Thank you for the opportunity to speak today. As you

said, I spent 25 days in Darfur and among refugees from Darfur

in March and April, and welcome the chance to tell you what I

found. Some of the people I met will already be dead. The remainder

in their entirety are fighting for survival and have no voice of

their own.

The first and most striking thing I found in Darfur was the completely

empty land, mile after mile of burnt and abandoned villages,

irrefutable evidence of a scorched earth policy the government

says does not exist. Hundreds of thousands of Masalit farmers

lived in this area little more than 6 months ago. Today there

is quite literally no one. Some have managed to flee to Chad. The

others have been corralled into displaced camps, government-controlled

camps far from the border, where until very recently they

were at the complete mercy of the government and the Janjaweed,

beyond the reach of any relief workers or any independent observers.

It is extremely difficult to ascertain what is exactly happening in

a place the size of Darfur, where the government denies access and

all movement is impeded by the presence and above all the fear of

the Janjaweed. I therefore investigated a sample area of 25 square

miles, 60 square kilometers, where there were until recently 14 villages.

I found 11 of these villages burned to the ground and 3 in close

proximity to them abandoned for fear. Women of all ages had been

raped, often in front of their husbands and children, and everything

that made life possible, sustainable, had been systematically

destroyed. Civilians who had been displaced insisted that there

were no rebel positions anywhere near their villages and there certainly

were not when I was there. We had to ride for several hours

to reach all of the villages we visited.

Some of the villages had had self-defense units—‘‘militias’’ is far

too grand a word for these groups—but they proved incapable of

defending either themselves or their villages.

The second thing that struck me was the consistency of the victims’

claims. Estimates of the numbers of people killed in attacks

varied, although usually not by much, but descriptions of attacks

were remarkably similar and it quickly became clear that the burning

of Masalit villages has not been haphazard, but absolutely systematic.

Whole areas have been cleared one by one by Janjaweed

and government forces working hand in glove, side by side.

The reason the government is targeting the Masalit and the Fur

and Zaghawa is that these three ethnic groups form the backbone

of the rebel movement in Darfur. The government has deliberately

chosen the Janjaweed as a counterinsurgency militia because it

knows there are prior ethnic tensions between the Janjaweed and

the African farmers that it can successfully manipulate, and that

it is continuing to successfully manipulate.

Death tolls are chillingly high, especially when you consider how

small most of these villages are. I documented large-scale killings

in 14 incidents in areas between November 2003 and April 2004.

In these 14 incidents, almost 800 civilians died that I know of.

There will be others. All 14 involved coordinated attacks by the

army and Janjaweed arriving, fighting, and leaving together.

These were not the only incidents in the Masalit area in this period,

but rather those I was able to corroborate from witnesses I

believed were credible in the time that was available to me.

Attacks like these are no longer attacks by Arab nomads driven

onto Masalit farmlands in search of water and grazing. They often

involve hundreds of men and are often coordinated across several

fronts. They are carried out under the eyes of government soldiers

by men who wear the same uniform as the regular army, who carry

the same weapons as the army, and who often enjoy the support

of the Sudanese Air Force. This is not happenstance, it is not coincidence.

It is coordination.

The Janjaweed—let me just insert here, if I may, a concrete example

to bring this home to you in terms of people, because this

is about people. There is a village called Tullus which is in the interior

of the Masalit area and it was attacked in February, I believe,

of this year by government and Janjaweed. The first the residents

knew, most of the residents knew, was that they heard

Antonov bombers coming, so the men sent the women and the children

away on donkeys for their own safety.

Within half an hour or so, the village was attacked by ground

forces, government and soldiers, according to people from the village.

They burned everything. All it takes is a box of matches; we

are talking about straw huts. Having burned and killed—and I do

not know how many people they killed for sure there—they then

pursued the women and the children to the valley where they were

hiding and they proceeded systematically to kill the women and the

children.

I found in Chad a child of 12 who had been shot three times in

cold blood, closer than I am to you, by a group of people. He said

they approached him, they sat down, they talked to him, they

called him a rebel—he was 12 years old—and one of them, who he

thought was unarmed, ordered his companions to shoot the children.

There were four children hiding behind this tree. My friend, Hussein

Dafa’allah, was shot three times, in the face, in the arm, and

in the leg. The three other children hiding with him behind this

one tree—there were many other trees—were all shot and fell to

the ground. He does not know what happened to them. The youngest

was only seven. This is not unusual.

The Janjaweed themselves increasingly are structured. Thousands

are now organized into brigades which are the same size as

Sudanese Army brigades. They are headed by men who call themselves

generals and who wear the same stripes as generals in the

regular Sudanese Army. Janjaweed leaders have one or even two

homes in government garrison towns. Government forces have been

seen training Janjaweed and reportedly pay some of them salaries.

