

THE ESCALATING CRISIS IN DARFUR: ARE THERE PROSPECTS FOR PEACE?

HEARING BEFORE THE COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES

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THE ESCALATING CRISIS IN DARFUR: ARE THERE PROSPECTS FOR PEACE?

THURSDAY, FEBRUARY 8, 2007

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 10:30 a.m., in room 2172, Rayburn House Office Building, Hon. Tom Lantos (chairman of the committee) presiding.

Chairman LANTOS. The committee will come to order.

Humankind is failing the sons and daughters of Darfur horribly. We have watched as an entire people has been persecuted, displaced, dispossessed, raped, and slaughtered. It defies belief to realize that this has been going on for 3 long years and right before the averted eyes of the entire world. As a survivor of the Holocaust, I cannot bear silent witness to the first genocide of the 21st century.

Our committee will demand action from the administration, from the United Nations and from our friends and allies in Europe, Asia, Africa, and others, as I am sick and tired of waiting for a diplomatic solution to this tragedy. The much heralded Darfur Peace Agreement did nothing to stop the genocide. Nobody in the Sudanese Government has been held accountable for the mass killings. There has been no protection of civilians, and there has been no reversal of ethnic cleansing. Even targeted sanctions against those responsible for the genocide have had little impact on the Sudanese leaders, who find the benefits of their oil dealings with China more profitable than their assets frozen in the United States.

With or without the consent of Khartoum, we need a large number of international troops on the ground to protect the people of Darfur from slaughter, and we need them now.

The U.N. Security Council has correctly authorized the deployment of such a civilian protection force to Darfur to augment the under gunned and under manned African Union troops already on the ground. But President al-Bashir and his cronies have rebuffed all these treatises to allow for the deployment of these desperately needed troops.

How can we change Khartoum's mind about the deployment of a civilian protection force? If we are cynical, we can try the approach used by Chinese President Hu Jintao during his recent visit to Sudan. While urging Sudanese cooperation with the United Nations, President Hu Jintao made a jaw-droppingly generous offer of \$17 million to build a new presidential palace, \$104 million in debt forgiveness, and the promise to build a new railway line.

I doubt that Sudan's leaders lost much sleep after their meeting with the Chinese President. Perhaps that night they dreamed of building the new railway line straight to Darfur to hasten the genocide.

There is a better way. President Bush must call a summit of the world's civilized nations with a simple goal: Strong multilateral sanctions on Sudan, investment bans, prohibition on travel for Sudan's top leaders and, most importantly, shutting down Sudan's ability to sell oil and gas on the international marketplace.

I welcome the administration's announcement today of a Plan B approach to block United States commercial bank transactions with the Government of Sudan. This step, if fully implemented, will have a major impact on Sudan's ability to sell petroleum overseas.

I hope that tough sanctions on Khartoum will force the regime to allow an international civilian protection force to enter Darfur, but we can't count on it. The United States must therefore work with the United Nations, the African Union and our allies to prepare a contingency plan for the entry of a protection force into Darfur without the Sudanese Government's permission. If we wait much longer, there may be nobody left to protect in Darfur.

On a growing number of front yards across this Nation, we see lawn signs with a simple message, "Not on our watch." These signs express the hope that in the words of former Secretary of State Madeleine Albright, the world's indispensable nation will actually succeed in ending the genocide in Darfur.

The task in the months ahead is to turn this grassroots sentiment and concerted pressure from this Congress into concrete action by the administration and the international community.

Our patience has been totally exhausted. The innocent civilians of Darfur are crying out for our help. We must not continue to fail them.

I now turn to my distinguished colleague, the ranking member of our committee, to make whatever opening remarks she chooses.

Ms. ROS-LEHTINEN. Thank you, Mr. Chairman, for the opportunity and for sharing your eloquent statement with us.

No one can question that the genocide in Darfur is a human rights and a humanitarian catastrophe of the first order. The challenge we and the world face is what to do about it.

The Bush administration and Members of Congress have devoted a great deal of time and attention to this problem and much has been accomplished. A Presidential Special Envoy for Sudan has been appointed to coordinate United States policy in this effort. Since 2004, the United States has provided over \$2 billion in assistance to help meet humanitarian needs in Darfur and in eastern Chad. We have facilitated the deployment of African Union forces, and we have led efforts at the United Nations, often in the face of vigorous opposition by China and others to get a larger, more robust United States peacekeeping mission deployed in Darfur. Without question, the United States has demonstrated a resolute commitment to confronting the genocide in Darfur. But it is not enough, and the killing continues.

Despite our successes, the reality is that we cannot solve this problem in Sudan by ourselves. We need the assistance of other countries. However, from the beginning of this crisis, the United

States has had to drag other nations, at a minimum condemning the mass murder in Darfur and holding the perpetrators accountable for these deplorable crimes. I recall being in Geneva for a meeting of the former U.S. Commission of Human Rights and witnessing how members of the African group of nations were aligning themselves with the organization of Islamic countries to protect the Sudanese regime from criticism while scores of innocent human beings continued to be slaughtered.

And as we commemorate the grim anniversary of the Rwandan genocide, this human rights body failed to take a firm, unequivocal stance to fully address the situation in Darfur. This pattern of inaction continued at the U.S. Security Council where the United States has to pressure members of the Security Council, including those of the Arab League, of which Sudan is a member, into taking action regarding Darfur. Far from contributing to resolving this humanitarian crisis, countries such as China are actively courting the Sudanese regime in their pursuit of oil and influence, thereby undercutting our efforts in the United States to bring pressure on the regime to end its practice of genocide.

And despite their loud verbal support, the European states have been reluctant to take substantive action and have all but ruled out a direct intervention despite their undoubted capacity to do so.

The question thus becomes: What can the United States reasonably accomplish on its own? The former Assistant Secretary of State for African Affairs under the Clinton administration, Susan Rice, recently wrote in a *Washington Post* editorial that given the continued intransigence by the Sudanese regime, the solution lies in unilateral intervention by United States forces. She says the United States should press for U.N. resolution that issues Sudan an ultimatum: Accept unconditional deployment of the U.N. force within 1 week or face military consequences. The resolution would authorize enforcement by U.N. member states collectively or individually. She continues: The United States, preferably with NATO involvement and African political support, would strike Sudanese airfields, aircraft and other military assets and blockade Port Sudan. And concludes if the U.S. fails to gain U.N. support, we should act without it.

In another opinion piece, former Assistant Secretary Rice wrote that the United States should begin urgent military planning and preparation for the contingency that no other country will act to stop the dying in Darfur. While I agree that in the face of this terrible problem in Darfur, all options must be on the table. I would suggest that such an action would be one of the last resorts. We must carefully consider whether launching an armed intervention in Sudan at this time will actually bring peace to Darfur or if it will only further imperil the civilian population.

To this end, I am eager to discuss options in confronting genocide in Darfur and related issues. For example, have recent efforts by Governor Bill Richardson to negotiate directly with the Sudanese Government regarding the deployment of peacekeepers, has that been successful? What can be done to ensure that the African Union facilitates the rapid transition of its contingent in Sudan into a larger peacekeeping mission?

And, finally, let me note that I support the President's initiative known as Plan B, especially the administration's decision as reported in the press to have the Treasury Department block commercial bank transactions benefiting the Sudanese regime, including those regarding its oil revenues, if the regime does not cooperate in ending the slaughter in Darfur.

Mr. Ambassador, I hope that you will provide the committee with as much candor as you can. I know that we have already had a classified briefing before this with further details on this and other components of Plan B.

Let me conclude by saying that the situation we face in Sudan is a difficult one and deciding the most effective policy will take a toll on all involved. But one thing is certain, the barbaric slaughter of innocent civilians in Darfur will continue until someone steps in to stop it.

And Mr. Chairman, I seek unanimous consent that a statement by Stephen Morrison and Bates Gill of the Center for Strategic and International Studies be included in the record, and I thank you for the time, Mr. Chairman.

Mr. PAYNE [presiding]. Without objection.

Ms. ROS-LEHTINEN. Thank you.

[The information referred to follows:]

February 7, 2007

TO: Representative Ileana Ros-Lehtinen,
Ranking Minority, House Foreign Affairs Committee

CC: Joan Condon, Staff member, HFAC

FROM: J. Stephen Morrison and Bates Gill, CSIS

SUBJECT: China and Sudan

Thank you very much for your consideration of this short memo in association with the important HFAC hearing you are convening on February 8 on 'The Escalating Crisis in Darfur: Are There Any Prospects for Peace?' I hope our comments are helpful.

In this memo, we set forth a few brief thoughts on the China factor in the resolution of the ongoing crisis in Darfur. Since 2002, we have been actively examining China's approach to Africa, including the Darfur question, and recently completed a week-long visit to Beijing and Shanghai in late November and early December 2006. The same day as your hearing, we are issuing a major report entitled, *China's Expansive Role in Africa: Implications for the United States* which can be accessed at www.csis.org. We will also arrange to provide you with hard copies.

United States-China relations and the Darfur question

Washington and Beijing have been actively engaged on the Darfur question since mid-2004 when the UN Security Council began taking up the crisis on a rolling, monthly basis. In that period, China along with Russia were rightfully cast as obstructionists who routinely opposed UN sanctions on the Sudanese government for its egregious actions against civilians in Darfur. China's position did differ significantly from Washington: Beijing consistently emphasized that Darfur poses a humanitarian crisis, versus a genocide, that it does not threaten vital security interests (as opposed to North Korea or Iran, where US-Chinese dialogue is intense), and that the crisis will only be resolved over several years, versus in a six or twelve month time frame.

A U.S.-China subdialogue on Africa was formally launched in early 2006, led on the U.S. side by Assistant Secretary of State for African Affairs Jendayi Frazer, under the auspices of the U.S.-China Senior Dialogue process initiated by former Deputy Secretary of State Robert Zoellick. The first meeting on Africa reportedly did not take up the issue of Darfur.

In 2006, bilateral discussions did begin to advance slowly on how to coordinate actions on Sudan. Once appointed as the U.S. President's Special Envoy to Sudan, Andrew Natsios stepped up U.S. engagement with China in the latter part of 2006,

culminating most recently in his trip to China January 8–12, 2007, where he met with foreign policy leaders State Councillor Tang Jiaxuan and Vice Minister of Foreign Affairs Yang Jiechi.

Partly as a result of the intensifying US-China dialogue, a shift in China's position took place in late 2006, when the Chinese ambassador to the United Nations Wang Guangya was widely credited in gaining Sudanese acceptance for the November 16, 2006 Addis Agreement (the 'Annan plan') committing Khartoum to a ceasefire and three step expansion of a hybrid UN/AU force in Darfur. In this same period, senior Chinese officials publicly acknowledged the need for a negotiated political settlement in Darfur and an expanded international peace operation.

Despite this shift, Washington and much of the international community have been disappointed that Chinese president's visit late last week with President Bashir in Khartoum did not result in any significant breakthroughs. There were hopes, perhaps unrealistically high, that President Hu might forcefully press for—and win new overt commitments to—renewed efforts to achieve a negotiated political settlement in Darfur and accelerated deployment of the AU/UN force. In private, the Chinese reaffirmed its support of the Annan Plan and reportedly pressed Bashir to stick to its commitments, including maintain a cease-fire, step up internal negotiations and expand humanitarian operations. On the latter, China committed 40 million RMB of aid.

Today, U.S.-China collaboration on Darfur remains critical to fulfillment of the Annan plan, however incremental and slow. The challenge is to define how Washington is to best sustain its dialogue with Beijing, including pressures, in ways which enlarge Chinese commitments.

Collaboration could become more difficult. This week, Washington is reportedly poised to unveil its long awaited 'Plan B' package of coercive measures that includes blocks on commercial bank transactions, that it is hoped, would change the behavior of other countries and companies doing business with Sudan. China can be expected to object vehemently to the threat of these sanctions and to see them as a direct affront.

Factors shaping Chinese behavior?

To gain greater commitments and cooperation, the United States will need to better grasp the motivations shaping Chinese policies in Sudan and in Africa more broadly.

It is common to attribute Beijing's actions in Sudan to China's need for oil and to claim that economic self-interests trumps all other Chinese interests. This view, in our opinion, is overstated, lacks precision about Chinese motivations, and fails to explain why there was a shift in late 2006 to positions more closely aligned with the United States and other concerned Western powers. Sudan's contributions to China's total energy needs are very small: Sudan accounts for only 5 percent of China's total oil imports, and less than 1 percent of China's total energy consumption. While the relationship with Sudan is important on a microeconomic level to some of China's oil firms, it does not represent a critical strategic relationship on a macroeconomic scale. Sudan's energy is important to China and its future, but China's motivations for its policies in Sudan also have their roots elsewhere.

An important, but often overlooked motivation is Beijing's concern with protecting the principle of national sovereignty and non-interference. These have been cast as bedrock to China's strategy for becoming a global power backed by robust alliances.

But even on this issue, Beijing's interests in Sudan are pulled in other directions: from within China itself, from Beijing's interest in enhancing its standing in the UN, and in its interest in sustaining bilateral relations with Washington, European states, and African powers. These are the major potential leverage points on Beijing.

A complex debate is emerging within Beijing policy circles about the best approach to Sudan and Darfur in particular. Think tanks, academics, global business enterprises are conscious that China's uncritical embrace of Khartoum has damaged its standing in much of the world. Within the Foreign Ministry, under the leadership of Minister Li Zhaoxing (former Ambassador to Washington), there has been an effort to hear these views from critical Chinese opinion leaders. There is also an acute recognition that pressures on China could escalate in North America and Europe. In the United States especially, the non-governmental advocacy movement embodied by the Save Darfur Campaign has gained voice and momentum, has strong allies in Congress, and could if it chose target the 2008 Beijing Olympics.

No less important, Chinese views on Darfur are shaped by discussions with African states. A majority of sub-Saharan African states are deeply offended by Khartoum on human rights, religious, and racial grounds. Khartoum's continued obstruction of an AU/UN force, and the inability of the international community to bring greater stability to Sudan, mean that African Union forces, contributed largely by

South Africa, Rwanda, and Nigeria, are increasingly under relentless strain, and unsustainable, a problem Chinese policies toward Sudan must account for. Interesting in this regard, South African President Mbeki delivered a stern warning to China in a January speech, describing its approach to Africa as the threat of a new colonialism that will lock African in underdevelopment. That did not go unnoticed in Beijing, and indeed, in President Hu's speech today in Pretoria, he went out of his way to assure his audience that China would create new balances in trade relations as one demonstration of its sensitivity to African interests and opinion.

In short, Beijing is prepared to be more flexible regarding "non-interference" when its interests are at stake—in Africa, in Europe and the United States, and in the UN Security Council. China will not do what needs to be done in Sudan solely because it wishes to please the international community. It will not overtly undermine its policy of non-interference and respect for sovereignty, even with Sudan. But it will begin to amend its approaches as it recognizes a building interest to do so.

In that light, it is worth noting the "four principles" put forward by Hu Jintao during his visit last week to Sudan as the basis for the international approach to Darfur. The first principle, not unexpectedly, sets out the principle of non-interference. But the fourth principle seems to contradict the first, saying: "it is imperative to improve the situation in Darfur and living conditions of local people." That is about as close as a Chinese leader has come publicly to supporting the emerging notion in the United Nations and the broader international community that governments have a "responsibility to protect" their citizens from harm as best as possible. Beijing is beginning to think about whether some "interference" might be in its interest. The task for Washington is to continue urging Beijing in this direction.

Mr. PAYNE. Thank you very much to Ranking Member Ros-Lehtinen for your comprehensive statement.

Let me thank Chairman Lantos for calling this very important and critical and timely hearing on the ongoing crisis in Darfur. I welcome the President's Special Envoy Andrew Natsios back to the committee and on a personal note would like to express my condolences for your recent loss.

As you say in your remarks, Mr. Natsios, the Darfur genocide did not begin overnight. It was borne out of a history of tradition of brutality, in which the former National Islamic Front regime, now the National Congress Party (NCP) of the Government of Sudan, based in Khartoum, has systematically destroyed different populations. During the war it raged against the people against the south for 21 years, and the NIF Government under President al-Bashir armed the militia to destabilize southerners and carried out bombardment of force and displaced people from the oil-producing areas of the south.

The people of Ababia, Southern Blue Nile, Nuba, and countless other areas of southern Sudan endured this campaign of terror. Four million were displaced, 2 million were killed. Millions were affected by the conflict. The so-called Government of Sudan under al-Bashir, which came to power by military coup and gave safe haven to our arch enemy Osama bin Laden for 5 years between 1991 and 1996, is anything but democratic. Yet our Government sees fit to engage this regime as if they had credibility. This continues to confuse and confound me.

Just as the Comprehensive Peace Agreement which ended the war against the people of the south on January 9, 2005, was being prepared to be signed, the regime in Khartoum launched its new front in the war on the people of Sudan and the western region of Darfur. Under the NIF, NCP's latest campaign of terror, the people of Darfur have suffered tremendously. The old familiar tactics of aerial bombardments, the use of helicopter gunships, the Janjaweed, the hiring of militia, has been used again and again

and again by the Bashir regime. More than 400,000 innocent people have been killed. More than 2.5 million people have been displaced. Over 250,000 have fled to neighboring Chad, which is now encountering serious instability and threats to the Government and the civilians of Chad.

