Thank you, Mr. Chairman. Thank you for

inviting me before the committee.

President Bush appointed me to this position in September of

last year, about 7 months ago. I—actually, my first trip to Darfur

was in 1990, 17 years ago, during the first Darfur war. This is the

third war in 20 years, and by far the most destructive.

I do have written testimony. I’m not going to read that; it’s very

long. But, for the record, I’d like to submit that, Mr. Chairman.

Thank you.

I went then as a USAID official. My job then was to make sure

people didn’t die in what was a drought and a war at the same

time, and I wasn’t focused on the politics of it. It was a tribal war

between the Fur people, an African tribe, and the Arabs. And so—

and then, there’s another war, in the 1990s, between the Masalit

tribe—which are Africans—and the Arabs. And now, this is a third

war between the Masalit, the Fur, and the Zagawas and the Arabs.

And it’s mostly the northern Arabs, not the southern Arabs. The

southern Arabs—the southern Rizegat, actually have been neutral

in the war and the Nazir of the southern Rizegat have actually

helped protect some of the African tribes from attacks from the

Janjaweed. So, I think it’s a very bad idea to assume this is all Africans

versus all Arabs. That is simply not true, and it may make

peace harder if people think the bad guys are all the Arabs and the

good guys are all of the African tribes. That’s simply not the case.

The war has been dangerously regionalized, at this point. It’s destabilized

Chad, it’s poured, now, into the Central African Republic,

and we are very worried about the regional consequences of this,

not just from a political standpoint, but from a humanitarian

standpoint. There were 400 people killed, or who died from exposure,

in attacks in Chad in the last week, which is very disturbing,

according to reports coming in from the field.

We believe the only way to deal with this is, ultimately, a negotiated

settlement, and—because over the long term we have to

have some kind of an agreement between the people who live there,

who have been at war with each other, with—one side, with support

of the Government of Sudan—for the economy and the social

structure and the social fabric of the province to be put back together

again.

We think coercive measures will be necessary; in fact, are necessary.

When you said, Senator, ‘‘I gave them a deadline, at the

end of December,’’ actually they met the deadline for that phase.

In December, I met with President Bashir, and I told him that he

had said: Under no circumstances would there ever be a ‘‘blue helmet’’

ever in Darfur, under phase 1, phase 2, phase 3 of the Kofi

Annan plan, which we negotiated on November 16, with 30 countries

and 3 international organizations at the meeting. And he said,

‘‘I’ve still—that’s still my position.’’ I said, ‘‘That’s completely untenable.’’

And I said, ‘‘We’re going to have to impose these new coercive

measures if you refuse to do that.’’ He agreed, at that point,

to allow blue helmets. And blue helmets are in Darfur now—not a

large number of them, but he has agreed to all of the provisions

of the first phase, which is about 190 people.

And so, there was, in fact, some action, but it’s very slow. And

there’s a reason it’s slow. The Sudanese Government sees the

peacekeeping force as regime-threatening. And the reason they see

that is, they believe that if a U.N. force enters Darfur, they will

begin to arrest people for war-crimes trials in Europe, under the

ICC. And there is a fear that—I’ve told them that is not in the resolution,

that’s not what they’re there for. They said, ‘‘Well, it may

not be, now; but, once the troops arrive, you can change the resolution,

later on.’’

In any case, that’s the fear. And it’s a real fear, because, of

course, they committed crimes, and they’re going to be held accountable.

And we know that the ICC has already announced

they’re investigating people and will be, shortly, making some indictments

of some major figures in the regime.

We believe, finally, that a negotiated settlement is the only way.

But we must deal with the property, livelihoods, and security

issues for the people in the province, in a peace agreement that has

to be implemented. I mean, there’s a lot of broken agreements that

have been signed over the years. I’ve watched them for 17 years,

between the north and the south. They sign agreements—they sign

agreements and then they don’t implement any of them. So, it’s not

a function of simply signing things; it’s a function of doing them.

Once the blue helmets arrived in Darfur under phase 1, I complimented

them publicly for agreeing to what they did agree to.

But, before that, I didn’t talk about it, because I wasn’t sure they

were going to actually physically let them in.

Where are our diplomatic efforts and our policy? Our focus is on

human rights and on humanitarian issues. We have no military or

economic interest in Darfur. I repeat that, because this is a refrain

that is being used to, sort of, exaggerate among the Arab tribes,

what the purpose of the United States and other countries’ interests

in Darfur are. They’re for oil, they’re for building a military

base—other ridiculous arguments are being made to fuel tensions—

ethnic tensions within the country in a very unhelpful way.