They have also been seen delivering weapons by helicopter and car.

As has been said before, the Janjaweed have complete immunity

in Darfur. Not only are they not prosecuted for any offenses whatsoever,

but some police told me that they had received orders not

to interfere in any operations by the Janjaweed and not to consider

any complaints made against the Janjaweed.

Unless the Janjaweed are disarmed, disbanded, and withdrawn

from the areas they occupy and from which they prey on displaced

civilians, there will be no possibility for civilians to return to their

homes and plant next year’s harvest in safety.

The emergency we are seeing today, with 350,000 expected to die

even if help is sent immediately, is the direct result of human

rights abuses—scorched earth, denial of relief, denial of access, the

same tactics the Government of Sudan used in its war to depopulate

oil-producing areas of southern Sudan and the same tactics it

has always used. This is nothing new.

Recent reports indicate that groups of Arab origin have begun

moving into some of the lands at least bordering Chad that have

been ethnically cleansed. Just before coming here today, I called

some people in Darfur and was told that the entire population of

a small town called Arrara has been moved. They were ordered to

move to a Janjaweed stronghold called Beida, now believed the site

of a displaced camp. And Arabs have been settled in Arrara in

their place.

The Masalit I spoke to say they do not know where these settlers

are from, but they are not from Sudan and they do not think they

are from Chad either. This apparently is happening in a lot of the

villages in the Masalit area that are empty. It was the exception

when I was there. It almost looks as if it is now becoming the rule.

Government officials and Arab groups in Darfur have accused

the SLA and the Justice and Equality Movement, the second rebel

group in Darfur, of targeting civilians and destroying their villages,

and have provided a list of attacks and cease-fire violations to

Human Rights Watch. Human Rights Watch is eager to investigate

these cases, but so far have not received a visa from the government.

We have not found witnesses to these abuses in Chad, but

that does not mean that the abuses are not taking place.

Winding up, the United States has taken the international lead

in Darfur and must remain fully engaged. Several additional U.S.

actions are needed. Firstly, a Security Council chapter 7 resolution.

If the Sudanese Government does not neutralize the Janjaweed

soon, the council must act to end and reverse ethnic cleansing in

Darfur, ensure the protection of civilians, provide for the voluntary

return in safety of all refugees and displaced persons, provide for

effective and unrestricted delivery of humanitarian access.

Second, a human rights monitoring team. The north-south peace

agreement lacks an independent human rights monitoring body to

hold the parties to their human rights pledges.

Third, a U.N. accountability mechanism for past crimes against

humanity and other grave abuses in Sudan. Again, the north-south

peace agreement lacks any truth commission, reparations, or investigation

into abuses by either side.

We welcome the new emphasis on Darfur, but it comes very, very

late in the day. This war in its present extreme form has been raging

for the past 16 months. I myself have been writing about it

since August 2002. There is absolutely no more time to be lost.

Thank you.

Thank you, Mr. Chairman, and Senators, for the opportunity to testify at this

hearing. I spent 25 days in Darfur, and among refugees from Darfur, in March and

April and welcome the chance to tell you what I found there. I am an independent

journalist and conducted this research on behalf of Human Rights Watch. The results

of the research are available in the report, ‘‘Darfur Destroyed: Ethnic Cleansing

by Government and Militia Forces in Western Sudan,’’ recently published.

The first, and most striking, thing I found in Darfur was a completely empty

land—mile after mile of burned and abandoned villages that constitute irrefutable

evidence of a scorched-earth policy the government says doesn’t exist. Hundreds of

thousands of Masalit farmers, Sudanese of African descent, were living in the rural

areas I visited little more than six months ago. Today there is, quite literally, no one.

Some have managed to flee to Chad; the others have been driven into government-

controlled camps far from the border where they were, until very recently, at

the complete mercy of the government and the Janjaweed—beyond the reach of any

relief workers or independent observers.

The only civilians I encountered in Darfur were a handful of refugees who had

crossed the border from Chad. They were venturing back to their village to dig up

food stores they had buried in hope of preserving them in the event of attack by

the army and the Janjaweed, militiamen drawn from some Arab tribes of Darfur

and Chad. The refugees looked like walking dead—stick-thin, exhausted and ragged

in a way they wouldn’t have been, despite their poverty, only a few months ago.

It is, of course, difficult to ascertain what exactly is happening in a place the size

of Darfur, where the government denies access and all movement is impeded by the

presence—and the fear—of the Janjaweed. I therefore decided to investigate a sample

area: a 25-square mile block in which there were until recently—14 villages inhabited

by Masalit, one of the three tribes that form the backbone of the Sudan Liberation

Army. (The other two are the Fur and the Zaghawa.) I found 11 of those

14 villages burned and three, in dose proximity to them, abandoned for fear of burning.