The ongoing genocide in Darfur has called into question the commitment of the international community in saving African lives. Two years ago, I introduced legislation authorizing a no-fly zone calling for the use of our military assets in nearby Djibouti in prohibiting oil tankers which dock in Port Sudan from entering United States ports and calling for President Bush to use any means necessary to end the genocide. Over 130 of my colleagues agreed that these drastic measures were called for in the face of the mass destruction of precious human lives. Yet some of our colleagues felt these measures were too harsh. And so we passed legislation which was not as far reaching and we see that the genocide continues to this day.

Meanwhile, al-Bashir has blocked implementation of Security Council Resolution 1706, which authorized U.N. peacekeepers to support the less than 7,000 Africa Union troops. He talked the international community out of its commitment to 1706. That its agreement in November produced a three-phase plan with the AU-U.N. hybrid force which by and largely simply negates 1706.

Even this, such as a compromise for Bashir's sake, the brutal leader, after putting that on the table, has simply even refused to allow that to happen. So this is totally unacceptable.

I am encouraged that the President has approved the plan which came out yesterday. I don't know if it came out purposely or not, but it did come out, as you know, the plan that the Treasury Department has intentions to block United States commercial bank transactions connected to the Bashir regime, particularly oil revenues. You mentioned this Plan B to the Congressional Black Caucus several months ago and stated that the deadline for Plan B was January 1st. In order to show Khartoum we mean business, we must really start to implement Plan B since we are going into the middle of February.

The Darfur Peace Agreement continues to languish for the lack of implementation and outright violation on the part of the NIF and NCP Government.

Similarly, the CPA continues to languish for the lack of implementation and outright violations on the part of the NIF, NCP Government. We must realize we cannot have peace in Darfur without peace in the south. They are inextricably linked and we are seeing the CPA starting to be challenged.

I had a hearing last week on the lack of progress on the CPA under the Subcommittee of Africa and Global Health, which I chair, and I would like to continue to work with you, Mr. Natsios, to come up with a strategy for pressuring Khartoum to fully implement the CPA and end the genocide in Darfur. If the CPA fails, there is no hope for peace in Darfur in the east or in any part of the country.

I will be introducing legislation in the coming days which does—which H.R. 1424 would have done 2 years ago and we will seek the

committee's support toward ending the suffering in Darfur. This unimaginable scar on our collective conscience must end.

At this time, it gives me an honor to ask Mr. Smith, a gentleman I worked closely with during the past session of Congress, the ranking member of the Africa Subcommittee, for 3 minutes.

Mr. SMITH OF NEW JERSEY. Thank you very much, Mr. Chairman, and I would ask that my written statement be made a part of the record.

Given the limited time just let me say a couple of things. First of all, thank you for your leadership. We have worked very closely on these issues for years. I chaired the Human Rights Committee for 8 years and we have been raising issues relevant to Darfur first on southern Sudan, of course, for all of those years, and so I very much enjoy working with you.

I want to welcome Andrew Natsios, who is the right man for this job. Many of us pushed very hard for the Special Envoy. Now that we have it, I think we have the right person who can truly make the difference in trying to effectuate peace if a peace can be had. And you know, as we all know, had it not been for the work in the United States, there would not have been a peace agreement, the Comprehensive Peace Agreement for southern Sudan. So I think the challenge that you face, Mr. Natsios, is probably one of the most difficult jobs in the world. But you certainly have the right skill set, the background and the tenacity to do it. So I am very glad that you are on this.

Let me also say that like many of my colleagues I, too, have been to Darfur. I have visited two camps. I was in the Musher Camp and Kalma Camp and saw both the sense of relief on the part of the refugees, the look of "we escaped a bullet but we have lost many loved ones," especially the women who have lost sons and daughters and they themselves may have been raped, but there was also that sense that any day now, any second now everything could become unraveled. But for the time being, the camp still remains a refuge, though a tenuous one at that.

I also met with President Bashir and was deeply disappointed. All he wanted to talk about was lifting the sanctions and not solving the crisis as it exists in Darfur, and it was a very, I can tell you, very difficult conversation that I had with him, and I hope other Members of Congress will meet with him and press the case for human rights tenaciously with him.

Let me also say, like Tom Lantos, our chairman, I was deeply disturbed by President Hu Jintao's recent visit. I think we all know that the only reason why the war in the south, which killed 2 million people as Sharia law was attempted to be imposed upon the south and displaced 4 million, was because it was enabled by Chinese oil-weapons, the oil obviously going to China from Sudan and the weapons and cash going the other way to enable that terrible slaughter.

The same thing is true for the north in Darfur. China has been an enabler in chief when it comes to the atrocities being committed there and needs to be held to account, and Hu Jintao's most recent visit, despite some talk about maybe he ought to do something with Mr. Bashir, all of his deeds certainly conveyed just the opposite. When you are talking about debt forgiveness, when he talks about

building or helping to finance through a debt-free loan, palace construction, that is so obscene compared to killing of human life there in Darfur. We all know that Bashir needs to be held to account and others as well.

Finally, many of us are concerned about this turn for the worse in Darfur with the targeting of NGOs, especially those very brave and courageous workers who are on the front line from Europe, the United States, and from African countries, including Sudan, who are targeted precisely because they are providing the safe haven, wherever there is one, and a lifeline to those beleaguered refugees. And perhaps, Mr. Natsios, you can speak to that, but I think that is an ominous turn when NGOs, who are doing nothing but humanitarian work, are targeted for work, sexual abuse, and death.

I yield back.

Mr. PAYNE. Thank you, Mr. Smith.

At this time we will be pleased to provide 1-minute opening statements for any members who wish to make one and I will ask Mr. Meeks if he would like to.

Mr. MEEKS. Thank you, Mr. Chairman.

You know, for me, and we are having a hearing again, we are here again, and this is the biggest crisis of our time when it comes to genocide. And we always say never again, and the question is I am in this position in the United States Congress and history will ask, well, what did you do? You know, you were on the board of directors of the greatest country on the planet. What did you do to help stop this genocide? Because history is recording these individuals dying every day as we sit here. People are dying. And we have got a government that seems not to care in Khartoum, and we have got allies that are not as engaged as I believe they should be.

So my thought is just as I feel it is important, for example, in Iraq, that we have this coalition of the willing, that we develop a coalition of individuals who are focused on making this a lead issue. And, in particular, and some of my questions when we get to them as I conclude, Mr. Chairman, is China, who we do a lot of business with, and China seems to be the one that is keeping the economy of Khartoum and Sudan growing and growing and growing. And it seems to me at the same time they go to these other African nations and say they are going to invest more there, et cetera, but it almost gets to the point where if they are keeping the genocide going in Darfur by their continued economic support, then it is almost in the situation that their hands are getting bloodied, and we need to make sure that we get our allies to work with us to stop this terrible, terrible genocide that is taking place on our watch.

Mr. PAYNE. Thank you very much. At this time I will hear the gentleman who did go to South Sudan on his first codel as a Member of Congress and saw the terrible situations there, Mr. Tancredo.

Mr. TANCREDO. Thank you, Mr. Chairman. And really, I have no questions for Mr. Natsios. Just to comment that as long as we have been dealing with this issue, it seems to me that we have had really good people in the field. There is no one that I can think of that I have had more confidence in terms of his ability to actually accomplish some of the goals that we set out for him, Mr. Natsios,

and I want to commend you, sir, for what you have done and what you expect you will be doing.

Mr. PAYNE. Thank you.

Representative Woolsey from California.

Ms. WOOLSEY. I pass, Mr. Chairman.

Mr. PAYNE. Thank you.

Congresswoman Jackson Lee from Texas.

Ms. JACKSON LEE. Thank you so very much. Let me welcome Special Envoy. Thank you for your service. Let me thank Mr. Lantos and the full committee for their dedication and commitment, and let me elevate and compliment Chairman Payne and his Ranking Member Smith and his persistence in determination. Might I recognize another group, the Congressional Black Caucus, now 43 members? Many of us individually and collectively had tried to do everything possible on this side of the ocean to address this question. And it is because we are filled with nightmares at night and regularly are concerned about the images of wounded and imploded babies and burned villages. And when I walked across the border, and I guess maybe at some point someone will accost me for that because there was no other way to get in Sudan after leaving some of the most beautifully disturbing refugee camps. So I will pose to you the questions of concern about the refugees in Chad and destabilizing of that government.

But I do want to just briefly say that we are now 2 years after the 1556 Resolution in the U.N. Security Council and about 9 months after the Darfur peace agreements and the question is we have to do more. And I ask this government to do a complete and total trade and financial sanctions against Darfur. I am interested in an intense U.N. peacekeeping in some way along with the African Union soldiers, and I want relief for the refugees in Chad and some effort to stop the destabilizing situation.

My last point to you, as I thank you for your service, is I am concerned about Southern Sudan because they are trying. And they deserve our support and recognition, and there may be some issues that we have to discuss on how to protect them. And one of them is protecting their leaders, providing security for their leaders. We still don't know the answers to the unfortunate plane incident. I would like to see this government providing support and security for their leaders.

I thank you and I look forward to your testimony, and I thank the chairman and I yield back. We have to do something.

Mr. PAYNE. Thank you. At this time I will hear from Mr. Wilson, who also visited Darfur.

Mr. WILSON. Thank you, Mr. Chairman and Envoy Natsios, for being here today, and I indeed last year had the extraordinary privilege of participating in Codel Pelosi where we visited Darfur, and I saw firsthand the great passion and concern of Chairman Payne, and I want to offer to work with you, Mr. Chairman, any way that I can. I saw firsthand the human tragedy. I additionally saw evidence of where the Agency for International Development had made great efforts to provide shelter, food, education, and clothing for the persons. And with your background with the Agency for International Development, I am confident the President

made the right choice, and I look forward to hearing your testimony.

Thank you, Mr. Chairman.

Mr. PAYNE. At this time we will have a 1-minute opening statement by Mr. Costa. He would like to give one.

Mr. COSTA. Thank you, Mr. Chairman, Ranking Member. I shared the frustration that many of my colleagues have echoed here with regards to the situation in Darfur, and I would like to waive the balance of my time so that we can get to the testimony and the questions.

Thank you very much, Mr. Chairman.

Mr. PAYNE. Thank you.

Mr. Poe.

Mr. POE. Thank you, Mr. Chairman, and thanks for having this very important hearing and bringing it to worldwide attention. No question about what takes place and that has taken place in Darfur is a plight on civilization's treatment toward other human beings and the whole world needs to know about it.

I am concerned about long range planning and the U.S. role. We need, no question about this, to use sanctions, every diplomatic peacekeeping ability we can to stop the violence against people. But what if that doesn't work? You know, years ago we were told we would be in Bosnia for 8 months until Christmas. That was 10 Christmases ago. We were in Afghanistan. We were in Iraq. What is going to be the United States policy, long range militarily, in Darfur if these sanctions don't work? That is my question for you.

Thank you, sir.

Mr. PAYNE. We will hear from the gentleman from New Jersey, Mr. Sires.

Mr. SIRES. Thank you, Mr. Chairman.

This is my first hearing as a freshman Congressman, and I am looking forward to all of the information that Envoy Natsios has to give us, but I am very proud of the New Jersey delegation in bringing this to the world's attention and all of the members that are on this committee. This is an issue that I think we should be able to work together to try to bring a resolution, and I just want to thank you for being here and thank the chairman for all of his work, and I look forward to all of the information you can give us.

Thank you very much.

Mr. PAYNE. Thank you very much. Mr. Hinojosa.

Mr. HINOJOSA. I want to echo the words of my friend from New Jersey, Mr. Sires, and welcome you, Mr. Natsios. We are looking forward to your testimony. We are looking forward to getting into a question and answer session with you and see if we can find a resolution to this very serious problem that has occurred again in that part of our world in Sudan. I also want to be able to get back to the children who came from Oyster Elementary School on Monday morning to present to the Speaker of the House a banner with the hands of about 50 children and their names and their request that Congress please pay close attention to the seriousness of what is happening in Darfur. And when you have children speaking in different languages, asking the Speaker of the House and Members of Congress to raise the level of importance of our intercession and trying to stop that war, you know, that it is hitting close to home.

So I look forward to hearing your remarks and getting into the question and answer session.

With that, I yield back.

Mr. PAYNE. Thank you very much.

And now we will hear about the subject of the escalating crisis in Darfur. Are there prospects for peace? And our witness, as you know, is the Honorable Andrew Natsios, Special Envoy to Sudan and former Administrator for USAID.

STATEMENT OF THE HONORABLE ANDREW NATSIOS, SPECIAL ENVOY TO SUDAN AND FORMER ADMINISTRATOR FOR USAID

Mr. NATSIOS. Thank you, Mr. Chairman, and I thank the committee.

I listened with great interest to the remarks of the members, and there is no question that Congress has been very active legislatively in providing support. The Darfur Peace Accountability Act was signed by the President just as I was arriving on my first trip as Envoy in October. And of course you signed the Executive order, but also for the money that Congress has appropriated. The United States Government has spent \$2.7 billion in Darfur, mostly on humanitarian assistance to keep people alive in the camps and also to provide support for the African Union troops.

Mr. Chairman, I would like to submit my formal written remarks for the record, but since we have limited time, I am going to go through a much shorter summary of those remarks here.

The President appointed me as a Special Envoy for all of Sudan on September 11th in his speech before the General Assembly at the United Nations. This was 5 months ago. The President and the Secretary both gave me a charge to take much more aggressive actions in dealing with this crisis, and that is what we have done.

I have been going myself to Darfur as a USAID official and NGO worker since 1990. My first trip there was during a Darfur war between the poor people and the African tribe and the largest tribe and the Arabs in the late 1980s. That was nowhere near as bad as this, but I realized then this is an unstable area.

The second war took place in the mid-1990s between the Masalit people and the Arabs and now we have a war much more massive than that.

I teach of course at Georgetown University. I am a professor there. I also do this job, and I do want to say that I am very proud of college students across the country who have been mobilizing on this issue. The first organized college campus on the Darfur issue was Georgetown. They started a group called Stand that now has spread to 2 or 300 college campuses. So I am proud of my students at Georgetown and I want to thank President DiGioia for allowing me the time to do this as an extra duty.

I want to go through the assumptions that we have made in developing our policy. The first is, and I know this is difficult for people to accept, but the best way for us to protect the people in Darfur is a political settlement that is negotiated by all the sides, including some of the people who have committed some terrible atrocities because they are going to be there regardless of what happens. We can't expel them. There are a million people in some of the tribes that contributed troops to some of the atrocities. They

are not going to leave Darfur. We have got to find some way of negotiating a settlement so that the tribal peace that has been broken by these atrocities can be put back together.

These people economically are dependent on each other. Without the farmers, the herders can't live and without the herders, the farmers can't live. And now they are at war with each other, and that is very bad for the people of Darfur.

We believe we need coercive measures only when it appears that the negotiations are failing. We are making very small steps, and they are very small steps. It is very frustrating for me, but we are making some progress, if unsatisfactory from my perspective.

War has been dangerously regionalized. It has now poured across the border into Chad and into the Central African Republic. It is destabilizing those countries. What people don't realize is we don't dominate the world economy the way we used to. The gross domestic product of Sudan has doubled in the last 6 years and will double again in the next 6 years. According to the Sudanese Government, oil production per day, barrels of oil, is 356,000 barrels per day last year. It is going to go up to 520,000 barrels this year. Their economy is one of the fastest growing economies. It grew 12 percent just last year. It is one of the fastest growing economies in the world right now, and it is the oil revenue coming in, but also the country around greater Khartoum is industrializing.

So you have two worlds. You have a rapidly growing economy in the greater Khartoum area, the Arab League Triangle, as it is called, and the rest of the country is in one of the poorest locations of the world. The Level 6 development and the rest of Sudan is one of the most depressed I have seen in the world, particularly in the south. Some was neglected for decades even before the war started.

The property issues, the livelihood issues, and the security issues of the people of Darfur must be settled peacefully by negotiation in order for the stability to return to Darfur. I estimate that several million head of cattle, sheep, and goats were looted from the African tribes, from the people who are now in the displaced camps. There is 2.4 million in the displaced camps and in refugee camps. If they go back to their villages without their tools, land and villages, they will die. They need those implements for their livelihoods. They need those animals for their livelihoods and they have been looted.

Now in terms of our diplomatic efforts, the focus now very clearly, indisputably, in United States policy is on human rights and on humanitarian issues. We have no military or economic interest in Darfur. I am saying this; I know you all know that. But there are people in Sudan who are demagoguing this issue suggesting—one suggestion from a senior leader is we want to build a military base. That is the most ridiculous charge I have ever heard. What would we do with a military base in Darfur?

The other charge is we want all of the oil in Darfur. There is a tiny little corner that has oil that we know of in the southeastern region. Tiny little area. There is no other oil in Darfur. Some people say there is oil. Maybe there is. The United States is in the international market. Oil is fungible. We can buy it anywhere. We need to buy it on the international market. We have no interest economically on the oil from this country in Darfur. And the

charges that that is the reason motivating American policy by Sudanese leaders is an outrageous demagoguing statement. It is not very helpful.