We believe that we need to energize, although this is not the purpose

of this hearing, the implementation of the Comprehensive

Peace Agreement between the north and the south. We think

there’s a direct relationship between peace in the south and peace

in Darfur. We have asked the southerners, who are actually the

most influential with the rebel groups, to get involved in this. I

asked them last December, I asked them again in March, and they

have done that—Salva Kiir is getting involved, who is the President

of the south; and the First Vice President of the northern government.

At first, the northern government said, ‘‘Absolutely not,

you will not do this.’’ Over time, we’ve, I think, convinced the Sudanese

Government that it was in their interest to have them involved.

And they are involved now.

The rebels I met with in January in Chad told me the most influential

group for them were the southerners, because together the

south and Darfur make up half the country, and the model for the

DPA, the Darfur Peace Agreement that was signed last May, is the

Comprehensive Peace Agreement between the north and the south.

They see their brothers in the south as a model for what they want

to do in Darfur.

We have encouraged—I have personally encouraged—I spent a

week in Chad, in January, working with the rebels and working

with Jan Eliasson and Salim Salim, to unify the rebels. They’re

broken down into 14 or 15 different groups, depending on the week.

It is a very chaotic situation. One of the problems with the security

situation at this point, is not two sides fighting against each other;

it’s anarchy. The government has lost control of large parts of the

province now; and some of the rapes, by the way, that are going

on, are by rebels raping women in their own tribes. We know, in

one of the refugee camps that’s now controlled by the rebels formally,

there have been terrible atrocities committed by the rebels

against the people in the camps.

We also believe that there needs to be one negotiating process.

When I started, last year, there were six different tracks for negotiations

between the rebels and the Sudanese Government. We

said, ‘‘That is not going to work.’’ There has to be one route. And

we’ve actually moved toward that, and that is what part of the

Addis agreement was, to have just the United Nations and the

African Union track. Our job was to support them, not to set up

separate independent negotiations, which will be used as a mechanism

for forum shopping by the rebels or even the government. We

don’t want that to happen. The only way this is going to be solved

is a comprehensive settlement that is between two sides, with one

negotiating position on each side, which we’re encouraging the

rebels to have.

I might add, the southern agreement would never have taken

place if there were 12 John Garangs. There was one John Garang

leading the southern negotiations, and one northern government

official, the Vice President, Ali Osman Taha, who negotiated the

agreement. It would never have happened if there were multiple

parties on each side, with different agendas and different positions.

The current situation is very troubling to us, because of the government’s

loss of control, because of rebel attacks on aid agencies

which are now increasing, of the 120 vehicles that were stolen by—

from aid agencies—and, by the way, the U.S. Government has

spent $2.4 billion keeping people alive over just the last 2 years.

We are, by far, the largest international donor. I think 65 percent

of all the food comes from the United States to feed people; 21⁄2 million

people are in over 200 displaced camps all over Darfur, and

there are hundreds of NGOs and eight U.N. agencies that are at

work, and they all have heavy funding from the United States—

but 120 aid trucks were looted last year. The great bulk of those,

actually, were from the rebels, and a few from the Janjaweed militias.

We now have Arab-on-Arab violence. The principal people getting

killed right now are one Arab tribe fighting with other Arab tribes.

Since February 11, there has actually been no aerial bombardments,

according to very credible sources on the ground. So, there’s

been 2 months of no aerial bombardments. Second, the principal

deaths since the beginning of the year actually have been Arabs

being killed by this Arab-on-Arab violence.

There have been about 80,000 new IDPs, in January and February.

That’s slowed down in February and March. And right now

we’re seeing a relative lull in the fighting in Darfur. The fighting,

however, has intensified to a dangerous degree in Chad, and that’s

where the bulk of the people getting killed are, at this point.

I’d just like to make a quick point on the CPA, and that—the

Comprehensive Peace Agreement—it is not the case that the CPA

is not being implemented. It is being implemented, parts of it. A

billion dollars in oil revenues have been transferred from the north

to the south. That’s a significant change. There is no war in the

south. There is no famine in the south. The economy’s picking up.

Roads are being built—a lot with U.S. Government support, I

might add—and health clinics built and schools being built, teachers

being trained. The economy is moving. However, the transformational

provisions of the CPA, which John Garang insisted on

being in there—elections, the sharing of revenue, not just with the

south, but all of the provinces in the north, because many of the

rural provinces in the north are getting no money from the oil revenues

at all—that is in the CPA. It’s not just a transformation of

the south. Those difficult provisions of transformation are not being

implemented. They’re the most dangerous, in terms of the stability

of the central government in its own interests, and it seems those

interests are under attack right now, because of the instability in

Darfur. And so, they have been unwilling to implement those provisions.