Mosques were burned; straw huts torched; food stores destroyed, in their totality.

Cooking pots were smashed. Water pumps were not smashed because there

were no pumps to smash in the first place. We are talking about people who have

never had electricity, running water or, for the most part, schools or medical clinics;

people whose best bet when they are seriously wounded is to go to Khartoum, more

than 700 miles away, for treatment.

In these villages, everything that made life possible had been obliterated. Fields

that had produced tomatoes, peppers, potatoes, cucumbers, beans and millet were

dried up and strangled by weeds. Across the border in Chad, women went from

home to home begging for food.

Everyone I talked to insisted there were no rebel positions anywhere near their

villages. There certainly weren’t when I was there: we had to ride for several hours

to reach any of the villages we visited. Some of the villages had had self-defense

units—militias is far too grand a word—but this smattering of armed men proved

incapable of defending either themselves or their villages. Many, many died.

Women of all ages had been raped—often in front of husbands and relatives—in

the aftermaths of attacks; in, around and on the way to displaced camps; and while

they searched for food, water and firewood.

I visited a number of other areas, less systematically, and found the same thing:

no human life, and no way of sustaining life in the immediate future. The terrible

humanitarian emergency we are seeing today, with 350,000 expected to die even if

help is sent immediately, is the direct result of human rights abuses: scorched

earth, denial of relief, denial of access—the same tactics the government of Sudan

used most recently in its war to depopulate oil-producing areas of southern Sudan;

the same tactics it used in the Nuba mountains; the same tactics it has always

used.

The second thing that struck me in Darfur was the consistency of the victims’ stories.

Estimates of the numbers of people killed in attacks by the government and

Janjaweed varied. But descriptions of attacks were remarkably similar. It quickly

became dear that the burning of Masalit villages has not been haphazard, but systematic.

Whole areas have been cleared, one by one, by government and Janjaweed

forces working together—sometimes coming out of garrison towns where they have

separate barracks; sometimes advancing from joint positions more recently established

in strategically located villages.

Typically, the regular army will surround a village with heavy weapons while

Janjaweed on horse- or camel-back ride in, indiscriminately firing Kalashnikovs and

sometimes rocket-propelled grenades. It has been said that men are being targeted—

presumably in the belief that they could be members, or supporters, or even

potential supporters, of the SLA. I do not believe that the attackers are targeting

only men. What many witnesses described to me was how villagers, forewarned of

attacks, send the women and children away on donkeys, leaving men behind to try

to defend their homes.

Death tolls are chillingly high, especially when you consider how small most of

these villages are. Our investigations uncovered large-scale killings in 14 incidents

in the Masalit area between November 2003 and April 2004. In these 14 incidents,

almost 800 civilians died. All 14 involved coordinated attacks by the army and

Janjaweed, according to different eyewitnesses interviewed at different times and in

different places.

These are not attacks, as they were in the past, by a handful of ‘‘Arab nomads’’

driven onto Masalit farming lands in search of water and grazing. They are attacks

that often involve hundreds of men and are often coordinated across several fronts.

They are carried out under the eyes of government soldiers, by men who wear the

same uniform as the regular army, who carry the same light weapons as the army

and who often enjoy the support of the Sudanese air force. Helicopter gun ships reconnoiter

before and after attacks. Antonov bombers bomb in advance of attacks, especially

in areas away from the international border where there are no independent

witnesses. This is not happenstance. It is not coincidence. It is coordination.

Let me give you an example that is nothing out of the ordinary. The village of

Tullus, several days’ walking away from the border with Chad, was attacked in February

this year. Some of the attackers came from Mornei—a town of a few thousand

inhabitants that today hosts tens of thousands of displaced—and a few inhabitants

of Mornei rode out to warn neighboring villages. Some families left Tullus immediately.

When Antonovs started bombing, women and children who had stayed behind were put on donkeys and sent to nearby hills. Then army Land Cruisers surrounded

the village and Janjweed went in, killing at least 23 people and burning

everything. All it takes in these mud-and-straw villages is a box of matches.

After the attack, soldiers and Janjaweed continued on to the hills where the

women and children were hiding and began killing again. I could not get a precise

figure for the dead—the field of vision of the fugitives here was often confined to

the tree or the rock behind which they were hiding—but I am confident that at least

15 people were killed including seven women and six children.