Another policy is to energize the CPA implementation. We know unless there is peace in Darfur, the people in the south are not going to vote to keep Sudan unified. When that vote takes place under the CPA, they are looking at what happens in Darfur and they are saying they did it to us before, they are doing it to them, they could do it to us again. So I urge the Sudanese Government to understand unless they settle the Darfur crisis, they are only ensuring what the vote will be in 4 years when the Sudanese people in the south under the CPA vote in a referendum on their future. They should be creating the incentives in the Sudanese Government to wanting to have people stay in Sudan.

The charge is made we want to divide the country. That is not true. That is not our policy, but it is the job of the Sudanese Government to keep the incentives to keep the country together. And they are not doing it. It is my view and the President's view that we need to expand the international coalition supporting peace, so we have been actively recruiting Arab League countries and Asian states to support us. Their policies are not the same as our policies. We can get into the discussion of the Chinese relationship if you wish, but we have successfully—I spent a week in Beijing. I have been to Egypt a couple of times now. We support one negotiating process. When I arrived in Sudan, I was stunned by the fact there are seven different negotiating processes going on. Everybody concerned about this in the world had a separate track for resolving this, and that is one way of simply having a forum shopping where the Government of Sudan didn't like one form so they changed to another form and it was chaotic.

So we agreed in the Abuja and the Addis compromise that the AU and the U.N. are in charge of mediation. Our job is to support them. When I met with the rebels in Chad, I told them I am not here to negotiate with you and my good friend, the foreign minister of Sweden, who is the U.N.'s Special Envoy; I have known him for 18 years. I trust him. We talk all the time and Salim Salim for the African Union, former Foreign Minister, Tanzania. They are the two leads on this. Our job is to support them, and I told the rebels they needed to be reasonable and to take their lead in terms of these negotiations.

The Addis and the Abuja compromise is incredibly important to getting 10,000 more troops and another 3,000 police, and we have been supporting it every day since it was agreed to.

And finally, I have been encouraging actively, as well as Secretary Rice and Jendayi Fraser, unification politically of the rebel movements into one unit. The reason we have a peace agreement between the north and the south is because John Garang didn't have any competitors negotiating with the north. Right now, there are 12 to 15 different rebel movements all trying to negotiate separate peace deals with the Government of Sudan. It is simply chaotic, and we can't have a peace settlement with the rebels in this disarray. They must unite politically and they must put aside their egos and tribal rivalries to do what the southerners do.

Let me talk about the current situation. It is deteriorating as we speak, and I am very troubled by it. In the USAID, I don't want to put my old USAID/NGO hat on, but for a moment we use the thing called the GAM rate, the Global Acute Malnutrition rate. It means something in public health. If the rate is under 10 percent, it is acceptable. If it is over 15 percent, it is a crisis. In three camps, Kalma Camp, Abu Shouk, and Kickabia Town, and these are big camps near urban areas, the rates now are 22 percent, 22 percent and 25 percent. They are way above the emergency level. There is extremely disturbing. These are not remote camps that are difficult to get to far away in some remote area of Darfur. These are right next to capital cities. Because of the chaos in the provinces now, and there is chaos, rebel movements fight with each other, the Janjaweed have been out of control. In a couple of cases they have threatened to kill the governor of one of the provinces who represented the central government, and the Janjaweed militia is paid, directed and equipped by the Sudanese Government. So they are out of control in some areas of Darfur.

But to have these kinds of rates in these cities is extremely disturbing to me as a former USAID officer, and it means we have a crisis growing in these areas. We need to watch this closely. Humanitarian access has rapidly deteriorated.

Just to give you some idea of how bad things are in terms of the NGOs and U.N. agencies and the ICRC, in 2005, 24 vehicles were looted in the USAID community. In 2006, 113 were looted. A 400 percent increase.

In 2005, there were 244 attacks against the USAID community. In 2006, it was 423. Almost double. So we are facing a crisis in terms of direct targeting by the rebels and the government. The rebels tend to just loot things. The government is now using violence in their allies. It is very disturbing to me because without the NGOs and U.N. agencies, the 2.4 million people cannot survive in those camps. They can't provide food and health care in those camps without us helping them. The ultimate goal of

all of this is a political settlement that allows them to go back to their home so they can be self-sufficient.

We are willing as a government to be very generous in a reconstruction effort, but there is not going to be any reconstruction effort in Darfur unless there is peace. I told the Arabs that, I told the Africans that, I told the government that. We will only be generous with our other friends in Europe and other countries if there is a peace, negotiated peace settlement that is actually implemented. The Sudanese Government has a history of signing peace agreements and not implementing them. If they are not implemented, they are useless. It is a waste of time.

Finally, in terms of the current situation, there are 350,000 new IDPs since May 2006. This is an extremely disturbing statistic, and it is a result of fighting between the rebels with each other and the rebels and the government and the Janjaweed militia. And this chaos is causing more and more displacement which means more and more suffering.

Let me make some comments. I know the hearing is about Khartoum. John Garang was my friend for 18 years. I went to the south for the first time in 1989, and the southerners are very close to me.

And the peace agreement is something I helped Jack Danforth in terms of negotiating with Colin Powell, and so I am very proud of it. There is a peace dividend for the south. \$73 million is going directly into the southern treasury every month. Almost \$1 billion was transferred last year. There is a Government of Sudan now. It is very fragile, but it is there. There is no war and famine in the south. There is massive improvements and trade. The food prices in Juba, the capital of the south, have massively dropped since all the roads have been opened up because it was an isolated city with Uganda and Kenya. There are private companies now moving in with trucks and bringing goods in and so life is changing. Two hotels have been built, much to my astonishment, in Juba.

And finally there has been a reduction from 40,000 to 10,000 in the number of militias. They are sort of independent entities, many of which have been created and formed by the Sudanese Government to disable the south during the war. But we still have 10,000 people who are under arms who are not under anyone's direct control formally, and that is what is causing some of the instability in the south and southerners are properly worried about this. I have raised these and other issues with President Bashir in my meetings with the foreign minister, with the vice presidents and with the head of the internal security.

There is an impasse on Abia, which is sort of the Jerusalem of the Dinka tribe in the south. Abia is of central importance. It is the spark that could light and collapse the CPA. It has not been dealt with. I visited Abia and met with the tribal leaders both in the Arab side and the southern side in order to tell them that we need to reengage in the process because negotiations called for under the CPA have been paralyzed. There is little progress on the border demarcation. There are incidents with militias out of control in Malakal. I have visited twice now and there is evidence that militias need to be completely demobilized now. I was promised by the Sudanese Government that was going to happen by the end of December. It has not been done. There are other armed groups in the south that are killing people not in a massive scale. There are incidents and it is not good for trade and for economic growth and for the people of southern Sudan to live under this security.

And finally, without a census being implemented, we are going to have problems having the elections that are scheduled for next year. That is the elections held before the referendums, before the peace agreement in 2011. So we, the Sudanese Government, needs to put \$1 million from the treasury, they have the money, into the fund to begin the census process or we are not going to have elections and we need those elections for a stabilization not just for the south but for the whole country. Those elections are important for the Sudanese state.

And finally, there are three central objectives of American policy, and we are watching these on a daily basis to determine if there are any progresses being made, because if progress is paralyzed in these areas we will go to the strategy under Plan B.

Number one, unencumbered humanitarian access and the protection of noncombatants. A critically important issue for us is the effect of this war on the people on the ground.

Two, the restart of negotiations for a political solution, which is the only way this crisis is going to end and for people to go back to their villages and for the property issues to be dealt with and the livelihood issues and for reconstruction to start.

The rebels need to reengage with the government. The government needs to reengage with the rebels. The government has now twice bombed rebel meetings which we called for in order to find a unified political hierarchy within the rebel movement. They are also trying to unify militarily in the battlefield. That is the argument they use. I told them we need to have a ceasefire. I told President Bashir we needed to have a ceasefire and Salim Salim is going to leave this weekend to go to Khartoum to urge a ceasefire to go back to the negotiating table.

The third part of our strategy is the implementation of the Addis compromise for a hybrid U.N.–AU force to bring stability and to protect the NGOs and U.N. agencies and to protect civilians and finally to enforce any peace agreement.

I need to say this to the Sudanese Government: Unless there is a neutral outside body with experience in disarming and demobilizing militias, militias from both sides of the conflict, there will never be peace in Darfur. The only institution in the world that has this kind of experience is the United Nations. I watched them. They weren't very good about this 18 years ago. They are now very good about it. We have no ulterior motive. We need the U.N. there. We need these troops in a hybrid force. We understand Sudanese sensitivity on this in order to enforce a peace agreement because without that force we are not going to be able to demobilize all of the militias. The place is awash in weapons and people cannot go back to their lives with all of these weapons sitting around.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Natsios follows:]

PREPARED STATEMENT OF THE HONORABLE ANDREW NATSIOS, SPECIAL ENVOY TO
SUDAN AND FORMER ADMINISTRATOR FOR USAID

Thank you, Mr. Chairman and Members of the Committee. I am very pleased to be here with you today to discuss the United States' (U.S.) role, in cooperation with the United Nations (UN) and our international partners, in addressing the violence and suffering taking place in Darfur.

The current crisis in Darfur has deep roots and stems from multiple layers of conflict that have become more and more complex over time. This is the third war in Darfur in the past twenty years, and by far the most devastating in terms of the numbers of people killed and displaced. The terrible destructiveness of this war is a result of several factors including a rapidly expanding population that has pitted nomads and herders against each other in disputes over land rights in an ecology made fragile by successive droughts and increasing desertification; longstanding economic and developmental neglect of the entire Darfur region by successive Sudanese central governments; and the central government's disastrous decision to arm with modern weaponry, to equip, to direct, and to pay Northern Arab tribes, now called the Janjiweed militias, as their proxies in the war. Arming the Janjiweed led to the launching of genocide in 2003 and 2004, which resulted in the deaths of hundreds of thousands of innocent civilians and the destruction of their villages and livelihoods. In addition, regional political agendas are being played out in Darfur and the consequences have reached beyond the Sudanese border into both Chad and the Central African Republic (C.A.R.). The Darfur conflict must be resolved to end the virtual war between Chad and Sudan; it is in the interest of both governments to cooperate in pursuing a peaceful solution to the conflict.

The United States Government provided more than \$2.7 billion in FY 2005 and FY 2006 in Sudan and on Darfur related relief programs in eastern Chad. Along with other governments, the United States has provided life-saving and life-sus-

taining food and non-food assistance, and has supported the African Union Mission in Sudan (AMIS) force by building and maintaining thirty-four base camps for over 7,000 peacekeepers. The U.S. is the leading humanitarian donor, providing support for the more than 2.2 million internally displaced persons and refugees.

The Bush Administration's ultimate objective in Darfur is the development of a lasting structure of peace in order to end the humanitarian crisis and avoid a fourth war in the future. While we have had continuing cooperation with the Sudanese government on counter-terrorism issues, this relationship has not prevented elevation, to a pre-eminent position, of the humanitarian and human rights imperative in U.S. policy towards Sudan. United States interests in Darfur are primarily humanitarian, to reduce human suffering, protect human rights, and support a just peace. In order to meet humanitarian needs, we must have regional stability. We have no military or economic interests in Darfur. The United States opposes any effort by any group, country or movement to separate Darfur from Sudan. As a country and as a government we are appalled by the atrocities of the war, particularly those against civilians; and since 2004, when some of the worst violence occurred, the United States has made solving conflict in this region a priority. Both President Bush and Secretary Rice have told the Government of Sudan very clearly that they must cooperate with the international community or face the consequences.

Throughout 2006 we saw an increase in the number of violence-related deaths taking place in Darfur in comparison to 2005, and the number of security incidents against humanitarian aid agencies also significantly increased. Both sides in the conflict bear responsibility for the security incidents against aid agencies. If these incidents continue, UN agencies and non-governmental organizations have stated that they will be forced to withdraw humanitarian assistance and end their programs. This action would result in disastrous consequences for the internally displaced persons who are dependent upon assistance after the Arab militias, allied with the Sudanese government, destroyed their homes and farms.

Though we're here today to discuss the urgent issue of Darfur, I want to highlight the importance of the two year old Comprehensive Peace Agreement (CPA) that has created a fragile peace in Sudan between the north and the south after two decades of conflict during which more than 2.5 million died and four million were displaced. The CPA, the keystone of U.S. policy toward Sudan, is vulnerable. The death of the south's charismatic leader, Dr. John Garang complicated the immediate implementation of the CPA. Armed militias still threaten the security of southern Sudan, and the withdrawal of the Sudanese Armed Forces (SAF) from certain areas of the south is falling behind schedule. The southern economy is finally growing, but north-south boundary disputes and lack of access to northern oil contracts keep the south from getting its full share of oil revenues. Plans for a national census followed by elections no later than July 2009 are behind schedule. Without international action to energize implementation of the CPA, the most likely outcome will be two Sudans, not John Garang's vision of a united "New Sudan."

Should the CPA collapse it will likely be security issues that will be the cause. At ceremonies to celebrate the CPA's second anniversary on January 9th, Salva Kiir, the first Vice President of the Government of National Unity and the President of the Government of southern Sudan, accused the Sudan Armed Forces (SAF) of deliberately violating the security provisions in the CPA. South of Juba and along the border between northern and southern Sudan, other armed groups associated with the central government remain a serious and destabilizing problem in the South. In Malakal, a state capital on the Nile, such tension led to combat on December 4, 2006; only the aggressive and timely intervention of United Nations Mission in Sudan (UNMIS) troops prevented the violence from spreading. I visited Malakal just after the incident to show the support of the U.S. government for the UN's efforts to stabilize the situation.

Reform of the security sector in Sudan is proceeding slowly. As required by the CPA, Sudan People's Liberation Army (SPLA) units have all withdrawn south of the 1 January 1956 north/south border, but the SAF has largely stopped its withdrawal from the south, maintaining concentrations of troops in the oil-producing areas. Joint Integrated Units, equally composed of SAF and SPLA troops, have been assigned locations in the main towns, but are without proper training or support. Contrary to the provisions of the CPA, companies in these battalions remain in separate units for both housing and training. The SPLA is gradually downsizing into a professional army, but still needs proper training, facilities and administration for the downsized force. The U.S. government is supporting SPLA military reform, though should relations with Khartoum deteriorate this program would be more difficult to implement. CPA security provisions need to be implemented now or conflict is likely to erupt in several areas around oil rich Abeyi and near Juba.

Economic issues divide the north and south. While the Sudanese economy is growing at a rate of 12% per year (the GDP will double in the next six years if current growth rates are maintained, after the dollar value doubled over the last five years through a combination of growth and currency appreciation.). Wealth is concentrated in greater Khartoum (in the Arab triangle between Dongola, El Obeid, and Kasala) while other regions of the country remain impoverished and neglected. Little progress has been made on the mechanisms set up in the CPA to resolve contentious issues such as distribution of oil revenues and boundary disputes.

The U.S. is a major partner for aid, but not for trade. Unilateral economic sanctions are the central element in the U.S. economic policy toward Sudan. As a result, the United States has negligible trade with Sudan and minimal investment in the country. At the same time, Sudan has built stronger economic ties with China, India Malaysia and Gulf Arab states and substantial trade continues with Japan and Europe. In view of the Darfur Peace and Accountability Act (DPAA), the President's Executive Order 13412 modified the U.S. comprehensive sanctions regime against Sudan under Executive Order 13067, particularly by removing many restrictions with respect to Southern Sudan, as well as Darfur and the three areas, though Sudan as a whole, and specifically the Government of Sudan, is still subject to significant sanctions under U.S. law. Many within the GOS and GOSS believe that U.S. sanctions are detrimental to CPA progress.

On the surface, Sudan's political reform has moved forward. The National Congress Party (NCP) and the Sudan People's Liberation Movement (SPLM) formed the Government of National Unity (GNU), organized the parliament and distributed positions at senior levels of government as they had agreed in the CPA (though civil service reform is still outstanding). The SPLM established the Government of southern Sudan in Juba, with a limited number of positions for its NCP partners, and likewise set up the ten state governments in the south. The new government in Juba is still, however, a very weak institution in its infancy, especially in such areas as service delivery, financial management and human resource development.

Below the surface, there has been little political transformation. Whether in Khartoum or in Juba, military officers are in charge. Elections have had no role in deciding who rules. The NCP uses the instruments of state power, particularly the security services, to limit the scope for opposition parties and to manipulate the public agenda. It would be seriously challenged in a genuinely free and fair election. The SPLM, which has broad popular support in southern Sudan, has made impressive first steps to establish itself in the north but has never faced elections itself.

There remains a major risk that elections will not be held on time. The CPA specifies that before elections, a census will be conducted throughout Sudan, but arrangements for the census are falling behind schedule. Both the NCP and SPLM appear more eager to consolidate their positions in power than to hold elections. If the elections are to be held as scheduled, the census must be expedited. The Sudanese government has delayed providing the \$1 million needed to fund the creation of the machinery essential to managing the election process.

