popular consultation process with the Government of Sudan as stipulated in the Comprehensive Peace Agreement (CPA) before violence broke out;*

*Whereas, despite the independence of South Sudan on July 9, 2011, many key issues between Sudan and South Sudan remain unresolved, including transit fees for oil pipeline use, citizenship, the status of Abyei, and border demarcation;*

*Whereas the goal of democratic governance reform in Sudan as envisioned in the CPA has not been met;*

*Whereas, in addition to the growing conflict-induced humanitarian and human rights crisis in Sudan's southern border states, the humanitarian crisis and ongoing insecurity in Darfur continues; and*

*Whereas the United Nations High Commissioner for Refugees estimates that, although for the first time since the Darfur conflict began, more Darfuris (87,000) voluntarily returned to their homes than were newly displaced (70,000), tens of thousands of additional people are still being displaced in southern Sudan and more than 4,000,000 people in Sudan remain internally displaced in total: Now, therefore, be it*

1       *Resolved, That the Senate—*

2           (1) ~~welcomes the memorandum of under-~~  
3       ~~standing on non-aggression and cooperation signed~~  
4       ~~between the Governments of Sudan and South~~  
5       ~~Sudan in Addis Ababa on February 12, 2012;~~

6           (2) ~~calls on the Government of Sudan and the~~  
7       ~~Sudan People's Liberation Movement-North to reach~~  
8       ~~a mutually beneficial political agreement;~~

9           (3) ~~urges the Government of Sudan to allow im-~~  
10       ~~mediate and unrestricted humanitarian access to~~

1 South Kordofan, Blue Nile, and all other conflict-af-  
2 fected areas of Sudan;

3 (4) encourages the Government of Sudan and  
4 the Sudan People's Liberation Movement-North to  
5 declare a cessation of hostilities to allow food and es-  
6 sential supplies to reach affected civilians;

7 (5) implores the Governments of Sudan and  
8 South Sudan to refrain from any support of proxy  
9 forces;

10 (6) urges the Government of Sudan and the  
11 Sudan People's Liberation Movement-North to allow  
12 civilians to leave the two states voluntarily and seek  
13 refuge in more secure areas; and

14 (7) supports the current efforts of the Obama  
15 Administration, working with partners in the inter-  
16 national community, to facilitate humanitarian ac-  
17 cess to affected areas; to encourage all relevant par-  
18 ties to return to the negotiation table to reach agree-  
19 ments associated with the conclusion of the Com-  
20 prehensive Peace Agreement, to mitigate violence in  
21 the interim, and to allow full humanitarian access.

22 *That the Senate—*

23 (1) *welcomes the memorandum of understanding*  
24 *on non-aggression and cooperation signed between the*

1        *Governments of Sudan and South Sudan in Addis*  
2        *Ababa on February 12, 2012;*

3            (2) *calls on the Government of Sudan and the*  
4        *Sudan People’s Liberation Movement-North to reach*  
5        *a mutually beneficial political agreement;*

6            (3) *urges the Government of Sudan to allow im-*  
7        *mediate and unrestricted humanitarian access to*  
8        *Southern Kordofan, Blue Nile, and all other conflict-*  
9        *affected areas of Sudan;*

10          (4) *encourages the Government of Sudan and the*  
11        *Sudan People’s Liberation Movement-North to declare*  
12        *a cessation of hostilities to allow food and essential*  
13        *supplies to reach affected civilians;*

14          (5) *implores the Governments of Sudan and*  
15        *South Sudan to refrain from any support of proxy*  
16        *forces;*

17          (6) *urges the Government of Sudan and the*  
18        *Sudan People’s Liberation Movement-North to allow*  
19        *civilians to leave Southern Kordofan and Blue Nile*  
20        *voluntarily and seek refuge in more secure areas; and*

21          (7) *supports the current efforts of the Obama Ad-*  
22        *ministration, working with partners in the inter-*  
23        *national community, to facilitate humanitarian ac-*  
24        *cess to affected areas, to encourage all relevant parties*  
25        *to return to the negotiation table to reach agreements*

- 1 *associated with the conclusion of the Comprehensive*
- 2 *Peace Agreement, to mitigate violence in the interim,*
- 3 *and to allow full humanitarian access.*



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**RESOLUTION**

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MARCH 28, 2012

Reported with an amendment and an amendment to the  
preamble