On a hillside in Chad, where a three-month-old refugee baby had just died for reasons

that will never be known, I met a 12-year-old survivor of Tullus—a boy called

Hussein Dafa’allah. He ran from Tullus with his mother and hid behind a tree with

three other children. The youngest of the three, a girl called Fatima, was only seven

years old. Hussein said a group of uniformed men approached him as he hid and

sat down beside him. These men were not behaving as if they feared attack. Their

behavior surely suggests there were no rebels here, nothing that could be considered

a military target. The men taunted Hussein, calling him a ‘‘Tora Bora’’—a rebel, in

Darfur-speak. Hussein told me: ‘‘There are no Tora Bora in Tullus. It’s a village.’’

One of the men who cornered Hussein was apparently unarmed—a detail that

suggests he was not a member of the Janjaweed. He ordered his companions to fire

at the children behind the trees and Hussein was hit three times—in the face, a

leg and an arm. The three other children were also hit, but no-one could tell me

what became of them. When Hussein’s father arrived after the attackers left, he

strapped his son onto a donkey and took him across Dar Masalit—the Masalit

‘‘homeland’’—to Chad.

This was not the only instance I discovered of displaced Masalit being hunted

down and killed. On August 27th last year, Antonovs bombed the town of Habila

six times in one day. Twenty-six civilians were killed, including many women and

children. Habila not only had a police station; it had an army post. The only explanation

the people of Habila can find for the attack is that the town was packed with

people displaced from neighboring villages. It wasn’t enough to destroy the villages,

they said; they believed the government’s intention was to destroy the populations

too.

Six months after this, on March 5th this year, 137 African men were executed

in two separate but simultaneous operations in Wadi Saleh, due east of Dar Masalit.

Most belonged to the Fur tribe. A neighbor of the sole survivor of one of the massacres

told me that people in Wadi Saleh woke up on the morning of March 5th

to find a large area surrounded by government and Janjaweed forces. These government

forces entered villages within the cordon they had set up, apparently meeting

no resistance, and asked men which villages they came from. More than 200 men

whose villages had been burned and who were displaced were taken to police stations.

In early evening, they were taken by army trucks to valleys where they were

made to kneel and bend their heads before being killed with a bullet in the back

of the neck.

Thus does the government’s scorched-earth policy set in motion a new cycle of

atrocities. Today’s displaced are tomorrow’s rebels, or so the government fears.

For the past two decades, successive Sudanese governments have armed and supported

militias recruited among groups of Arab descent in Darfur and Chad. But

under the present government, what was essentially an economic conflict between

African farmers and Arab pastoralists has evolved into an ethnic war with racial

overtones between Muslims of African extraction and an Arab-centric Islamist government

and its proxies. When the SLA took up arms 17 months ago, the government

began fighting alongside its proxies.

The exact nature of the linkage and the chain of command between government

forces and the Janjaweed is impossible to determine given the restrictions on access

to government-controlled areas of Darfur and the government’s denial of any connection

to a group it describes only as a ‘‘militia’’. But there is no doubt in the minds

of the African farmers who have survived attacks on their villages, farms and families

that there is an organic, organizational link now between the army and the

Janjaweed.

When I asked why they say this, two different people—one a village headman, the

other an SLA commander—responded with exactly the same words: ‘‘They come together,

they fight together and they leave together.’’ The army draws much of its

soldiery from Darfurians of African origin, and the Masalit are in no doubt that the

government trusts the Janjaweed far more than it trusts the army to fight in

Darfur.

In recent years, thousands of Janjaweed have been organized into liwa, or brigades.

These brigades are the same size as regular Sudanese army brigades and are

headed by ‘‘generals’’ who wear the same stripes as generals in the regular army.

Rebel leaders say they have identified six Janjaweed brigades—among them the

Liwa al-Jammous, or Buffalo Brigade, and the Liwa al-Nasr, or Victory Brigade.

These two brigades are headed respectively by Musa Hillal of the Um Jalloul tribe

and Abdul Rahim Ahmad Mohammed, known universally as Shukurtallah, of the

Mahariya tribe. Musa Hillal has enjoyed close relations with many senior government

officials, prime among them a governor of North Darfur state, and is a frequent

visitor to Khartoum. The Masalit say that Shukurtallah served in the army

in Geneina and in Juba before being sentenced to 10 years’ imprisonment for killing

Masalit civilians. But he was released from jail before completing his sentence, they

say, and emerged as the leader of the Janjaweed in West Darfur state. Soldier to

Janjaweed, via a murder conviction, in one easy step.

Top Janjaweed leaders all have one, or even two, homes in government garrison

towns and have often been seen traveling in army cars. Several Masalit informants

claimed that in 1999 government forces were seen training Janjaweed in El-Daien,

60 miles from Darfur’s southern border with Bahr el-Ghazal, alongside established

government-backed militias like the ‘‘Peace Army’’, a militia that operated in the

Bentiu area, and the muraheleen, tribal militias from southern Darfur and southern

Kordofan that in 1989 were incorporated into government militias controlled by the

army, and used in the war in southern Sudan against Dinka and other southern

peoples.