Despite these serious shortcomings, there has been some progress under the CPA. Peace is holding in the south for the first time in twenty-four years. The GOS has transferred over \$1 billion in oil revenues to the new GOSS, with an average of \$73 million being transferred each month. A new government has been created in the south, commerce is thriving, the economy is growing, displaced people are returning to their ancestral homes and farms, and 75% of the 40,000 militias (most created by the GOS during the war) have been demobilized or merged into either the northern or southern armies. There is no famine in southern Sudan. We should not underestimate these achievements or the benefits of peace and increased economic growth for the average southern family. These are not insignificant achievements, but these achievements are fragile and at risk because of a failure to carry out all of the provisions of the CPA.

Overall, the situation has more cause for alarm than for reassurance. U.S. policy intended the CPA to be a turning point for Sudan's transformation from a failing state to a more just and democratic state that can be a partner for stability and security in a dangerous part of the world. Sudan is now at the halfway mark between signature of the peace accord and its first major turning point, national elections. The south is on a consistent trend line toward separation, which unfairly presumes voter intentions before they have had a chance to express them. The Assessment and Evaluation Commission (AEC), set up to monitor CPA implementation, has only a muffled voice because both the NCP and SPLM must agree to any of its decisions. If nothing is done, a difficult and potentially disruptive separation of the south from the north is likely within five years, followed by other problems. The ruling National Congress Party, which has been alarmed by this trend, has done little to create the atmosphere for Southerners to want to remain in Sudan: the con-

tinuing conflict in Darfur and the tactics used by the central government there only confirm Southern fears that nothing has really changed in Khartoum. The CPA needs renewed, high level international political attention. Along these lines, the United States strongly support the proposal being considered for an East African summit through the regional Inter-Governmental Authority on Development (IGAD) to re-assemble the heads of state in the region involved in supporting the initial CPA agreement, to review progress to date and define steps needed to accelerate implementation.

The Government of Sudan is using strategies against Darfur that were first used against the south for many years. By manipulating pre-existing tribal divisions, the Government has played a major role in splintering the opposition movements into factions and has attempted to buy off one small group at a time rather than pursuing a broader peace through transparent negotiation with all parties. This tactic of divide and conquer creates inequality, dissatisfaction and mistrust between the rebel factions, delaying or preventing the creation of a unified political opposition. Surrounding countries have exacerbated these divisions by providing support for rebel groups in pursuit of their own geopolitical agendas. As a result, we now confront a confusing array of rebel factions, the number of which fluctuates up to as many as 15 at any given time. Rebel leaders frequently appear more focused on their own ambitions than on the wellbeing of the people of Darfur. No peace agreement would have been achieved in Southern Sudan had there been multiple rebel factions each with a different political agenda.

Despite numerous ceasefires and the signing of the DPA by the Government of Sudan and one of the rebel groups, there has been no peace, and in fact the humanitarian situation has seriously deteriorated since this agreement was signed in May of 2006. African Union (AU) troops that were put on the ground to prevent further conflict have shown mixed results. The AU forces are fine troops. In the past they have carried out protection details for women who go in search of firewood, in order to protect them from rape and other forms of violence. These activities were effective in preventing violence against women, but these missions have ended due to security fears. The AU desperately needs logistical and command and control support of the UN in order to function effectively and minimize atrocities in the future.

Due to the continued problems encountered in Darfur the United Nation's Security Council passed Resolution 1706 in August of last year, calling for a robust force of approximately 17,000 UN Peacekeeping troops and 3,000 police to take over the peacekeeping responsibilities from the AU. The Sudanese government rejected outright the idea of UN troops replacing AU troops in Darfur. It was only through broad, consistent and strong international pressure on Khartoum that we have seen an adjustment in their public position on these UN troops. We have been working very hard over the past several months with our international partners to sustain this pressure. I have made several visits to Sudan, and I have traveled to Chad, Egypt, China, Ethiopia, and European capitals to explain the U.S. policy towards Sudan and express U.S. support for the UN/AU process.

During my October trip to Khartoum, Juba and Darfur, I met with first Vice President Kiir and Vice President Taha of the Government of National Unity, Senior Assistant to the President Minni Minawi, two advisors of President Bashir, Foreign Minister Lam Akol, Minister of Cabinet Affairs Deng Alor, Minister the Director of National Security and Intelligence, Salah Ghosh, as well as UN and NGO officials. President Bashir was not willing to meet with me on my first trip. They appeared to believe that if left alone, they could solve their Darfur problem through a military solution. This policy has proven to be a disaster as government troops have continued to lose more battles and the rebels continue to acquire additional weapons and equipment by defeating GOS troops. The United States believes that military victory by either the Sudanese government or the rebel movements is unlikely, if not impossible. During this trip, I also made a stop in Egypt where I met with the Egyptian Foreign Minister Abul Gheit and Secretary General of the Arab League, Amr Moussa. Mr. Moussa and the Arab league have been helpful in urging the Sudanese government to take a more constructive approach to the Darfur crisis.

In November, while the Sudanese and the international community were at a standstill over acceptance and implementation of United Nations Security Council Resolution (UNSCR) 1706, Kofi Annan invited the Sudanese government and a broad spectrum of international players—including the African Union, the Arab League, and the 5 Permanent Representatives to the UN Security Council (the U.S., France, the U.K., China and Russia) and the EU—to meet in Addis Ababa to discuss UNSCR 1706 and a potential compromise that would allow UN troops to be deployed on the ground to assist in peacekeeping. Mr. Annan took a very active and positive leadership role in negotiating and uniting the world around a plan to end the conflict and atrocities in Darfur. All parties in attendance in Addis, including

the Sudanese Foreign Minister, agreed to a three-phase plan to allow the UN to support the AU troops initially with technical support and equipment, and ultimately with additional UN troops. Now called the Addis agreement, this way out of the deadlock over UNSCR 1706 calls for a hybrid UN/AU force of 20,000 troops and police. The force commander is to be an African, and jointly appointed by the UN and AU. A senior political leader in charge of the non-security mission including promotion of dialogue will also be appointed by both the UN and AU. The package would include UN funding of the entire force as well as UN operational command and control.

On my most recent trip to Sudan, I spent two hours with President Bashir. He expressed a willingness to engage with the international community on Darfur. During this meeting I requested three things from President Bashir including:

- resumption of the ceasefire commission using a two party chamber so that both signatories of the DPA as well as non-signatories would be at the table;
- a ceasefire between Chad and Sudan and political negotiations to end the conflict;
- swift implementation of the three phase Kofi Annan plan as agreed to in Addis (and later affirmed by the AU in Abuja), including UN light and heavy assistance packages and approval of the deployment of a joint UN/AU hybrid force to Darfur to protect non-combatants and implement a final peace settlement between the GOS and the rebels. Included in this requirement was GOS approval of blue helmeted UN troops deploying immediately under Phase I of the Addis agreement.

In January I made a visit to China where I had positive meetings with several key officials, including China's highest-ranking foreign affairs official, State Councilor Tang Jiaxuan, and Assistant Foreign Ministers, Cui Tiankai and Zhai Jun. The Chinese have been largely supportive of our efforts to resolve the Darfur situation through peaceful means and have been publicly encouraging Khartoum to allow the UN/AU hybrid force as agreed to in Addis. We confirmed with them our position that our interests in Darfur are solely humanitarian and we have no economic or military interests behind our policies. We also made it clear that we are not pursuing regime change in Sudan unless the people vote for a new government in free and fair elections agreed to under the CPA framework. China's Ambassador to the UN Wang Guangya played a vital and constructive role in helping to broker the Addis compromise and has been active in subsequent Security Council deliberations designed to accelerate the introduction of the hybrid force into Darfur. Chinese President Hu Jintao just completed a visit to Khartoum, where he again encouraged Bashir to show flexibility and allow the UN/AU hybrid force to be deployed. I should emphasize, however, that while we welcome and encourage China's efforts to apply diplomatic pressure on the Government of Sudan, we will look to Beijing to join with the international community in applying more forceful measures, should Khartoum remain intransigent. China's substantial economic investment in Sudan gives it considerable potential leverage, and we have made clear to Beijing that the international community will expect China to be part of the solution.

Finally, in January I visited Chad where I met with President Deby, Foreign Minister Allam-Mi, international diplomatic representatives and UN and international aid agencies. My primary purpose, however, was to meet with Sudanese rebel leaders who I had invited to Chad to provide me with their perspective on the current prospects for settlement of the Darfur conflict and where I could deliver some messages from the U.S. government. Though I was not able to meet with all rebel parties jointly, I delivered a consistent message to each group:

- They must unify politically in order to negotiate effectively a political settlement with the Khartoum government.
- While the people of the United States are appalled by the atrocities committed against the people of Darfur, the rebels should not translate that into support for their political movements, many of which are personality based and the goals of which are obscure.
- I urged them to renounce the violent overthrow of the government of Sudan, which many of them have been publicly advocating, and which is an impediment to peace negotiations.
- The United States believes that the United Nations and the African Union, under Jan Eliasson and Salim Salim, should take the lead in mediating a political agreement between the rebels and the Sudanese government, and that the United States will do everything possible to support them in this process. Use of more than one track for negotiation in this case would be damaging

and confusing for all parties; we support the joint UN/AU leadership in this regard.

- Attacks on international aid agencies have increased in recent months with more than a dozen local Sudanese staff killed, one expatriate woman sexually assaulted, and approximately 113 aid vehicles stolen in 2006. We also know that the rebel movements have been responsible for at least some of this theft and violence and we insist that it stop now. The United States government pays for much of the assistance and we view this as tantamount to stealing taxpayer-funded U.S. government resources. Moreover, if the abuse on aid agencies continues, they will leave and the people of Darfur will suffer on an even greater scale. The rebels are as responsible as the Government of Sudan in ensuring the security of those delivering humanitarian assistance.
- I urged them to be flexible and practical about their demands in any upcoming negotiations; they will not get everything they ask for. They must be willing to compromise.
- While the DPA has weaknesses, it can not be abandoned; it should be the basis of future negotiations; and addendums to address some of the DPA's weaknesses should be offered, not a negotiation of a new agreement.
- Finally, the U.S. will support the implementation of a peace agreement, along with other international donors, by providing significant reconstruction assistance to both African and Arab tribes in Darfur so that people are able to return home and re-establish their lives and livelihoods successfully.

In return, we heard several consistent messages from the rebels:

- They agreed on the need to unify politically and all wanted a peaceful end to the conflict. They are skeptical that the Government of Sudan will seek a negotiated peace and that it can be trusted to implement what it signs. They are prepared to continue fighting if unable to negotiate a just peace.
- While none of the rebels took responsibility for the vehicle hijackings, this message was clearly heard.
- The rebels welcome UN participation in a new process to negotiate peace once they have unified politically. They seem to be making some progress in forming a coalition or umbrella group from which they would choose a leader to represent them in negotiations with the central government.
- While not a strong declaration, the group agreed verbally to consider putting aside their objective of regime change in favor of a just and peaceful resolution to the conflict. They understand that the Khartoum government will ultimately not concede to regime change in any negotiations. Their primary objectives seem to be to ensure their own representation in the national government, to achieve and maintain security for their people through the dismantling of the institutions of violence that have oppressed them for too long, and to share in the benefits of the country's economic growth.

Having covered the recent past, I now want to focus on the present and future and the Administration's policy on a solution to the Darfur crisis:

- Our first objective in Darfur is to achieve a durable peace through a political settlement that is agreed to by all parties voluntarily, and then actually implemented. If we achieve an agreement that is not supported by all sides, we will see war again in a few years. Each recurrence of war puts civilian lives in danger and causes a decline in the already chaotic economic situation in Darfur, further destabilizing the vulnerable populations. The Sudanese government policy of divide and conquer can not succeed, and will only prolong the war. The strategy of the Khartoum government to negotiate individually with each rebel leader to buy their support will not create a cohesive and lasting peace.
- The second objective of the U.S. Government is to ensure the protection of non-combatants as well as the protection of the humanitarian aid effort managed by thousands of aid workers for more than two and a half million people. Both the Sudanese government and the rebel factions that are not observing the cease-fire bear responsibility for the deteriorating security situation. Efforts by the Sudanese government to target civilians militarily or shut down the refugee camps in Chad or the IDP camps in Darfur using the Janjiweed militias will result in heavy political and economic consequences for Sudan by the U.S. government.
- And finally, we must see the full implementation of the November 16, 2006 Addis Ababa three-phase plan for Darfur mentioned earlier and endorsed in

Abuja by the AU. Approximately twenty-nine of 33 civilian police agreed to under the light support package have deployed to Darfur, as has much of the equipment. However, less than 40 percent of the military personnel stipulated in the light support package have arrived because of a dearth of troop contributors, and just three of the 48 civilian personnel are now on the ground due to recruitment lags resulting from security concerns, the harsh conditions in the region, and the bureaucratic processes at the UN.

These are our objectives: we are using all diplomatic means at our disposal to achieve them. Our view remains that a negotiated way out of the crisis in Darfur and the paralysis in the implementation of the CPA is the most desirable alternative and the option most likely to yield success. However, if we find the Sudanese government is obstructing progress on these objectives, the United States government will change its policy of negotiation and will pursue more coercive measures. The burden is on the Sudanese government to show the world that it can meet the commitments it has already made and negotiate rather than fight its way to a resolution of the political crisis facing the country. The Sudan Armed Forces and the Janjaweed militias that they support must stop attacking civilians, burning villages, and intimidating and expelling NGOs and UN agencies.

I would like to add a word about international pressure on Khartoum. We are pleased with the emergence of broad international support for the humanitarian needs of citizens in Darfur. Many countries in Africa and around the world have echoed UNSCR 1706 and called publicly for Khartoum to admit UN peacekeepers and abandon its futile effort to impose a solution on Darfur by force. Despite all this, the regime in Khartoum continues to find the weapons it needs for conflict, to find markets for its products, and to find investors. So while I have conveyed a real appreciation here today for many international efforts to push Sudan in the right direction, I also want to be quite clear: the world needs to do more. Congress, individual activists, and the huge array of committed non-governmental organizations can and should continue to shine a spotlight on Khartoum's enablers.

We expect the Government of Sudan and neighboring countries to create an enabling environment for non-signatory rebel groups to organize politically. Bombing locations used for the political unification of the rebels, which the Sudanese government has done twice now, is not acceptable. The rebels must be allowed to reach a political consensus without interference or intimidation, and the international community must remind the rebels that they cannot achieve their objectives of a secure and prosperous Darfur through violence and continued factionalism.

Finally, we are pleased that the Government of Sudan has accepted the three phases of the Addis agreement. We expect that they will move expeditiously to implement all three phases of this agreement, including facilitation of the establishment of a vigorous joint AU-UN peacekeeping force. Failure to implement the Addis framework will send a message that they are not serious about resolving the situation in Darfur peacefully and will force us to move to a more confrontational approach.

Thank you, Mr. Chairman and Members of the Committee for your time and interest in this important matter.

Mr. PAYNE. Thank you very much for that comprehensive report. I just wonder if you could deal with a little bit more with Plan B. We did hear a bit about it from the *Post* yesterday about the Treasury Department and the oil revenues transactions. Is there anything else that you could tell us about Plan B at this time, and how will it affect the situation on the ground?

Mr. NATSIOS. Plan B is classified. I am not sure how the *Washington Post* got that story. That is what they do in a democracy. I understand that. We are indeed looking at what the paper said, which is true, and the other things in the article are accurate. This is not the only part of Plan B, but since it is classified, in order to go in more depth on this I would certainly be glad to come back, Mr. Chairman, and speak to you in a classified session. But there are sensitivities about the other options that are being considered now. But what was in the newspaper was accurate. However, it is not complete.

Mr. PAYNE. Would it be classified to mention about the four Army colonels on the Sudan-Chad border and whether they are assessing the situation there in Chad and in the Darfur region?

Mr. NATSIOS. Mr. Chairman, let me say first there is a disturbing event or disturbing trend in this event that internalizes the war. There are now 100,000 Chadians that are displaced by fighting in Chad and there have been two attempts to unseat the government, and the charge has been made that the Sudanese Government is behind that instability. Those people in the displaced camps are not on the front page of the newspapers around the world. So Secretary Rice and the President asked us to send in a DART team with people from USAID, the PRM office, American diplomats and military officers to assess what can be done to support the displaced people in Chad. Because this instability is very dangerous. Very dangerous. It is also destabilizing the Central African Republic at this point. So we did have a military office there, and they did do this assessment, and there is going to be a follow-up to the findings for humanitarian purposes. And so let me just leave it at that, Mr. Chairman, in terms of the things that I can discuss publicly.

Mr. PAYNE. On my last trip to Chad there was a strain on the border and some of the infrastructure with a quarter-million people over the border. What is the fragile situation? Is it getting worse?

Mr. NATSIOS. It is getting worse. As a result of this cross-border war, you know, some tribes—like there is the Zaghawa tribe, which is part of the rebel movement in Chad. In Darfur, some of their tribes also live in Chad. In fact, President Deby is a Zaghawa himself. I think the Masalit, there are some Masalit people who also live on the Chadian side. The largest tribe in Darfur would live only in Darfur. There are none of them except those who are displaced, who are in refugee camps but in terms of just living there.