It is critically important that the CPA be implemented if

we’re going to have a model for a successful implementation of a

peace agreement in Darfur.

There is little progress on border demarcation. There’s an impasse

in Abyei. I’ve raised all these issues repeatedly with President

Bashir, and told him if he wants to stabilize Darfur, he needs

to implement the CPA with the south, because if the rebels see

that the CPA is being implemented, I believe there’s a greater likelihood

they will return to the negotiating table.

Our policy is in three areas. That is, to stabilize the humanitarian

situation. While the death rates in the camps are well below

emergency levels, we are nervous, because access by the NGOs has

deteriorated because of the anarchy in the province now and the

attacks on aid agencies which has led to a couple of them leaving.

A very dangerous situation.

Two, we are very nervous about the rainy season that’s coming

up. We have a lot of food—more than enough food in the capital

cities—but the problem is getting it, without attacks on the convoys,

into the camps before the rainy season starts, in 9 weeks.

Second, our political solution is simply to get the rebels back to

the negotiating table with the government. The government has

not put preconditions, other than one—they want to use the DPA

as a basis for further negotiations—with additional amendments,

and they’ve told me they will be flexible on that. I talk to Jan

Eliasson quite often; he’s an old friend of mine. He’s leading the negotiating

teams. He has a plan in place for how we can proceed,

in the next month, to move toward that.

And, finally, we want the full three phases of the Bashir—I’m

sorry—the Kofi Annan and Ban Ki-moon plan that was agreed to

and Addis implemented. As of today, the United Nations has announced,

with the African Union, that the Sudanese Government

has agreed, it appears, to the—what is called the ‘‘heavy support

package,’’ phase 2, which they trashed in a letter to Ban Ki-moon,

a month ago, when I was—they signed it when I was there—literally,

when I was in the city, they signed it and sent it, but did

not give us a copy.

They appear to have reversed themselves on this. Now, I have

to say ‘‘appeared,’’ because there’s a long history of them signing

things, announcing things in communiques, and then not doing

them. So, what will be the proof of this is whether or not we’re allowed

to go ahead with the work we’re going to do in building more

camps to house more soldiers. The big impediment to phase 1 has

been the absence of barracks, which are now constructing for the

190 troops who will be arriving. And then, there will be assistance

that will be given by the international community for the construction

for the additional 3,000 people under phase 2.

They have not agreed to phase 3, and there are two remaining

issues on phase 3, called the ‘‘hybrid force.’’ One is U.N. command

and control. I put U.N. command and control in the text of the

Addis agreement. I insisted on it. I said, ‘‘That is the bottom line

for the United States. If there’s no United Nations in command and

control, we do not support the agreement.’’

Two—and the Sudanese Government is resisting that; they don’t

want orders coming from—to these troops from New York directly—

two, they do not want any troops from outside Africa. We

believe—and I believe there are people in the United Nations who

can confirm this—that there are not enough sufficiently trained

peacekeeping troops in Africa to handle this, that we need troops

from other peacekeeping countries outside Africa, which the Sudanese

have been very resistant on.

And there are a number of other smaller issues, but those are

the two central issues, at this point.

And let me just conclude by saying, we were about to impose

plan B, at least this phase of it, and we did not want to announce

them, frankly, when a congressional delegation was in Khartoum;

we didn’t think that was particularly good timing. And then,

there’s been a request made by Ban Ki-moon, the Secretary General

of the United Nations to our Secretary of State, and to me. I

met with him last Monday, and he repeated, ‘‘I need 2 weeks to 4

weeks to try to see if the current round of negotiations is going to

work to get the paralysis that we’re facing moving.’’ As a courtesy

to the Secretary General, we’ve agreed to that delay, but there is

a finite limit to it, and if we continue to see stonewalling, then

those measures are going to be implemented.

It’s up to the President. It’s his decision to make. But I know

where he is on this; he’s as angry as all of us are on this, and

wants action. But the Secretary General requested it. He did it

publicly; it’s not a secret. And we’ve agreed to wait a short time

while we let the negotiations that he’s undertaking now take their

course.

I’d be glad to answer questions, Mr. Chairman.

Thank you, Mr. Chairman and members of the committee. I appreciate the opportunity

to be here with you today to discuss how the United States (U.S.), together

with the United Nations (U.N.) and our international partners, is addressing the

crisis in Darfur.

A great deal has happened since I last gave testimony—some of it frustrating,

some of it hopeful—but what has not changed is the administration’s firm commitment

to ending the violence and responding to the immeasurable suffering of the

people of Darfur. The only U.S. interest in Darfur is a peaceful end to the crisis.