At the end of August 2003, Janjaweed took over from police and army in manning

checkpoints in much of Dar Masalit. This could not have happened, nor be continuing,

without the full agreement and compliance of the government.

In Geneina, capital of West Darfur state, Janjaweed are said to have a headquarters

in the Medina al-Hujjuj, the old customs yard. Many Masalit reported seeing

government helicopters and cars delivering weapons to Janjaweed positions.

Others claimed knowledge of government payments to Janjaweed. A farmer from

Gozbeddine, a village near Habila, said that in August 2003, as mass burnings became

routine in Dar Masalit, local government officials promised all Arabs who

came forward, with a horse or a camel, a gun and a monthly salary of 300,000 Sudanese

pounds—U.S. $116, the equivalent of the per capita gross domestic production.

This figure was repeatedly cited to me as a typical Janjaweed salary.

The Gozbeddine farmer said Janjaweed were recruited in Habila in an office that

flew the Sudanese flag.

A government role in recruiting Janjaweed—and by extension, presumably, in

paying them too—is confirmed by a document obtained by Human Rights Watch in

which the state governor of South Darfur ordered commissioners to recruit ‘‘300

horsemen for Khartoum’’. The letter, dated November 22, 2003, is from the office

of the governor and is addressed to two commissioners in South Darfur state—one

in Nyala, the state capital, and the other in Kas, one of the largest towns in South

Darfur. The letter lists promised donations and projects which would benefit the

Janjaweed community. These include the vaccination of camels and horses—the

Janjaweed’s method of transport.

Government support for the Janjaweed is not limited to sins of commission; there

are also sins of omission. The Janjaweed enjoy complete immunity in Darfur and

roam around armed even though Sudan’s penal code posits 10 to 20 years’ imprisonment

for carrying illegal weapons and ethnic Africans are regularly searched, apprehended,

and imprisoned. Former members of the government’s security forces report

receiving specific instructions not to interfere in any actions or operations by the

Janjaweed.

Nureddine Abdul Ismael Abaker, a Masalit policeman from Misterei in West

Darfur, received orders from the local army boss not to interfere with the

Janjaweed. In his words: ‘‘To let them do whatever they wanted.’’ He resigned from

the police force in 2003 because, he said, ‘‘the government took the Arab tribes and

allowed them to be the law, over everyone else’’. Policemen in Geneina said they

too were ordered not to take action of any kind against Janjaweed and not to lodge

any complaints against them. ‘‘Not to interfere with them in any way,’’ they said.

There is no doubt that the Janjaweed feel themselves empowered. Time and

again, Masalit civilians said Janjaweed tell them ‘‘We are the government!’’ when

challenged about their behavior. A 32-year-old farmer burned out of a village near

Geneina quoted a Janjaweed leader in Geneina as telling residents of the town:

referring to Omar

El Bashir, president of Sudan.

The Sudanese government’s extensive use of Janjaweed to fight the rebel movements—

the SLA and the Justice and Equality Movement (JEM)—started after the

rebels attacked the town and military base of Al Fashir, capital of North Darfur

state, in April 2003. The attack destroyed several Sudanese air force planes on the

ground and shocked the Sudanese government, which was convinced that the rebels

were aided from abroad. (An air force colonel captured by the rebels even gave an

interview on Al Jazeera which was broadcast to the Arab world.) The Janjaweed,

who were already inimical for economic reasons to the tribes from which rebels were

recruited, already owned camels and horses, the best means of transportation in

vast untarmacked Darfur. They already had guns, but the government provided

more—along with training, communications equipment, and other war materiel.

The strategy is the same as used in the twenty-one years of war in southern

Sudan and the Nuba Mountains: 1) finding an ethnic militia with existing rivalries

with the targeted group (the ethnic group related to the rebels); 2) arming and supporting

that militia, and giving it impunity for any crimes; 3) encouraging and helping

it to attack the civilians of the targeted group, with scorched earth tactics often

backed up by government ground troops and air power; 4) killing, raping, abducting,

or forcibly displacing the targeted group and destroying its economy; and 5) denying

humanitarian access to needy civilians. This pattern of attack has been used, again

and again, in southern Sudan.

The strategy is still used in the south, despite an 18-month ceasefire there—in

the Shilluk area, in the Upper Nile region of southern Sudan, in March 2004. There

a southern government militia attacked and burned villages, forcibly displacing

more than 100,000 civilians. The reason was that the military leader of the Shilluk

changed loyalties (again) from the government to the SPLA—which is permissible

under the current peace agreement in the south. Although he went to the SPLA,

the government dearly did not want him to take with him the Shilluk land which

is near oilflelds in eastern Upper Nile.