So part of this conflict is cross-border because tribal lines and ethnic lines are cross-border, but the stress, as you mentioned, Mr. Chairman, on the environment, on limited water resources with all of these displaced people is very severe. That is why the United Nations High Commissioner has gone in along with some NGOs, funded by both USAID and the State Department, to provide assistance. I believe we are looking at ways to strengthen that assistance now.

Mr. PAYNE. The new Secretary General, Ban Ki-Moon, in his meetings with us here in Washington, he said that Darfur is going to be his number one issue. Have you had an opportunity to meet with him and have you seen any new initiatives on the part of the U.N.?

Mr. NATSIOS. I meet Ban Ki-Moon a week before he actually took office. So he had not actually become the Secretary General, but we had a good discussion in his offices in New York. I go quite often to New York now to talk with senior people in the U.N., and particularly with Jean Guehenno, who is the Secretary General of peacekeeping Options, who is in charge of getting these troops working with the African nation in Darfur. I believe Ban Ki-Moon is not only focused on this, but the member states want to be focused on it. I think he is committed to it. I think he is very disturbed by the human rights abuses that have taken place, the

atrocities that have taken place, and he has told me that I could call him personally, directly, if I needed to at any point. I haven't done that quite yet because I have been traveling the last month around the world. But the appointment of Jan Eliasson by both Kofi Annan and Ban Ki-Moon as a Special Envoy means we have a very senior, experienced international diplomat to help with the mediation process, on the political process. That is critically important and Ban Ki-Moon did say to me that Jan Eliasson has his full support, and we have seen every evidence that that is the case since he took office.

Mr. PAYNE. Thank you. My final question, if plan B for Darfur does not work, would you support the deployment of the peace-keeping force without the consent of Bashir? What is the policy of that?

Mr. NATSIOS. At this point, Mr. Chairman, I would like to make the thing work. A negotiated approach to this is the best approach. If that does not work, we are going to have to reassess our policy.

Mr. PAYNE. Thank you very much.

Now we will hear from our ranking member, Representative Ros-Lehtinen.

Ms. ROS-LEHTINEN. Thank you very much, Mr. Chairman, and thank you for your long-time leadership on this humanitarian crisis.

Thank you, Mr. Ambassador. It is a pleasure to see you again. I wanted to ask you three questions regarding China. You have indicated that the United States and China, we hope, may have more in common in terms of policy toward Sudan than it would appear. If you could elaborate on where we might come to terms, and given their vast commercial interest in Sudan, are the Chinese truly ready do you believe to take a firm stand alongside the United States and press for a resolution in Darfur? And secondly, now that China has apparently changed its posture, would Beijing be willing to support the expansion of sanctions against individuals imposed by the U.N. Security Council? And thirdly, if you could detail the nature of China's relationship with the Sudanese military establishment, is China a major source of weapons for the Sudanese armed forces? Is it cash? In what way are they a problem there?

Thank you, Mr. Ambassador.

Mr. NATSIOS. Thank you, Congresswoman. It is nice to see you again. The first thing I should say is that it is not in the Chinese national interest in a country where they are getting 5 to 7 percent of their oil to be in unstable political circumstances with insurgencies going on. It is not in their interest. I might add that some things have taken place in the last 2 months which also are changing Chinese interests. Chad had for many years recognized Taiwan, not the People's Republic of China. You know there is a sensitivity about that with many countries. In the last 2 months, the Chinese Government had broken relations with Taiwan and established them formally with the People's Republic of China. And the Chinese oil and gas company, which is owned by the Government of China, has now bought a large interest in the oil wells of Chad. And so the war that is going on between Chad and Sudan is not in the Chinese interest because the Chinese now have oil in-

terests in both countries, and so it is in their interest commercially for this conflict to end and not to spread.

So I think that is very important because people in all countries operate based on national interest, and I think that is one of the things that was clear from my conversations with the Chinese when I went to Beijing last month. Two, I think the Chinese recognize that our friends in Africa—despite what they rhetorically may say or not say at the human rights commission—they are very upset in Africa about what is happening in Darfur. I have foreign ministers and prime ministers and presidents who I have known for many years, they are furious at what is happening. We saw evidence of this with the election of John Kufuor one of the great new leaders of Africa, in my view one of the greatest leaders in Africa as the new president of the African Union instead of President Bashir who wanted to take that job. That didn't happen as an accident. It happened because Africans are upset about this.

I think how the Chinese react to the crisis in Sudan will affect their relations with the rest of Africa, and the Chinese know that. The Chinese told us that they are concerned about that, and they understand the sensitivity among African states about what is happening in Darfur. The African Union has 7,000 troops there. If they weren't concerned about it, they wouldn't have done something that they have actually only done once before in the history of sending African Union peacekeeping troops there. So I think the Chinese understand they have an interest in resolving this in a political negotiated settlement so we don't have another war.

That is another thing. We have had three wars in 20 years, three wars in 20 years. I think the people of Darfur have suffered enough. We need a final peace agreement that will, in fact, resolve the issues that led to the first three wars. Now the government made it much worse, as I said in my formal testimony, by arming one tribe to slaughter other tribes, which is what they did in the south, but the fact of the matter is, there are real development issues that have to be resolved in Darfur in order for the whole place to be put back together again. And it is in the Chinese interest, I believe, for that to happen.

So I think we can work together. I was a little disappointed with what happened recently in terms of the visit. I just have to be very candid with you. I was hoping for a little bit more diplomatic pressure from the Chinese, but we don't have a good readout in detail on what happened privately. You can't always, you know, public statements are one thing, what happens privately is quite another, and we are still waiting to hear in more detail in fact what happened in those meetings.

Ms. ROS-LEHTINEN. Thank you, Mr. Ambassador.

Mr. PAYNE. Thank you very much.

Ms. Woolsey.

Ms. WOOLSEY. Thank you, Mr. Chairman, and thank you, Mr. Natsios, for being here, and I like your energy and passion behind all of this. I particularly want to thank—

Mr. NATSIOS. Sometimes it gets a little out of control.

Ms. WOOLSEY. I want to thank Chairman Payne for not giving up and members of this committee on calling the situation in Darfur what it is, genocide, and I think that has made a difference

to a lot of people in the United States of America. The people I represent, it is the district just north of San Francisco, and Chairman Payne is a hero to them because they put together efforts: Dear Darfur, Love Marin County. Dear Darfur, Love, Point Loma, California. And they send money that they believe will sustain a refugee camp for a day, and they raise the money, and they send it. They are so dismayed that the United States is not stepping up to this issue the way they would like us to. I would like to make a comment about the DAR team or the D-A-R team. I would suggest that Ranking Member Smith and Chairman Payne could have written that recommendation for all of you without going through all of that. All of the people on this committee that have come and gone to Darfur probably know how to get there right now.

My question to you is—the victims of violence, of course, affects children and women specifically. And I would like to know how, with this humanitarian crisis, what is the State Department, what is USAID doing to provide the children specifically with their education, with their healthcare, with their psychological care? Are we working with other donor nations to help? And then, just as an aside, who actually is brave enough to be part of the aid community? And what are we doing to protect them?

Mr. NATSIOS. Okay. Just in terms of the DAR team, the DAR team are composed of hydrologists, water—I mean, food aid experts, nutritionists, public health doctors, and they go in and determine what the interventions are that are needed to get to international standards. There are accepted international standards in terms of malnutrition rates, the amount of water in a camp, and that is a technical subject you need DAR team member—this is not a broad political statement. This is on humanitarian issues. What is the ration of food? What is the right kind of food?

Ms. WOOLSEY. I will accept that.

Mr. NATSIOS. And the DAR team has actually been in Darfur since the crisis started. They were among the first international people from the aid people were from USAID and the State Department in Darfur beginning in 2003. I actually was at the rally in northern Darfur. The governor was having a dinner for me when the Janjaweed attack started, and I didn't even know what the Janjaweed were and what they were doing. And that is when we began to beef up the aid program. The aid program is quite large; 50 percent of all the food being eaten by refugees and displaced people is from the U.S. Government. The death rates in the camps are now well below what they were in the villages before the war started because people are getting a regular ration of food, which they had to grow their own food before, and there were droughts all the time. There are water problems. It is a very, very arid area, particularly in the north. The Sahara desert is moving south. There are serious problems with different diseases. The kids in the camps have all been immunized now against all the major childhood diseases that spread like measles and malaria, interventions. So the children are much healthier now than they were before the war started. The tragedy is that the government should have had health clinics—you know, Sudan was a very poor country before they found oil, and they didn't have the money to do this. They have the money now, and that is what is disturbing to me. When

I went there to start a USAID program there in 2001, just after I took over as administrator, I offered the Sudanese Government, I said, we will match you; you have oil revenue, and we will put this money in. This is before the war started. We did it anyway, but we didn't get the match.

But there are huge programs. There are now 13,000 aid workers, most of them are Sudanese. They work for CARE and World Vision and the Save the Children and the International Rescue Committee and the International Medical Core and all of the other aid agencies, UNICEF the World Food Programme, United Nations High Commission for Refugees, and the international community and the Red Cross. There are about 1,000 of the 13,000 who are expatriates who are from the United States or Europe or other African countries working there. It is a very large problem, it is very complicated. We can't do this forever. We need to have these people self-sufficient, back in their homes. Some of the schools have been built in the camps. Sometimes this is the first time the kids have gone to schools because, in the rural areas, there are no schools. So life in the camps, other than the insecurity, have actually improved as a result of the \$2.7 billion that we have been spending.

Ms. WOOLSEY. Despite 22 and 25 percent malnutrition?

Mr. NATSIOS. That is in three camps. We actually halved, 50 percent reduction, in the very high malnutrition rates at the beginning of this in 2004. These are the only two camps that I know of which have rates that have gone up this level, and it is very alarming. We are looking into it now, and it is because of the insecurity. The NGOs are there, but some of them are having to leave because they have been attacked. A French woman was raped 3 weeks ago who was working for one of the aid programs. There was a massacre of commercial—and these are not aid workers, but they are commercial trucks hired by the NGOs and the U.N. to bring aid, goods in, and one of the rebel groups attacked them. We are not sure which one. They massacred all 30 people. They were truck drivers and porters. They looted everything and took all the trucks, and all 30 people are dead.

Mr. PAYNE. Mr. Smith.

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

Mr. Natsios, again, thank you for your superb leadership and that of your staff, who really are courageous people. Let me ask a couple of questions. You know, the mission of peacekeepers is often undermined by the rules of engagement. Who can forget UNPROFOR in the former Yugoslavia, having traveled there many times, many times during that terrible fight and seeing what happened in Srebrenica, so-called U.N. safe haven, and the rules of engagement were such that the peacekeepers were far less—they certainly weren't peace makers. I know because I have met a number of the African Union peacekeepers both in country, and I have gone to Addis and talked about the rules of engagement for the current deployment. There are certainly deficiencies in the rules of engagement for them to protect, and I will never forget—I asked a question at one of the meetings in Addis: What are you doing with regards to trafficking, an issue that I care deeply about, and everyone looked around the room and it was almost like, where is that trafficking information? And nobody seemed to know. And then I

asked people in the field. There was little or no conveyance of what is expected of a soldier when he or she is deployed, and we all know, having seen what happened in the Congo, that peacekeepers not only can rape and hurt 13- and 14-year-olds, but it also destroys or significantly damages the mission. So I would hope as we go forward on this peacekeeping effort, the hybrid, that trafficking is kept very much in the mix.

But my first question is: Are you persuaded that the rules of engagement are going to be such that people indeed, including the refugees, are protected? Secondly, if I could ask a question with regards to indictments. Nothing sharpens the mind like getting indicted by a criminal court. You know, we all know that Mengistu escaped and never was held to account. There are a number of dictators around the world who never were held to account, but Milosevic was, although he died before we got the kind of justification or justice, I should say, we all hoped for. Charles Taylor, as we all know, will be in April held to account at The Hague as part of the Sierra Leone court. Joseph Kony, his LRA keeps saying one of their most important preconditions in negotiation is to drop the indictments that the ICC has issued. And my question is, since there is a group of investigators currently looking at whether or not people like Bashir and others should be indicted as part of the ICC indictment, do you think that would be helpful if there were to be an indictment to sharpen the mind? My hope would be that these people would be held to account. And frankly, I would hope it would go even further, those who have been complicit in making this happen, and that would include Chinese intermediaries who certainly have made it all possible. We know Rommel could not have carried on with his panzers and then could not carry on with the fight when they ran out of oil. Well, this is kind of the reverse. The oil is providing the means, the weapons and the funding, to make first the slaughter in the south and now the slaughter and genocide in the north possible. You don't do it when you don't have the money. So, you know, I am still very, very concerned about what the Chinese are doing vis-a-vis not just Sudan but other dictatorships like Mugabe in Zimbabwe.

And, finally, on the NGOs, if you could, knowing your passion as former head of the USAID and also the work you have done for a lifetime on behalf of humanitarian work, what we could do as a Congress, what all of us could do to send the clearest message possible that you put sandbags around those NGO health workers and you know the people that are putting their very lives on the line. Every time I travel to Africa, I am always touched by how many of those selfless individuals have had malaria, have had it many times, have suffered all kinds of parasitic infestation in their own bodies, and they stay there because they love the people they are trying to serve. And now they are being targeted for death, for rape and other kinds of mistreatment. So if you could speak to that, what can we do in the international community?

Mr. NATSIOS. Let me tell you, Congressman, something that happened 2 weeks ago that I was just appalled at. There was an incident in Nyala where 20 NGO and U.N. workers were having a brunch, a brunch, and the secret police came in and beat them all with sticks and sexually assaulted one of the women. They have

been charged with crimes, and they were not allowed to leave, and some of them have very serious wounds from the beatings. Now, our understanding at this point is, this was a local chief, a local police chief who got out of control to do this. This was not ordered from Khartoum, so far as we can tell, and they are attempting to deal with this. Today the workers were allowed to return for medical care to Khartoum. It is very, very disturbing. It is one thing to have an incident where they loot, where they are basically trying to steal something, but when they go in—because they didn't steal. These people, the police didn't steal anything. They just went in and beat all these people up. The message to the NGOs of course was, we don't want you here, which is very dangerous, very dangerous in terms of the 2.4 million people who are vulnerable without the presence of the U.N. agencies, the ICRC and the NGO community. So I am very disturbed by this. What happened was an outrage, an absolute outrage. The fact that they were charged by the courts for this, the people that should have been charged were the people who committed the atrocity by beating the workers up. So I call on the Sudanese Government to deal with this now, now.

In terms of the rules of engagement, I have to tell you I haven't gone into any detail with Jean-Marie Guehenno and with President Konar, who is the chief administrator of the African Union, and with the other senior staff at the African Union on this issue of rules. I will get back to you on this in terms of the details. But you are correct, that is a critical issue and how that is resolved has to be negotiated in terms of the details of how you that should be done. I should say the African Union troops, before the Abuja peace agreement in May, were actually on their own. I don't think they had any orders to do this, but some of the troops are very, very good, I have to say, do an excellent job, were protecting women who were going out in groups because women were getting raped on a systematic basis as they left the camps when they would get firewood. And the soldiers properly said, "This is an outrageous thing that is going on, we have to stop this." So they would provide military escorts for the women in groups as they would go out. This stopped after May because the agreement was, we have a peace agreement now, and we don't need this. There are high levels of insecurity now. There is a chaotic situation, some of the peacekeeping troops have been killed, have been ambushed. And because of the chaotic conditions, they, in many cases, have called those off. They are not doing them with the regularity they used to do it, and as a result, the rape rates went up in October against the women in the camps.

And in terms of the question of indictments, you can reach your own conclusions, Congressman, but you and I both know that human psychology is a complex thing. It could have unintended consequences to do the indictments. The Sudanese Government is very worried that the purpose of the U.N. troops going to Darfur is to arrest them for war crimes trials, which is one reason that they are resisting the U.N. going there with the African Union. And so it seems to me the question is, justice or peace, which is more important right now? For me, personally—this is not administration policy—peace is most important because the war crimes trials are not going to help the people in those camps. My concern

is that, while the death rates are down in those camps, those people are extremely vulnerable. There is chaos in the province. People are out of control who have guns. There are too many guns. And until those people can go back safely, voluntarily go back to their villages and renew their lives and support themselves and there is a peace settlement that can enforce this with troops, those people are very vulnerable.

So my first concern is the people who are in those camps and the people who are vulnerable, who weren't in the camps, who live in villages, from a tribe that might be under attack as a result of their ethnic background. So that is my first concern.

I wrote a chapter in a book on this subject, and it came out, unfortunately, just as I took office. And I had somewhat militant views, even more militant perhaps than yours, Congressman. The difficulty is it complicates the diplomacy a little bit.

Mr. SMITH. If I could, Mr. Chairman. If you could just also keep in mind the trafficking issue.