Our goals are to provide life-saving humanitarian assistance to the millions of people

who have been affected by violence; to promote a negotiated, political settlement

to the conflict within the framework of the Darfur Peace Agreement; to support the

deployment of a robust African Union (AU)/U.N. hybrid international peacekeeping

force; and to ensure the successful implementation of the Comprehensive Peace

Agreement (CPA). We have no military or economic interests in Darfur and we oppose

any effort by any group to separate Darfur from Sudan. While we have a relationship

with the Sudanese Government on counterterrorism issues, this relationship

has not prevented us from elevating humanitarian and human rights concerns

to a preeminent position in our policy toward Sudan. As a country and as a government

we are appalled by the atrocities that have occurred in Darfur including those

in 2003 and 2004 when some of the worst violence occurred, and the United States

has made solving conflict in this region a priority.

This is the third war in Darfur in just over 20 years, but it is by far the most

destructive in terms of lives lost and people displaced. The current war is not a

‘‘simple’’ conflict between Arab and African tribes, but a much more complex dispute

fueled by drought and desertification, disputes over land rights, competition between

nomadic herders and farmers, and longstanding marginalization of Darfur by

the Government in Khartoum. The Sudanese Government’s disastrous decision to

arm, direct, and pay Northern Arab tribes, now called the Janjaweed, as their proxies

in the war against Darfur’s rebels led to genocide and resulted in the deaths

of hundreds of thousands of innocent civilians and the destruction of their villages

and livelihoods.

Since then, the security situation on the ground has continued to evolve and has

become increasingly chaotic. The Government of Sudan (GOS) is using the same

strategies against Darfur that Sadiq al-Mahdi first developed and used against the

south in the 1980s. By manipulating preexisting tribal divisions, creating militias

drawn from the youngest and most disenfranchised members of Arab tribes, forcing

people from their homes, and separating them from their traditional leaders, the

government has created a lawless environment where banditry and violence are on

the increase as rebel groups and tribal structures fragment and begin to fight

amongst themselves. We are now seeing more examples of Arab on Arab violence

in Darfur, localized tribal conflicts, and looting, extortion, and hijacking by rebel

groups. In January and February of this year, 80,000 people have been forced from

their homes and into camps because of violence. In addition, regional political agendas

are being played out in Darfur and violence and refugees are spilling across borders

into Chad and the Central African Republic.

Against this backdrop, however, there are some small signs of hope and progress.

Credible reports from Darfur indicate that there has been a slow, steady decrease

in civilian casualties since January 2007 and direct fighting between the Sudan

Armed Forces (SAF) and nonsignatory rebel groups has virtually ceased in the past

months. When I visited Sudan in October and again in December 2006, a broad

range of GOS officials appeared to believe that they could solve their ‘‘Darfur problem’’

through military means. This policy has proven to be a disaster as government

troops have taken a beating at the hands of rebels and as they have lost weapons

and equipment to rebel forces. I have stressed to Khartoum and the rebels that a

military solution is not possible, as have our allies. Several regional powers have

also begun to play a positive role. Most notably, in late February 2007 Libya brokered

an agreement between Chad and Sudan to reduce hostility along their common

border. Unfortunately, this appears to have unraveled in recent days and we

note with great concern the recent attacks inside Chad against civilians in the villages

of Tiero and Morena and escalating violence along the border. However, these

types of constructive efforts are welcome and we encourage Libya and other regional

powers to work closely with the United Nations and African Union on these initiatives.

Perhaps most heartening, groups inside Darfur are beginning to push back

against the terrible violence they have seen over the past 4 years. The Nazir of the

southern Rizegat, the leader of an Arab tribe in south Darfur, has remained neutral

over the course of the conflict despite attempts to draw him in. In other parts of

Darfur, there are indications that Arab and African tribes are trying to rebuild cooperation,

with a few scattered reports of groups returning looted livestock to the

original owners and beginning to meet and trade in traditional markets.

We will continue to watch the security situation very closely. If the government

and rebel groups continue to exercise restraint between now and the end of the

rainy season, there will have been a full 20 weeks of relative quiet, enough time

to restart political negotiations. If, however, either side breaks the fragile calm that

appears to be holding between government and rebel forces inside Darfur—directly

or through their proxies—we will take this as a clear signal that the parties to the

conflict are not serious about the peace process and will respond in the strongest

possible terms.