Even after having fled their homes, the vast majority of the more than one million

displaced Darfurians are today utterly unprotected from violent abuse—unless they

are among the 110,000 who have made the long journey to Chad, somehow evading

Janjaweed ‘‘patrols’’ that attempt to interdict their escape. Originally cattle nomads,

the Janjaweed continue to attack, rape, and steal from the displaced in the camps

in Darfur. They have grown rich on the cattle they rustle, leaving their victims desperately

poor.

The humanitarian crisis we are seeing today is the direct result of the forced displacement

and violence directed at hundreds and hundreds of farming communities

in North, West, and South Darfur. The displaced people are mostly farmers who

have missed the May-June planting season because they were burned out of their

homes and farms. Their seeds were burned or looted, and they still have no access

to their land. As a result, U.S. AID has estimated that there are two million war affected

people in Darfur in need of emergency assistance—the displaced, those they

are living with, and those who usually buy their produce.

Unless the Janjaweed militias are disarmed, disbanded and withdrawn from the

areas they occupy, and from which they prey on displaced communities, there will

be no possibility for civilians to return voluntarily and in safety to their homes and

plant next year’s harvest. As it is, emergency relief is needed for at least sixteen

months to save two million people from this entirely man-made famine.

Some local authorities are reportedly trying to force displaced to return to their

villages to present a picture of ‘‘normalcy’’ to the international community, but by

now the spotlight on Darfur is probably too bright for such deception to succeed.

It is disturbing that there are still officials who attempt such maneuvers, however,

as it does not bode well for government transparency and cooperation in southern

Sudan.

The first rains have already come to Darfur. Soon the dirt tracks that serve as

roads will be impassable, making it difficult if not impossible to move relief supplies

overland. Mosquitoes and malaria will aggravate the health problems that are already

killing in the displaced camps; measles has already started to carry away the

small ones; cholera and other water-borne diseases pose real death threats to all

during the rainy season. At one camp outside Nyala, deaths have been running at

between 8-14 a day—most of them children. The camp has a population of 28,000—

and in the last three months has sprouted five cemeteries.

There are many reports of fighting and attacks on civilians, all of which violate

a ceaseflre agreement signed by the government and two rebel groups in Chad on

April 8, 2004. On May 22, fifty-six people were reportedly killed in a Janjaweed attack

on a village in South Darfur—most of them just outside their huts. That was

just part of a campaign to assert, or restore, government presence in areas south

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

ceasefire monitors.

Recent reports indicate that groups of Arab origin are moving into some of the

lands bordering Chad that have been ‘‘ethnically cleansed’’ and are now under government

and Janjaweed control. This trend paves the way for continued ethnic turmoil

and threatens regional stability. Chad has even complained of Sudanese bombing

on its soil in support of Janjaweed pursuing Sudanese refugees into Chad. While

the Sudanese government trusts Chad’s President Idriss Deby, whom it helped seize

power in Chad in 1990, many Chadians of Zaghawa ethnicity are literally up in

arms in Darfur, to defend their fellow Zaghawa.

The SLA began armed operations in February 2003 to protect African communities

against a 20-year campaign by government-backed militias. Neither the SLA

nor the JEM, the two rebel groups in western Sudan, was involved in the southern

conflict; neither was a party to the north-south peace agreement.

Although the SLA won support by attacking government and military targets—

with remarkable success initially—there is new evidence that even these targeted

attacks took heavy civilian casualties. Recently received testimony indicates that the

attack on Al Fashir in April 2003, although apparently directed at military objectives,

resulted in the deaths of numerous civilians as well as military personnel. The

JEM has been accused by Amnesty International of incidents of torture of suspected

informants, including using pepper in the eyes. Both groups have been accused of

using child soldiers.

The SLA took sixteen humanitarian aid workers captive in June, of whom three

were expatriates and thirteen Sudanese. This is a violation of international humanitarian

law as the sixteen, who worked for various agencies in Darfur, were not military.

They were released unharmed after three days.

Government officials and Arab groups in Darfur accuse the SLA and JEM of targeting

civilians and destroying their villages, and have provided a list of ceasefire

violations and attacks on villages to Human Rights Watch. We are eager to investigate

these cases inside Darfur, but so far have not received a visa from the government.

We have not found witnesses to these abuses in the Chad refugee camps, but

that does not mean the abuses have not taken place. Only a fraction of the displaced

has been able to reach Chad for refuge.