Mr. NATSIOS. I have. Yes, absolutely. And there have been some incidents of the troops that infuriated me in the Congo, what has happened, and then there were some incidents in West Africa with aid agencies. I mean you know about the incidents 5 or 6 years ago. There are new protocols put in place. They are training everybody, retraining them, going over what the protocols are, and I believe the U.N. and AU leadership are enforcing the rules, trying to enforce the rules. So I am worried about this just as you are, and I have asked the question, I went to New York, said, "Are we making sure these rules are in place?" And they said, "Yes, we are." I have to say that Pakistani and Indian troops, particularly—and I think there are a couple other African countries that had troops in the south. I don't remember all the troops, and I don't want to forget someone. But the Pakistani and Indian troops are really doing a very good job. They prevented Malakal from blowing up. If General Lidder, who is a great Indian general, is the leader of the peace-keeping force in the south, had not been in command with those troops, I think we could have had a catastrophe in Malakal. I told the Sudanese it is in their interest to have those troops in Darfur because Malakal would have been a bigger disaster in the north than the south if it had blown up. It is right along the border.

Mr. PAYNE. Thank you.

Ms. Jackson Lee.

Ms. JACKSON LEE. I am comforted by your exuberance, and I thank you for it. Anyone who is willing to take on the big dig, I think we have invested in you well.

Mr. NATSIOS. This is worse than the big dig, Congresswoman.

Ms. JACKSON LEE. You had some minimal preparation.

If we leave this hearing with anything, I hope that we leave it with the fact that we should have done whatever we are doing yesterday, last week, last month, and there is a heightened sense of urgency, and I center my remarks around three points. And my members, my colleagues have already elevated it.

I do want to associate myself with Chairman Payne's I guess plea and frustration. I remember his legislation, and I think that if we had been in front of it with military resources, we might be looking quite differently.

You know, there is a question that many of us who may have strong views about the Iraq war, we are considered, as I use the term, bifurcated in our views, but I think we are using good judgment, and I certainly think that military force in the way that it might have been used ahead of time for Sudan might have been the appropriate approach to take, particularly as I hear what you are saying. I thought I heard it from my good friend and colleague Mr. Smith, but let me put this in my questions and engage you. One, I would like you to give us a singular powerful movement that this Congress could take, House and Senate, expeditiously, and one of the problems that I have is that we move too slowly. We, frankly, move too slowly. And I don't want to pass on bad legislation, but we are talking about—you know, I would almost want to put on armor and leave this hearing and, you know, if it took running across waters and into Sudan, how ridiculous and barbaric to beat up on aid workers. It is barbaric, and I think we should say it. And I think we should charge up chiefs and rebels and others because I believe the rebels have a cause, but not a cause to beat up and kill aid workers. Frankly, that is not acceptable. I would like the administration to make a pronouncement, it is barbaric, period. It is insufferable. And I appreciate how we intrude on that. Then the question of the rapes. Are there some, particularly NGOs, we can send in, and this deals with human trafficking. I was talking with my colleague, Lynn Woolsey, about this, taking these women, and whether or not there is a particular source of resources that we can utilize. One of my concerns with the State Department budget, I saw the cutting in international peacekeeping troops. I think that is ridiculous. I don't think we should cut those funds.

The other point is about Chad, I had spent a lot of time or at least a reasonable amount of time in the refugee camps in Chad, about a year or 2 ago, so I know that it is even worse now, and I am concerned about the destabilizing. Can the U.N. be of help there and particularly in the feeding of those refugees? And lastly, if we can engage on this problem of China. And I think it is important we use vernacular in the neighborhood calling someone out. I think the United States is to call China out, and one of the things that we are frightened about in terms of China and I supported the PNTR sanctions against China. And we are afraid of that. I don't know what our problem is. We are afraid of it. So I would appreciate your comment, and you might comment—I think I said in my earlier statement about full sanctions against Sudan, and I know that there is a plan B and I know that you have had some discussion with that, but I would appreciate you engaging me on those points.

Mr. NATSIOS. First, Congresswoman, I hope I am not making an announcement I am not supposed to make. There will be a supplemental budget, and there is money in it for Sudan. I would urge Congress to appropriate the money that we have requested. We have worked very hard, Jendayi Frazier and her staff from the Sudan program group and USAID and the staff there, on what we need to protect people and to support the peacekeeping operations, both for the humanitarian and the peacekeeping operations in Darfur. So please support the administration request when it is

proposed. I don't have all the figures in front of me because I don't know whether it has actually been submitted or not.

Ms. JACKSON LEE. Can any of that money be used to protect the women and children in particular from rape?

Mr. NATSIOS. We have a program that was started—Dr. Rice, Secretary Rice and I went to Darfur, it was in the summer of 2005, and she met—she had an incident, actually, because she met with the women who had been raped privately, and the police wanted to come in, in the meeting, and she said, absolutely not, and there was a little tussle. She said—and she physically forced the police out. And I was a little worried this was going to get out of control, but she met with the women without anybody else in the room. And she was so infuriated when she came out. She told me, I want—this is when I was still aid administrator—Andrew, I want a program in place to deal with this structurally. So we put in place a program together. And many of the NGOs and the U.N. agencies, UNICEF, are carrying this program out now. It is though—I mean, there are things we can do, and we are doing them to create structures so that this does not happen in the future. However, when rape is used as an instrument of terror, which is what it is, it is very difficult for NGOs or these programs to try to build institutions that deal with this through the legal system to work. But there are programs in place dealing with violence against women, and they are beginning to have an effect in parts of Darfur, but there are some areas that we haven't reached yet.

In terms of the feeding in Chad, the largest donor, I believe, to the refugee camps is the U.S. Government. The State Department's PRM office, the refugee office is the largest donor worldwide to the United Nations High Commission for Refugees, but the U.N. is doing very good work. I met with the leaders of the UNHCR, ICRC and the NGO community when I was in Chad. Ambassador Wall had a luncheon for me with them, and we had a long discussion about what they needed and what was going on. And I met our field staff from the U.S. Government who was doing this assessment to see what additional resources are needed to support the international community's humanitarian efforts in Chad. So that is ongoing now.

If you want more information on that, Congresswoman, we would be glad to provide it for you. We are as concerned as you are about that. The President said to me repeatedly, are we doing enough in the camps? Are we doing enough, besides the political negotiations? Because until we have a resolution, our job is to protect these people from violence, and most of the people who have died, it is not from violence. It is from malnutrition and from disease because when people leave their village, they become extremely vulnerable in any crisis anywhere in the world, and so those 100,000 displaced people are very vulnerable right now, and that is why we sent the team in.

Ms. JACKSON LEE. Do we need Chinese sanctions?

Mr. NATSIOS. I don't want to discuss everything that is in plan B at a public hearing, but I would be glad to come back, and I will go into more detail with you. I don't want to discuss it in this forum right now because the actual documents are classified, and I don't want to get into any trouble.

Ms. JACKSON LEE. I won't ask you for that. I will end by simply saying, more action against China to do what is right.

Mr. NATSIOS. I spent a week there. I spent 3 days, there, took a week to go and come back, in January. I am going to go again. We did have good conversations about them understanding what our policy is. Because I think they are under some misimpressions because the Sudanese Government was telling them what we were trying to do which was complete nonsense. I think it was very helpful for me to go. I think I need to make a few more trips. I will do that. I will make a commitment to you; I will go back. The Chinese were open with us. They were very helpful. We had good conversations.

Ms. JACKSON LEE. Good.

Mr. NATSIOS. I do think there are some other things perhaps they could do to work with us, to help us with that.

Ms. JACKSON LEE. I encourage you to do that. Thank you.

Mr. PAYNE. Thank you.

Mr. Tancredo.

Mr. TANCREDO. Thank you, Mr. Chairman.

I just have one question, Mr. Natsios. And it deals—going back to the south for a moment and specifically the revenues from oil, the \$73 million a month you mentioned going in to the south. And I remember talking—I don't know if it was to you or someone else—about this several months ago, but that a significant portion of that money was being put in an account, if you will, to take care of future needs, especially the potential future needs of a military in the south. I think that is probably a good idea. What I was wondering, however, is, recognizing the severe poverty of that part of the world, this country in particular, the allure that a large amount of money has, especially sitting there, the plight of the southerners and to the extent that they were looking for some sort of change, significant change in their life economically speaking, at the conclusion of the conflict with the north. What is the morale like in the south? Do they expect to have—you know, are they disappointed that more has not happened from the oil money that is coming in? What is the issue of corruption? To what extent does it exist? And could it be problematic in terms of an eventual solution?

Mr. NATSIOS. Those are very good questions, Congressman. Let me first say that Salva Kiir is a man of honor. He has grown into a very strong leadership position. I think he is very honest, personally. And I think he has very high ethical standards, and I believe he is taking action to try to deal with the rumors and the reports of corruption. The Sudanese Government is using this to attack the south. I might add, Sudan, which means the Sudanese northern government, is 13th on the list of corruption on the transparency international list if I am not mistaken. So I think it is a little odd for them to attack the south on this issue, given where they are on the rankings. But there is an issue with corruption and the reason for it is, these are new institutions, they are very fragile. They don't have accounting systems. Americans aren't more honest in the Federal Government than people anywhere else in the world. You know why we don't—we don't have a lot of corruption in the career bureaucracy, I mean, even though people make charges,

though, our public officials in this country are for the most part honest; it is because there are so many levels of oversight. It is the Congress. It is the GAO. It is the IG, the special attorneys, lawyers that they have investigating things. It is the congressional staffs. I mean, layers—and news media. Those institutions don't exist yet in the south. They don't exist in the north either for that matter. But as we build up—as the southerners build up those institutions, they will put in place the disciplines needed to prevent corruption. Corruption is a problem in many developing countries where a lot of money is moving through the system when the systems aren't there to control abuse. I know many of the southern leaders. I have known them for years. I believe that they care about their people. You know, some countries I go to, there is a kleptocracy. The elites are rapacious, corrupt and predatory. That is not true in southern Sudan. The people who lead the south care about the people of the south. They care about the suffering of the people in the south. Are there some people who have tried to enrich themselves? There appears to be some evidence of that, but it is not wide scale. And the way to deal with that is to put the systems and institutions in place which we are working with in USAID, the State Department, the World Bank and the European Union because the southerners say, help us; they are asking for our technical help. We put people—I think USAID has technical staff from the United States in many of the critical ministries to help them put these systems in place. So we are working on it. We are working on it.

Mr. TANCREDO. And how about the morale issue in the south? Do people look at the government as being helpful? The rising expectations, are they being met?

Mr. NATSIOS. There are rising expectations, and I have to tell you I have been through 14 peacekeeping and reconstruction programs in the last 18 years. Iraq and Afghanistan are the biggest ones, but we did Liberia. We did Angola twice. We did Mozambique. The Democratic Republic of the Congo (DROC) is in the middle; Rwanda, after the emergency; Haiti; Colombia; now, Nicaragua. I have been through many of these. In every post-conflict situation, every one in the world, no matter what continent, there are always higher expectations than can be delivered on because in the post-conflict setting. Institutions are always weak and fragile because there has been a war. You know, in the south, there were never these institutions in the first place. We are building them from scratch, or the southerners are building them from scratch with some outside technical assistance. Are there some high expectations? Yes, but we also should not think that only the public sector does reconstruction. The biggest thing that is a change for the south is all the food prices are dropping in the cities because there is no more, and the merchants are pouring in from Nairobi and Uganda. There were only 100 businesses in Yei when I visited there 5 years ago.

Mr. TANCREDO. I remember Yei.

Mr. NATSIOS. Four years later, there are 1,800 small businesses, 1,800. We didn't start all these. Now we had a microfinance program USAID started and a little bank, but the fact of the matter is people in the south are very entrepreneurial, very entrepreneurial. And peace—and the roads. The most important thing we

are doing—we are doing a lot of social things, health and education programs are critically important, but we are finding out that the road system is most important because that is what is causing the economy to begin to boom now. It is one of the richest agricultural areas in Africa. Southern Sudan could feed all of Africa. It is extremely rich soils 10 or 20 million—I have lost the count—head of cattle in the south. It is very rich agriculturally. And when there is peace, people actually do pretty well, and if we bring in modern agricultural technologies, which the USAID community is generally beginning to do, we can use modern scientific agriculture to really improve the productivity of the southern agriculture system, which, by the way, was John Garang who had a Ph.D. in agricultural economics, that was his dream. I know it is the dream of Rebecca Garang, his widow who is a minister of transport, and of Salva Kiir, who talks about it to me all the time, more agricultural help in the south, because most people are farmers or herders. There are very high expectations, very high expectations.

Mr. TANCREDO. Thank you. Thank you.

Mr. PAYNE. Thank you.

Mr. Sires.

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

Thank you very much, Mr. Natsios. I am just listening and listening to all the countries that are involved. You mentioned Pakistan. You mentioned India. Where is Europe in all this? Are they engaged? Where is the European community? Are they providing assistance? I haven't heard Europe mentioned. Maybe I am just—

Mr. NATSIOS. Well, I am in the United States, so I am sort of focusing on what we are doing. But I don't want to neglect our European friends. The Europeans have put a very large amount of money in supporting the African peacekeeping troops, the salaries, the logistic systems. The State Department built the barracks for the 7,000 troops, and the wells and the support structures. But the Europeans actually are spending a little bit more money than we are on supporting the 7,000 troops in Darfur. And without the Europeans, we would not be able to provide the other half of the aid community resources necessary to support the NGOs, the U.N. agencies and the ICRC. So it is both of us together. I am just being a little nationalistic because I am before the U.S. Congress, but they are partners of ours. I talked to Pekka Haavisto. Pekka Haavisto is the special envoy for the European Union on Darfur. He is a good friend of mine. We talk all the time on the phone. Whenever I go into a meeting, I call him up and say, should I say something that was not in my notes? And he says, mention this. I call him up before he goes into meetings, and I suggest things he says, and we work together. I know the British are very concerned about this. The Danes, the Danish Government, the Dutch Government, the Norwegian Government, there are many governments in Europe that are deeply concerned about this and are working with us on it. I met the foreign—he doesn't have the title, but he is the foreign minister of the European Union, Dr. Solano, and his views and the European Union's views on what is happening and what needs to be done are virtually the same as ours.

So the Europeans are being very helpful. They have a different decision making process than we do. They have 25 countries that have to decide on things. So it is a little bit harder for them to get consensus, but I think they are fed up and Dr. Solano made some public statements about the need—I think it was he or someone else from the European Union—on the issue of sanctions. So we are working with them on a daily basis literally in the field operationally in terms of funding the reconstruction of the south. They are as engaged as we are, and there are a lot of European NGOs and aid agencies now doing work both in the south and in Darfur.

Mr. SIRES. Thank you very much.

Mr. PAYNE. Thank you.

Mr. Poe.

Mr. POE. Thank you, Mr. Chairman. Thank you for your energy.

I wish when I was in college, some of my political science professors were as energetic and knowledgeable as you are.

Mr. NATSIOS. They tell me I assign too many readings to them.

Mr. POE. Maybe I need to audit some of your classes over at Georgetown.

I agree and appreciate everything you have said. And I want to go back to the original question I asked you in my opening statement. How likely in your opinion is it that the United States will eventually use some military action against the Government of Sudan? In other words, is the United States going to swoop in and save the day like we maybe have tried to do in the past in other places?

Mr. NATSIOS. Well, let me just make a general comment that if swooping in was the way this was going to be solved, I would have advocated it a long time ago. The best solution is a negotiated solution because the people have to go back to their villages. We have to get everyone to agree to that. We have to get their land back for them. Their land has been taken by some of the nomads who are at war with them. They need to go back to their villages and be able to farm their land, and they need their animals back. Moving 2 or 3 million animals domesticated from the people who looted them back to the farmers is not going to be easy to do. So I think the best way to do this is through negotiation. There are other options we are considering. I do not want to go over those options in a public setting. It is inappropriate. I would be glad to brief you privately or in a group to discuss other things that are in plan B, but I have to just say to you, the best option is for the Sudanese Government and the rebels to negotiate a political solution to this crisis.

Mr. POE. Okay. I will finish reading the *Washington Post* article about plan B. Thank you for being here. As a former judge in Texas, if you ever capture these war criminals down there, you give me a call. I will volunteer to go over there and have some hearings.

Mr. NATSIOS. Thank you, Congressman. I will remember that.

Mr. POE. Thank you very much, Mr. Chairman. I yield back.

Mr. PAYNE. Well, let me certainly express my appreciation to Mr. Natsios. I think this has been an instructive hearing. I just have a quick question to ask you.

When I met with the secretary general of the Arab League, who came over to a meeting held by former Secretary of State Madeline

Albright, Amr Moussa, I asked him about the commitment that the League of Arab States made to paying, from July to December, the cost of the African Union troops. At that time, he was unaware that I knew that they did not live up to their commitment but said they were going to go back and take a look at it. Have they remitted the cost of the 7,000 AU troops from July to December to the AU?

Mr. NATSIOS. We do not yet have confirmation on the \$15 million, Congressman. We will get back to you. I actually walked in the room just after you had had your little discussion. It was discussed, your talk, and Amr Moussa mentioned it to me a couple times. I had to speak to an audience that was really focused on what you had already said. I am not sure they were listening to my luncheon speech at that conference as a result of your comments, but I do appreciate your comments. I think they are appropriate. We will check on them, and we will get back to you, sir.

Mr. PAYNE. I appreciate that very much. I'm sorry if I disrupted the meeting. They were all foreign ministers and diplomats. I opened my remarks with that I was not a foreign minister and certainly was not diplomatic.

Mr. NATSIOS. I think sometimes it is good to disrupt meetings, Congressman.