Recently the director of Human Rights Watch, Kenneth Roth, and a Sudan researcher,

Leslie Lefkow, met with representatives of the rebel groups and presented

them with a list of alleged abuses. The rebels denied the allegations but we expect

to have a more detailed response from them. Because we have not had access to

the government-held areas of Darfur, however, we have not been able to substantiate

the government and other allegations.

In 25 days with SLA forces in Dar Masalit, I found a marked absence of many

of the abuses that have sullied the SPLA’s record in southern Sudan. There was no

evidence either of the use of child soldiers—the youngest rebel I encountered was

19—or of forced recruitment. The Masalit commander, Khamis Abdullah Abaker,

admitted that neither was needed given the number of displaced adults offering

themselves to the SLA as combatants. My observation was that the soldiers I encountered,

and to whom I spoke, were farmers burned out of their homes, with a

smattering of professionals, former government soldiers, and members of the police

force who joined the SLA after their villages were attacked by the government they

served.

Masalit civilians insisted that SLA positions were many miles away from their villages—

one reason, they said, for the ease with which they had been displaced.

The U.S. has rightly taken the lead in the international community to insist that

the Darfur crisis be addressed at the same time as the Naivasha peace accord is

finalized, ending the twenty-one year war between the Sudanese government and

the SPLA/M. The U.S. has contributed to the emergency relief fund and for other

needs, and has encouraged its allies to act together diplomatically at the Security

Council and elsewhere to stop the slaughter in Darfur. The U.S. has correctly identified

this as ‘‘ethnic cleansing.’’ It has reiterated that its policy is to reverse the effects

of this ethnic cleansing and enable the displaced to return home. It has stated

that human rights abuses are causing the humanitarian emergency. The director of

U.S. AID has said that the government must provide full humanitarian access to

Darfur if up to a million people are not to die.

The U.S. should continue to remain fully engaged and to give the Darfur emergency

top priority. The fighting and human rights abuses have not yet stopped, despite

the ceasefire agreement. The African Union was asked by the parties to set

up a ceasefire monitoring commission, and some of the logistical personnel for this

team of approximately one hundred persons have arrived in Darfur, also with U.S.

assistance. But the ceasefire monitors are not yet deployed.

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

lead:

A Chapter VII resolution at the U.N. Security Council whereby, if no effective

measures have been taken by the Sudanese government to ‘‘neutralize’’ the

Janjaweed within a specified time period, the Council will take further measures,

including through the imposition of targeted sanctions and other measures,

to:

end and reverse ‘‘ethnic cleansing’’ in Darfur,

ensure the protection of civilians at risk,

create an environment conducive to the voluntary return in safety and dignity

of all refugees and displaced persons,

and provide for the effective and unrestricted delivery of humanitarian assistance.

A U.N. human rights monitoring team for Sudan.

A U.N. accountability mechanism for past crimes against humanity and other

grave abuses in Sudan.

On May 25, the Security Council issued a Presidential Statement on Darfur which

contained strong condemnation of abuses, and called on the Sudanese government

to live up to its ceasefire commitment to ‘‘neutralize,’’ disarm, and disband the militias.

On June 10 the G-8 group called ‘‘on the Sudanese government to disarm immediately

the ‘Janjaweed’ and other armed groups which are responsible for massive

human rights violations in Darfur’’.

But the Sudanese government remains even more stubborn with regard to human

rights, and investigation and prosecution of alleged abusers, than it does about relief

access. No one, either military or Janjaweed, has been detained or prosecuted

for the crimes against humanity or ethnic cleansing in Darfur. Only a handful has

ever been prosecuted for individual cases of rape, murder, and looting. They have

certainly not been disarmed.

The U.S. should insist on one final ingredient for the Naivasha peace agreement,

one which is vital for Darfur: that the peace agreement include a vigorous U.N.

human rights monitoring team throughout Sudan, to periodically and publicly report

on respect for human rights.

The parties to the north-south peace agreement already have agreed in writing

to abide by human rights principles. The peace agreement, however, lacks any

mechanism for monitoring human rights performance. There are to be elections in

three years throughout Sudan, at the local, state, regional, and national levels. Monitoring

is necessary in the period leading up to the elections to ensure a level playing

field for all parties—especially the aggrieved citizens of Darfur.

It is not too late to insist that this monitoring be inserted into the peace accords.

Implementation remains to be negotiated. The U.S. Congress should insist upon a

U.N. human rights monitoring component to implement the human rights principles

to which the parties have already agreed.

Similarly, the Naivasha peace agreement does not contain any provision for accountability

for past abuses in the twenty-one year civil war in which more than

two million died and four million were made homeless, most of them southerners.