Mr. PAYNE. However, let me just say that I once again appreciate, I think that you have certainly put in a lot of energy. I don't think there is anyone in the government that is more competent and qualified in the whole question of Sudan, and I commend you for the time and effort that you have put in to it. However—be careful when you get the howevers—I do believe that we have to see better results. People are still dying. They are still in camps. The Government of Sudan is going along as Nero did, fiddling while Rome burned. We have to somehow light up the light of the Government of Bashir, and I still contend that—I don't know about your plan B, but I have a plan C that I think we—you know, need to look at some of the no-fly zones. I think that if we simply did not put any United States troops on the ground but put a few drones up and just took down a couple of Sudanese planes or just destroyed a bunch of them on the ground without putting any of our soldiers in harm's way, you could do it I think probably from Miami, pushing some buttons, that until we really show this corrupt government that diplomacy and sanctions and all of those things are the only thing on the table, then I think we are going to come back a year from now, 2 years from now, and they will still be fiddling. And so that is—like I said—plan C, that if all of your hard work continues to go for nothing, then I think that we just need to take a few places out. With that, at this point, Mr. Natsios and committee members, I ask unanimous consent to enter into the record the statement of Susan Rice, Dr. Rice, who is a senior fellow at the Brookings Institute. Without objection. At this time the meeting stands adjourned. Thank you.

[Whereupon, at 12:20 p.m., the committee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

STATEMENT SUBMITTED FOR THE RECORD BY SUSAN E. RICE, SENIOR FELLOW, THE
BROOKINGS INSTITUTION

Mr. Chairman, distinguished members of the Committee, thank you for the opportunity to provide testimony on the vitally important issue of the escalating crisis in Darfur. Let me also take this opportunity to thank you, Mr. Chairman, and of course Congressman Payne, Speaker Pelosi and many of your colleagues in both Houses and on both sides of the aisle for your committed leadership in trying to halt the ongoing genocide in Darfur and to enable all the people of Sudan to live in peace, hope and freedom from persecution on the basis of their race, religion or ethnicity. You have every reason to be proud of your record on this issue, and many of us are counting on you to continue to lead to save innocent lives.

I feel compelled to begin with a simple, even mundane observation: Today is the 8th of February, 2007. Thirty nine days have come and gone since the very public deadline Mr. Natsios set on November 20th at my own Brookings Institution. He promised that harsh consequences would befall the Government of Sudan, if it failed by January 1, 2007, to accept unconditionally the deployment of a 17,000 person UN-AU hybrid force and to stop the killing of innocent civilians. January 1 was the deadline for the implementation of the Administration's punitive "Plan B." Yesterday, the Washington Post published a leaked story that the President had approved "Plan B"—a three stage punitive package that could begin with the United States blocking Sudan's revenue from oil sales. If this I "Plan B," it should be implemented swiftly, not leaked. This kind of leak gives the Sudanese advance warning of the United States' possible actions and enables them to try to evade them.

Today, on February 8th, the United States continues to be taunted, and our conditions continue to be flaunted by the Sudanese Government. Plan B is long past its sell-by date and getting staler by the day.

Last month, a bipartisan group of 26 U.S. Senators wrote to President Bush saying "We appreciate your Administration's efforts at aggressive diplomacy and negotiation, but it seems clear that the Sudanese are not responding to such tactics." They insist ". . . the time has come to begin implementing more assertive measures." Yet, when asked repeatedly over the past weeks when "Plan B" will be implemented, the State Department spokesman has been evasive. For example: ". . . if we come to the judgment that the diplomatic track we are on right now, tactics that we are employing at the moment aren't producing the results we want to see at an acceptable rate, then you move to Plan B. . . . So yeah, we're thinking about what happens if this current set of diplomatic tactics doesn't work. But we are not prepared at this point to talk about them."

Why is the Administration temporizing? Why would it, yet again, issue a threat to the Sudanese regime and fail to follow through on it? What damage is done to our interests, to our credibility, to our already diminished international standing by the Administration's seemingly empty threats? Most importantly, how can the Administration explain to the dead, the nearly dead and the soon to be dead people of Darfur that, at the end of the day—even when we declare that genocide is occurring, even when we insist repeatedly that we are committed to stopping it—the United States has stood by for so long while the killing has persisted. This genocide has endured now, not for 100 days, not for 1000 days, but for almost four long years.

Last month, the UN reported that the situation in Darfur is deteriorating rapidly. After an estimated 450,000 dead and more than 2.5 million displaced or rendered refugees, December 2006 was the worst month in Darfur in over two years. This nadir followed six months of escalating violence—a period which coincides with Khartoum's bid to expel and, failing that, to constrain the African Union force, to

block the UN deployment and to throw its killing machine into high gear. The rebels' activity has also increased, and their violence has harmed both civilians and humanitarian agents. In those six months: thirty UN and other aid compounds suffered attacks; twelve aid workers were killed, and over 400 were forced to relocate. On December 18, four aid organizations were attacked at a massive refugee camp housing 130,000 at Gereida in South Darfur. All humanitarian operations there have ceased, and no food has been delivered to the camp in over a month.

At the same time, the fighting in Darfur is spilling into and destabilizing the neighboring countries of Chad and Central African Republic. Khartoum has backed rebels that seek to overthrow these governments, and the security situation along their borders is so bad that even the UN is reluctant to deploy forces there without an effective ceasefire. In recent weeks, Sudanese aircraft have attacked rebel-held areas and killed many innocent civilians. These attacks continue, despite the Richardson 60-day ceasefire, which is merely the latest of many to be agreed only to be swiftly violated by Khartoum.

As of this moment, still no Plan B.

The Pattern of Bluster and Retreat

Mr. Chairman, what we are witnessing is part of a three year pattern on the part of the Administration. In short, it talks tough and then does little more than provide generous humanitarian assistance. It blusters and, then, in the face of Sudanese platitudes, intransigence or empty promises, the Administration retreats.

When the rebels started the fighting in Darfur in February 2003, the Administration at first chose largely to ignore it. Despite the rampaging reprisals of janjaweed killers and rapists, the torching of whole villages, the wanton bombing of innocent civilians and massive humanitarian suffering, the Administration was slow to act. It seems to have calculated that pressing the Government of Sudan to halt its customary scorched earth tactics in Darfur ran counter to our interests in obtaining Khartoum's cooperation on counter-terrorism, which had begun abruptly after September 11, 2001, and in cajoling the regime to sign a North-South peace agreement with the SPLM.

By 2004, the human toll was mounting and being juxtaposed against the hollow pledges in many capitals of "never again" that marked the 10th anniversary of the Rwandan genocide. With, a presidential campaign underway, Congress and Democratic candidates went on record as characterizing the atrocities as genocide. Then, the Administration determined, belatedly, that its comparative silence was deafening. Secretary Powell and Kofi Annan visited Darfur and obtained empty promises from President Bashir that the Government would disarm the janjaweed, allow unfettered humanitarian access and permit an African Union force to deploy.

Yet, predictably, the killing and dying continued. Over the summer of 2004, Secretary Powell ordered a comprehensive investigation of the human rights violations that drew upon hundreds of first hand accounts. Faced with the evidence, Secretary Powell embraced the investigators conclusions: genocide was taking place. To his credit, he testified that effect, and the President in September powerfully repeated that judgment before the UN General Assembly. And then, again, the Administration did nothing effective to stop the killing.

At the same time, with Western encouragement, the African Union mounted its first ever peacekeeping mission—in Darfur. To seasoned analysts of African peacekeeping capacity, the flaw in this approach was obvious from the start: the nascent AU could not succeed in its mission to secure millions of people at risk in an area the size of France. Hobbled by a weak mandate, an uncertain funding stream, little institutional back-up at a brand-new regional organization, and perpetual troop shortages, the AU was bound to fall short, despite all its best intentions—and ours. It was slow to deploy, but deploy it did—with U.S. and NATO logistical and financial support.

The African Union has been the target of a lot of criticism for its shortcomings in Darfur. I think unfairly so. While we sit here in Washington wringing our hands, the African Union forces have been the only ones who have been willing to take bullets to save Darfurians. They have done so without adequate international support and under constant pressure and restrictions imposed by Khartoum. They have saved thousands of lives and we owe them honor and our gratitude. Their presence also gave the U.S. and others a ready, if cynical, foil for declaring the genocide under control. It wasn't. But they continue to serve nobly in the most trying conditions while others wring their hands.

By 2005, after one year, the AU finally reached a strength of almost 7,000 and pledged to add another 6,000. It couldn't and didn't. By then, it was clear to all who paid attention: the African Union was in over its head. Many experts, I among them, pled for NATO to step in, with US support, to augment the AU force. Those

calls went unheeded, as some African leaders continued to insist on “African solutions to African problems.” The U.S. must have found convenient this conspiracy of absolutism. But genocide is not and never will be an African problem. It is a human problem, requiring the concerted efforts of all humanity to halt decisively. To date, we have not.

In 2005, Secretary Rice visited Darfur, and Deputy Secretary Zoellick began to lead the U.S. negotiating effort. In early 2006, the AU itself accepted reality and recommended that the UN subsume its force and take over its mission. In parallel, Mr. Zoellick was trying to nail a peace agreement before he left State. His efforts culminated in May 2006, in the signing of the Darfur Peace Agreement (DPA). This agreement appeared fatally flawed before the ink was dry: it left out two key rebel groups; and the one that signed did so under extreme duress—one day after its leader’s brother was killed by the regime. Moreover, Khartoum made little in the way of power-sharing concessions with the rebels; there was no firm requirement, just an unwritten understanding, that the Government would accept a robust UN peacekeeping force. There were rewards pledged for Khartoum like the lifting of U.S. sanctions and a White House visit, but no penalties for non-compliance. As many feared, the ceasefire was broken almost immediately. The rebels fractured. The killing intensified, and the people of Darfur have suffered all the more.

After Mr. Zoellick left State, U.S. policy floundered for a period. But in late August, it seemed back on track. The U.S. succeeded in obtaining UN authorization under UNSCR 1706 of a Chapter VII peacekeeping mission to Darfur. 22,000 peacekeepers with a mandate to protect civilians were agreed, overcoming Chinese reservations. In September, President Bush and Secretary Rice visited the UN General Assembly. They appointed Mr. Natsios Special Envoy and promised tough consequences against Khartoum, if it did not drop its refusal to accept the UN force.

Mr. Natsios went to work to try to persuade Khartoum to accept UNSCR 1706. Instead, in November in Addis Ababa, the U.S. joined the UN, African Union and European leaders in preemptively capitulating to Khartoum’s refusal to accept the UN force. In an effort to win Khartoum’s acquiescence, the U.S. embraced with others a fall-back position: a smaller, weaker, AU–UN “hybrid” force. In December, the UN Security Council, with the U.S. leading the way, effectively abandoned UNSCR 1706 and endorsed the Addis agreement.

This hybrid force would be substantially smaller than the UN’s—17,000 vice 22,000. It is to derive its mandate from the AU, which Khartoum has readily manipulated. It is to draw its troops principally from Africa, but overstretched by deployments to numerous hotspots on the continent, Africa has very little peacekeeping capacity to spare. It would enjoy UN funding but suffer from all the “dual-key”-type problems that plagued the UN and NATO in the Balkans in the early 1990s.

The so-called “hybrid” was an ill-conceived and short-sighted expedient to accommodate, yet again, the perpetrators of genocide. Still, Khartoum steadfastly refuses to accept any significant deployment of UN forces, in a hybrid form or otherwise, in Darfur.

Deadlines have come and gone. The U.S. continues to negotiate, to bluster and retreat. And Darfurians continue to die. This is, by any measure, a collective shame. The American people know it, and by all accounts they don’t much like it. According to Newsweek (12/25/06), “65% of Americans support sending U.S. troops, as part of an international force, to Darfur.”

The Way Forward

The time for fruitless and time-consuming negotiations has long since passed. The time for misplaced faith in Richardson’s ceasefire, or Ban Ki Moon’s diplomacy, or Chinese blandishments (rather than the hoped-for admonitions) has passed. These are Khartoum’s delaying tactics—to buy time while it continues the killing.

If the Bush Administration is truly serious about halting this four year-old genocide and protecting civilians in Darfur, it must act now to show Khartoum that we are done talking and are now starting to turn the screws.

Step One: The President should issue an Executive Order implementing the financial measures in Plan B immediately. The Order should include safeguards to ensure that revenue flows to the Government of South Sudan remain unaffected. Given yesterday’s leak of the contours of Plan B, the President must act now or risk squandering the potentially significant impact of these measures.

Step Two: The Bush Administration should state clearly that these financial penalties will not be lifted unless and until the Sudanese Government permanently and verifiably stops all aerial and ground attacks against innocent civilians and allows the full and unfettered deployment of the Chapter VII UN force authorized under UNSCR 1706. The U.S. should declare the so-called “hybrid” force dead and take it off the negotiating table, where it has languished for three months. The hybrid

was an unfortunate concession to Khartoum, which Khartoum has been foolish enough to reject. It was a flawed concept from the start, since such a hybrid force would prove far less effective in protecting civilians than the planned UN force. It's time to tell Khartoum that it has a simple choice: accept the UN force as envisioned in UNSCR 1706 or face escalating pressure from the U.S.

Step Three: The 110th Congress should swiftly adopt new legislation on Darfur that builds upon a bill introduced by Congressman Payne in the last session as HR 1424, which garnered the bipartisan support of over 100 co-sponsors. The new legislation should:

- Authorize the President to use force to stop the genocide in Darfur, including by imposing a no-fly zone, bombing aircraft, airfields and the regime's other military and intelligence and related assets.
- Authorize funds to upgrade Abeche airfield in Chad, with the agreement of the Government of Chad, in order to support potential NATO air operations, to facilitate a UN deployment to Chad and Darfur, and for humanitarian purposes.
- Urge the Administration to press for the deployment of UN peacekeepers to the borders of Chad and the Central African Republic to protect civilians and serve as advance elements for the UN force in Darfur authorized under UNSCR 1706.
- Impose capital market sanctions on companies investing in Sudan.
- Urge the President to freeze the assets of the Government of Sudan as well as to freeze the funds and prohibit the travel to the U.S. of key Sudanese military, government and janjaweed leaders and their families.
- Require the Administration to report every 30 days (in unclassified and classified form) on the financial, military, and covert steps it is prepared to take to compel the GOS to accept unconditionally a robust UN force and halt attacks on civilians.

Step Four: If within fifteen days of the issuance of the "Plan B" Executive Order, the Government of Sudan has failed to fulfill the above conditions, the Administration should exert military pressure on Khartoum to achieve the same ends.

What I wrote with Anthony Lake and Donald Payne in the Washington Post on October 2, 2006, still applies:

"History demonstrates there is one language Khartoum understands: the credible threat or use of force. After 9/11, when President Bush warned states that harbor terrorists, Sudan recalling the 1998 U.S. air-strike on Khartoum, suddenly began cooperating on counter-terrorism. It's time again to get tough with Sudan.

This is what's needed: After swift diplomatic consultations, the U.S. should press for a Chapter VII UN resolution that issues Sudan an ultimatum: accept the unconditional deployment of the UN force within one week, or face military consequences. The resolution would authorize enforcement by UN member states, collectively or individually. International military pressure would continue until Sudan relents. The U.S., preferably with NATO involvement and African political support, would strike Sudanese airfields, aircraft and other military assets. They could blockade Port Sudan, through which Sudan's oil exports flow. Then, the UN force would deploy—by force, if necessary, with U.S. and NATO backing.

If the U.S. fails to gain UN support, we should act without it. Impossible? No, the U.S. acted without UN blessing in 1999 in Kosovo—to confront a lesser humanitarian crisis (perhaps 10,000 killed) and a more formidable adversary. Under NATO auspices, we bombed Serbian targets until Milosevic acquiesced. Not a single American died in combat, and ethnic cleansing ended. Many nations protested that we violated international law but, subsequently, the UN deployed a mission to administer Kosovo and effectively blessed NATO military action retroactively.

Unthinkable in the current context? True, the international climate is less forgiving than in 1999. Iraq and torture scandals have left many abroad doubting our motives and legitimacy. Some will reject *any* future U.S. military action, especially against an Islamic regime, even if purely to halt genocide against Muslim civilians. Sudan has also threatened that Al Qaeda will attack non-African forces in Darfur—a real possibility since Sudan long hosted bin Laden and his businesses. Yet, to allow another state to deter the U.S. by threatening terrorism would set a terrible precedent. It would also be cowardly and, in the face of genocide, immoral.

Some will argue the U.S. military cannot take on another mission. Our ground forces are stretched thin. But a bombing campaign or a naval blockade would tax the Air Force and Navy, which have relatively more capacity, and could utilize the 1,500 U.S. military personnel in nearby Djibouti.

Others will insist that, without the consent of the UN or a relevant regional body, we would be breaking international law. Perhaps, but the Security Council recently codified a new international norm prescribing “the responsibility to protect.” It commits UN members to decisive action, including enforcement, when peaceful measures fail to halt genocide or crimes against humanity.

This genocide has lasted [over] three long years. Peaceful measures have failed. The Sudanese government is poised to launch a second round of genocide. The real question is this: will we use force to save Africans in Darfur as we did to save Europeans in Kosovo?”