We agree with the call of the U.S. Congress in its concurrent resolution of May 17

urging the President to direct the U.S. ambassador to the U.N. to seek an official

U.N. investigation into crimes against humanity in Darfur—but what about crimes

against humanity committed in southern Sudan, the Nuba Mountains, and elsewhere

during the long civil war? Should not Sudanese officials and others most responsible

for these grave abuses also be investigated, and made answerable for their

crimes?

It is sad to note that, even in the south, where a ceasefire has been in effect since

October 2002, the Sudanese government continues to use its ethnic militias (in this

case Nuer militias under the command of Gabriel Tanguinya) to conduct scorched

earth campaigns in the Shilluk land, north of Malakal. Although the U.S.-sponsored

Civilian Protection Monitoring Team (CPMT) reported that more than 100,000

Shilluk have been forcibly displaced, and their homes burned, the guilty remain at

large, enjoying complete impunity for their crimes. They and the relevant Sudanese

government officials must be accountable—not only the ethnic militias in Darfur.

We urge Members of Congress to insist that accountability be an integral part of

the Naivasha peace agreement—not only for Darfur, but for all of Sudan.

The political lead must be taken by the U.S. and the Security Council to end

abuses and reverse ethnic cleansing in Darfur, which is the stated policy of the

United States.

It is time for the Security Council to pass a resolution under Chapter VII to prepare

the way to take measures to relieve the massive human rights abuses and the

famine even without the consent of the Sudanese government. There is no time to

waste.

Well, something John said that I would pick up on

is there are very obvious things that can be done without too great

delay. Cross-border access. And there is a great parallel between

today in Darfur and 1988 in Bahr El Ghazal, when there was again

a manmade famine, and the international community simply could

not get its act together. It was debating what to do, and after a

quarter of a million people had died implemented cross-border ac-

cess in the form of Operation Lifeline Sudan. But a quarter of a

million people had already died.

As I said before, we are all already moving very, very late on

this. Darfur has been sacrificed to the north-south peace or the

north-south truce, depending on how you see it. So I just think, as

John said, it is very, very necessary to push ahead by any means

possible—air drops, cross-border access. It is possible.

Well, the key thing I think in the short term is not

just getting the food in there, but protecting it so people can actually

eat it. I met people who—many people are trying to come out

of these displaced, concentrations—I am not quite sure how formally

they are camps; they just seem to be almost ad hoc settlements—

because conditions were so bad there. Janjaweed were coming

into the camps and killing and raping, looting in the camps.

Families have been sending men across—I was in the Masalit

area—to see if they could get to Chad and, if they could, going back

to the camp to try to bring their families back to Chad.

So it is not just a question of getting the food in. It is protecting

the food so once it is there people can be able to eat it. Whether

the African Union numbers are sufficient for that, I really do not

know.

Absolutely.

I think I would defer to John on that. I have been

on the rebel side in the bush. I am not an expert at all in the corridors

of power.

It has started.

Yes. The Government of Sudan only ever reacts, does

anything, under pressure. It is not going to do anything if there is

not a consistent increase in pressure. Even if there are already

sanctions in existence, the mere fact of more being threatened will

be effective. They will not move unless there is pressure.

Ms. Flint.

I think that is difficult to answer because I think

there is probably more than one intent. The government, successive

governments, have supported the Arab-based militias of Darfur for

more than a decade now. When the rebellion started, they were

taken by surprise, I think, by the successes that the rebel movements

had. Within weeks of taking up arms, they had captured a

state capital, including a military airstrip, destroyed five military

aircraft, captured a bunch of senior air force commanders.

The government was quite surprised and very quickly changed

its tactics from attacking the rebels to attacking the civilians.

Darfur is, as you know, 100 percent Muslim. It is solidly Muslim.

So this is not in any way a religious war. But of course, this is a

government which is Arab-centric. There is an Arabist agenda

here. There is also a large degree of racism. I think the war in the

south has been for me far more than a religious war, a racist war.

So there are many, many, many different agendas going on here.

And of course, the Janjaweed have their own agenda, which is land

and loot.

I will talk about Darfur because that is where I have

been. There is absolutely no doubt that the beginning of the

Naivasha process gave impetus to the rebellion. The lesson of

Naivasha was that the only way to be listened to was to carry

arms. I believe that was the main reason why the rebellion began

in February 2003, that unless you carried weapons you had no seat

at the peace table, your complaints were not listened to.

I have not been there since the peace agreement was signed. I

was there just before it was signed. But there was tremendous anxiety

that this was an agreement being signed without them. Several

people I spoke to on the phone after the signing of the agreement

said the cease-fire agreement is not going to last; we are

going to make sure that it does not, we are going to, if necessary,

break the cease-fire to go back to have our voice heard. So I think

in Darfur it has been extremely negative, both before and after the

signing.