This proposal has been controversial.

Some analysts prefer the imposition of a no-fly zone over Darfur to a bombing campaign. Seemingly, they view it as a less aggressive option. It is a fine option, but let's be clear what it entails. Rather than stand-off air strikes against defined targets, to maintain a no-fly zone would require an asset-intensive, 24 hour per day, 7 day per-week open-ended military commitment in a logistically difficult context. To protect the no-fly area, the air cap would have to disable or shoot down any aircraft that took off in the zone. It would require shutting down Sudanese airfields in and near Darfur to all but humanitarian traffic. In short, it would soon require many of the same steps as are necessary to effect the air strikes we recommend, plus much more.

Some humanitarian organizations have expressed concern that air strikes could disrupt humanitarian operations or cause the Government of Sudan to intensify ground attacks against civilians in camps. These are legitimate concerns. The risk is real.

Yet, there are ways to mitigate these risks. The targets for bombing could be selected to avoid those airfields used by humanitarian agencies operating in Darfur. To protect civilians at risk, the U.S., France or other NATO countries could position a light quick reaction force in nearby Chad to deter and, when possible respond to, increased attacks against civilians in Darfur and Chad. While the risks may be mitigated, we know they cannot be eliminated.

Yet, we also know not just the risk but the daily cost of the status quo—of bluster and retreat. That cost has been and will continue to be: thousands and thousands and thousands more lives each month. That cost is an emboldened Khartoum government that continues to act with impunity. That cost is a regime that literally has gotten away with murder, while the U.S. merely remonstrates.

Mr. Chairman, I would submit that this cost is too high. Too many have already died. Too many more are soon to die. When will the Administration finally determine that enough is enough?

PREPARED STATEMENT OF THE HONORABLE SHEILA JACKSON LEE, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF TEXAS

Thank you Mr. Chairman. I would like to thank Chairman Lantos and Ranking Member Ros-Lehtinen for convening this critical hearing on the most important humanitarian crisis facing us today.

The current crisis in the Darfur region of Sudan is of paramount importance. Although Americans may differ greatly on many issues, there is a widespread and broad-based consensus among Democrats and Republicans alike that the ongoing genocide in Darfur is intolerable and must be ended. Today we are presented with a great opportunity to work in a bipartisan fashion to achieve a humanitarian result in responding to the overwhelming suffering in Darfur.

Not since the Rwandan genocide of 1994 has the world seen such a systematic campaign of displacement, starvation, rape, mass murder, and terror as we are witnessing in Darfur for the last three years. At least 400,000 people have been killed; more than 2 million innocent civilians have been forced to flee their homes and now live in displaced-persons camps in Sudan or in refugee camps in neighboring Chad; and more than 3.5 million men, women, and children are completely reliant on international aid for survival.

Unless the world stirs from its slumber and takes concerted and decisive action to relieve this suffering, the ongoing genocide in Darfur will stand as one of the blackest marks on humankind for centuries to come. The people of Darfur cannot wait. The time has come for decisive leadership from the United States.

It has been more than two years since my colleagues and I in the Congressional Black Caucus Darfur Task Force met with Secretary Colin Powell. We pressed successfully for the Administration to declare that the campaign of ethnic cleansing and atrocities against civilians in Sudan is genocide. The atrocities are committed primarily by the government of Sudan and its allied Janjaweed militias.

It has been more than a year since I flew to Chad, walked across the border to Sudan, and met with African Union troops who pleaded for more peacekeeping authority and the resources to protect the refugees from violence, rather than merely monitor it. After returning from that Congressional delegation, I worked with other Members of Congress to secure increased funding to aid the thousands of Sudanese displaced to refugee camps in Chad and to provide additional funding to assist Chad in responding to the humanitarian crisis.

It has been almost two years since the UN Security Council adopted Resolution 1556 demanding that the government of Sudan disarm the Janjaweed. This demand was later followed by Resolution 1706, which authorizes a 20,000 strong UN peacekeeping force.

It has been nine months since the Darfur Peace Agreement was brokered in May 2006 between the government of Sudan and one faction of Darfur rebels.

But still the violence continues; indeed, the violence is escalating. This violence is making it even more dangerous, if not impossible, for most of the millions of displaced persons to return to their homes and for humanitarian relief agencies to bring food and medical aid. According to Jan Egeland, the UN's top humanitarian official, the situation in Darfur is "going from real bad to catastrophic."

We have come full circle. Violence is increasing, peace treaties are falling apart, and action must be taken. I recently co-sponsored the Darfur Accountability and Divestment Act of 2007, introduced by my friend and colleague, Ms. Barbara Lee, and I believe that the passage of this bill is one valuable step we can take as Americans toward the peacemaking process in the region.

I am pleased to have the opportunity today to update and extend my knowledge of Darfur with the help of U.S. Special Envoy to Sudan, Mr. Natsios. I hope that these efforts will continue into the weeks ahead, and that we may intensify our dialogue with representatives of the Arab League, humanitarian groups, and various African public policy groups to discuss ways and means of future peacemaking efforts.

We must increase pressure on Sudan President Omar Hassan al-Bashir of Sudan to allow in UN peacekeepers, or alternatively, a peacekeeping force of similar size comprised of Arab and Muslim troops under the auspices of the Arab League. As with any government, dialogue is the best way to attempt a solution to the issue at hand. However, previous engagements have yielded poor results—the government of Sudan has been all too willing to cooperate on the surface level by signing agreements and the like and all too willing to fail to implement them.

In 1997, the Clinton Administration imposed trade and economic sanctions on Sudan, an approach which I feel is likely to yield the best results. However, sanctions imposed by a limited number of countries do not pressure the government of Sudan adequately enough. It must be noted that no just and lasting peace in Sudan can be achieved without the responsible intervention of China.

For too long, China, which is Sudan's biggest oil consumer, has also served as Khartoum's enabler and protector by preventing the U.N. Security Council from imposing more serious sanctions on Sudan in response to the genocide and crimes against humanity committed in Darfur. As former Deputy Secretary of State Robert Zoellick stated in a major policy speech on China a year ago: "China should take more than oil from Sudan—it should take some responsibility for resolving Sudan's human crisis." It is my hope that China may be persuaded to provide the type of constructive leadership in Sudan befitting a great power.

These are the kind of constructive efforts that I feel will best represent the interests of the people of Darfur to bring an end to this horrible crisis. I am in favor of deploying UN peacekeeping troops to the region, and the UN needs to move swiftly. In addition, any options regarding United States military intervention should be carefully considered and not ruled out.

As we consider these options, Mr. Chairman, I would like to remind you that it is not too early to begin the planning efforts needed to transform the Darfur region from a killing field to an economically, politically, and socially viable community. This work will, of course, require the active and purposeful engagement of the United States and other key stakeholders, such as China, and the Arab League.

In this regard, I have been engaged in an on-going dialogue with government representatives of Egypt, a dialogue that has already yielded significant dividends. For example, Egypt has implemented several fast track projects in southern Sudan in different sectors involving health, agriculture, electricity, irrigation, infrastructure,

and education in order to make unity an even more attractive option to the people of south Sudan.

Finally, we must be bold and imaginative in fashioning a solution commensurate with the scale of the problem. The way to do that is to develop a Marshall Plan for the Sudan. But the United Nations, and the international community, must draw a line in the sand and act to stop the genocide in Darfur. The words of President Lincoln speak to us from the ages:

"[W]e cannot escape history. We, of this Congress and this administration, will be remembered in spite of ourselves. No personal significance, or insignificance, can spare one or another of us. The fiery trial through which we pass, will light us down, in honor or dishonor, to the latest generation.

Thank you, Mr. Chairman, and I yield back the remainder of my time.

PREPARED STATEMENT OF THE HONORABLE EDWARD R. ROYCE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

As you and others have said, Mr. Chairman, the killing in Darfur goes on and on. When I visited Darfur two years ago, with my Committee colleague Diane Watson, 200,000 were dead. Today the Sudanese airforce is still bombing civilians, and that number has doubled. What are we doing?

I read in the *Washington Post* yesterday about a "Plan B" being developed by the Administration. Essentially, more sanctions, primarily financial. They are to be implemented if Khartoum fails to meet "benchmarks."

My reaction is *why are we just now looking at these options?* And why the mechanistic approach diplomacy—do this or we'll do that. Genocide demands and urgent and frankly rather un-nuanced response. There are no sure solutions; and it's clear that much of the world could care less about the slaughter; but it's also clear that we haven't been doing enough.

This conflict highlights the profound shortcomings of the UN. We'd be further down the road of acting decisively if it were not for the restrictions we allow the Security Council to impose upon us. With the UN, we're guaranteed the lowest common denominator approach to genocide.

WRITTEN RESPONSES FROM THE HONORABLE ANDREW NATSIOS, SPECIAL ENVOY TO SUDAN AND FORMER ADMINISTRATOR FOR USAID, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE EDWARD R. ROYCE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Question:

I would like to reference a letter then-Chairman Hyde and I wrote to then-Secretary of State Colin Powell in 2004. Commenting on a pending UN draft resolution on Sudan, we wrote, "We believe that genocide requires exceptional responses by the United States and the international community. We also believe that these responses should be taken with or without concurrence by the Government of Sudan. In short, the Government's complicity and participation in genocide in Darfur has forfeited the 'sovereignty' and 'territorial integrity' reaffirmed by this draft resolution. The reaffirmation of these principles, though perhaps stock language for the United Nations, will be consequential in shaping the international community's response to the Darfur crisis. The United States should not be bolstering the Government of Sudan's ability to frustrate current and potential interventions in Darfur." That is a key point, as the Sudanese government has been asserting sovereignty in an attempt to frustrate peacekeeping efforts. Any thoughts?

Response:

Responses to genocide in Darfur should not be dependent upon the concurrence of the Government of Sudan (GOS). We argued this point in our negotiations to secure passage of UN Security Council Resolution 1706 authorizing a UN peacekeeping force in Darfur under Chapter VII of the UN Charter to use all necessary means to protect civilians under threat of physical violence. This authority allows the force to act without the consent of the GOS. The challenge in implementing resolution 1706 has not been a lack of legal authority to act without the consent of the GOS. The challenge has been the lack of countries willing to contribute forces to a non-permissive environment in Darfur. The USG continues to engage diplomatically with key international partners and the Sudanese government to resolve the crisis in Darfur. We made clear to the Sudanese government that we will use

stronger measures in the event that the Government of Sudan continues to defy the will of the international community.

Question:

During the Rwanda genocide, State Department lawyers made the ruling, which was followed, that we couldn't disable the hate radio broadcasts that were fueling the killing. It was a freedom of broadcasting issue, they maintained. Bad ruling. I want to know what legal impediments you have confronted in trying to forge an aggressive policy against genocide in Darfur?

Response:

The most significant impediments we have confronted have been political and practical, rather than legal, in nature. We have faced resistance in the United Nations Security Council (UNSC) on several Darfur-related items and had great difficulty achieving a UNSC resolution (UNSCR) authorizing a UN peacekeeping force for Darfur with a robust civilian protection mandate. We finally obtained a resolution, and the Government of Sudan adamantly opposed the process of organizing and deploying a force. In consequence, troop contributing countries have been unwilling to commit troops to an actively hostile environment.

We have also faced resistance in the Security Council to the effective use of sanctions to address the situation in Darfur. While the Security Council expressed its intention in resolution 1564 to consider actions to affect Sudan's petroleum sector in the event that the GOS failed to take specified steps with regard to Darfur, opposition among some members of the Security Council has prevented adoption of any such measures. We have also faced opposition to the imposition of sanctions against individuals who obstruct the peace process or commit atrocities in Darfur pursuant to UNSCR 1591. In addition, significant biographic and other supporting information necessary to designate individuals is sometimes difficult to obtain in the case of individuals who operate in Darfur. We were ultimately able to designate only four individuals under UNSCR 1591 sanctions in UNSCR 1672. We are working to get agreement from our international partners on more designations at the UN.

Question:

Why are we just now considering imposing a range of financial sanctions, years after our government declared this killing to be genocide?

Response:

Economic sanctions have been in place against Sudan since 1997, the same year the United States designated the Government of Sudan (GOS) as a State Sponsor of Terrorism. Executive Order 13067 imposed comprehensive economic sanctions against Sudan, including an asset freeze against the GOS. The practical impact of the existing sanctions regime against Sudan means that U.S. persons (i.e. companies or individuals) are prohibited from engaging in commerce with the GOS at any point without a license from the U.S. Department of Treasury and transactions in U.S. dollars are generally blocked from transiting through Sudan.

As a result of Sudan's designation as a State Sponsor of Terrorism, there are, among other things, restrictions on foreign assistance; a ban on exports of defense articles and services; special reporting obligations for certain exports of dual use items; and miscellaneous financial and other restrictions.

In 2006, the Darfur Peace and Accountability Act (DPAA) lifted the sanctions imposed by EO 13067 on southern Sudan, Southern Kordofan/Nuba Mountains State, Blue Nile State, Abyei, Darfur, and marginalized areas in and around Khartoum. Executive Order 13412 implemented this statute while maintaining all economic sanctions with respect to all petroleum or petrochemical industry related transactions wherever found, direct transactions with the GOS, transshipments of goods through northern Sudan, and financial transactions transiting Khartoum.

Sudan is also listed on Tier 3 of the 2006 Trafficking in Persons (TIP) report, which brings additional sanctions. Specifically, TIP sanctions apply to all non-trade and non-humanitarian assistance, though a Presidential waiver was sought in order to continue such U.S. assistance. Sudan is also listed as a Country of Particular Concern on the International Religious Freedom (IRF) Report.

Our current discussions involve enhancing the already strong U.S. sanctions regime on Sudan. "Plan B" refers to a series of additional robust measures that we are prepared to employ against the Government of Sudan (GOS) in the face of its continued intransigence on Darfur. The Plan would use more aggressive mechanisms to enforce existing sanctions in addition to expanding the list with new companies not covered by the old sanctions.

Question:

When I was in Chad and met with the Darfur rebel groups, there were four. You testify that there may now be up to 15 rebel groups. You express hope that the political opposition will consolidate, but isn't it just as likely that we'll see 30 groups in two years? What specifically are we doing to prevent this fragmentation?

Response:

The U.S. is fully supporting the AU/UN led process to unify the rebel groups in Darfur and bring them into the Darfur Peace Agreement (DPA). We are working closely with the UN Envoy Jan Eliasson and AU Envoy Salim Salim to hold a commanders' conference aimed at convincing rebel forces on the ground to respect existing ceasefires and agree on a unified position. We are also working closely with our European partners to ensure coordinated action under the AU/UN umbrella. I have traveled to Eastern Chad and Darfur to engage directly with rebel leaders and convince them that this fragmentation creates instability and hurts their own interests. In addition, I have met with President Deby of Chad, and members of the Libyan government, to solicit increased regional support for these initiatives. We may also take other measures against the most intransigent rebel leaders who are paralyzing the peace process.

Question:

You were in Beijing last month and expressed optimism that China would play a constructive role on Darfur. Since then, Chinese Premier Hu paid a state visit to Khartoum. Press reports suggest that the trip was all about oil . . . nothing about Darfur. We heard the Chinese President say that China would "never interfere in Sudan's internal affairs." What's your reaction?

Response:

China has shown an increasing willingness to work with the international community to engage Sudan on the issue of Darfur, including abstaining on UNSCR 1706 which allowed for the establishment of a UN force in Darfur. I had productive meetings with Chinese officials during my January 2007 visit to Beijing. They want to assist in bringing peace to Darfur and have been active in peacekeeping operations in Southern Sudan. However, given their longstanding policy of non-intervention, they remain reluctant to weigh in as heavily or punitively with the Sudanese as we would like on Darfur. President Hu did discuss the issue of Darfur with President Bashir during his February 2007 visit to Sudan, though the Administration was disappointed, as you were, of reports that Beijing provided an interest-free loan to Sudan for the building of a Presidential palace. This does not send the right message to Khartoum. We will continue to work with the Chinese to increase pressure on the Sudanese to fully accept the UN-AU hybrid force and establish peace in Darfur.

Question:

In your testimony you describe the roots of the conflict in Darfur. You mention population pressures and the desertification of Darfur. The party supporting the janjaweed is the National Congress, formerly the National Islamic Front. To what degree is religious extremism driving the killing?

Response:

The Darfur conflict is not over religion. As mentioned previously, the terrible destructiveness of this war is a result of several factors including a rapidly expanding population that has pitted nomads and herders against each other in disputes over land rights in an ecology made fragile by successive droughts and increasing desertification and longstanding economic and developmental neglect of the entire Darfur region by successive Sudanese central governments. The negotiation of the Comprehensive Peace Agreement gave other marginalized regions in Sudan, including Darfur, motivation to fight for similar concessions from the central government. The central government responded to their demands with a disastrous decision to arm with modern weaponry, to equip, to direct, and to pay Northern Arab tribes, now called the Janjiweed militias, as their proxies in the war. Arming the Janjiweed led to the launching of genocide in 2003 and 2004, resulting in the deaths of hundreds of thousands of innocent civilians and the destruction of their villages and livelihoods.