The current security environment has had an extremely negative impact on humanitarian

operations in Darfur and eastern Chad. The U.S. Government’s (USG)

first and most urgent priority is to ensure the continued delivery of life-saving humanitarian

assistance to the 21⁄2 million internally displaced persons (IDPs) and refugees

living in camps in Darfur and eastern Chad. While civilian deaths may have

declined in recent months, people are still being forced from their homes and nearly

80,000 new IDPs have flowed into camps in January and February of this year. The

United States has called upon all actors in Darfur—including the government, the

Arab militias, the rebel signatories and the nonsignatories—to cease all interference

in the delivery of humanitarian aid. Representatives from NGOs have told me that

there are now so many rebel groups in Darfur, it has become virtually impossible

to negotiate deals for safe passage of workers and supplies. The number of security

incidents against humanitarian agencies has increased, with more than a dozen

local Sudanese staff killed, one expatriate woman sexually assaulted, and approximately

120 vehicles hijacked over the course of 2006. Much of this violence, particularly

the theft of vehicles and supplies, has been perpetrated by rebels who seem

more intent on stealing and looting than representing the people of Darfur. In my

trips to the region I have met repeatedly with rebel leaders and have insisted that

this type of activity cease immediately. While none of the rebels took responsibility

for incidents, this message was clearly heard and we have seen a slight decrease

in vehicle hijackings over the past few months, although the number remains unacceptably

high.

Relief efforts are also being slowed by bureaucratic obstacles and continual harassment

by the Government of Sudan. Visas and travel permits are routinely delayed

or denied and humanitarian goods languish in customs for months. This seriously

undermines the ability of aid workers to deliver needed supplies and services

to civilians in the camps. We have pressed the government continually on this point,

stressing that they should facilitate—not block—the delivery of humanitarian relief.

During my recent trip to Sudan in March, I met with President Bashir and insisted

that his government lift burdensome bureaucratic restrictions on relief workers. He

gave his verbal assurance that this would happen and U.S. pressure, together with

that of other donors, led to a breakthrough agreement signed March 28 between the

Government of Sudan and United Nations that should significantly improve humanitarian

access. If the agreement is implemented as written, it will signal the Sudanese

Government’s intention to improve the humanitarian environment for aid

agencies.

I should mention that despite difficult and dangerous conditions, humanitarian

workers have done a remarkable job of providing life-saving assistance to 21⁄2 million

IDPs and refugees in Darfur and eastern Chad. This is currently the largest

humanitarian relief operation in the world and the United States is the single largest

donor of humanitarian assistance. We have contributed more than $2.6 billion

in assistance to Sudan and eastern Chad in FY 2005 and FY 2006 and have provided

more than 72 percent of all humanitarian assistance to Sudan. USAID is

sending 40,000 metric tons of food aid to Darfur every month and the United States

provided 50 percent of the appeal by the U.N. World Food Program in 2006. In addition

to food, the United States is providing shelter, water, sanitation, health, and

hygiene programs for those in need. We are also working to protect vulnerable populations

such as women and children by improving physical safety and providing immediate

services to victims of violence. Given the extremely rugged conditions in

Darfur, this assistance is saving lives every day and we need to recognize the tremendous

work the humanitarian community is doing.

The only way to achieve long-term progress in Darfur is to promote a political settlement

among all the parties to the conflict within the framework of the Darfur

Peace Agreement, and this is where we are now focusing our attention. We strongly

support a leadership role for the United Nations and African Union and stand ready

to support the important work of Special Envoys Jan Eliasson and Dr. Salim Ahmed

Salim. We believe that the United Nations and the African Union can play a critical

role in keeping the attention of the international community focused on a negotiated

settlement and can help channel disparate initiatives into a coordinated peace process.

This will help minimize duplication and confusion and will guard against

‘‘forum shopping’’ by parties to the conflict. Again, these are issues that I raised in

my most recent visit to Sudan in March and I received expressions of support for

negotiations—without preconditions—from the Government of Sudan, including

President Bashir. It remains to be seen whether the GOS will make good on these

statements, but there appears to be a growing consensus among key members of the

ruling coalition that a peace agreement with nonsignatory rebel groups may be the

only way out of the current crisis.

As the central basis for negotiations, the United States supports the Darfur Peace

Agreement (DPA) signed by the GOS and the faction of the Sudan Liberation Movement

headed by Minni Minawi (SLM/MM) on May 5, 2006. Despite some limitations,

the DPA is a good agreement that outlines ways to address the root causes

of the conflict, creates space for the delivery of humanitarian aid, and gives international

forces a robust mandate to protect civilians and humanitarian workers. In

further negotiations among nonsignatories and the GOS, we support adding amendments,

annexes, or clarifications to the DPA. What we do not support is starting

from scratch and spending another year negotiating a new agreement that will

likely be worse for the rebel movements and the people of Darfur. We have made

this point to all parties involved.

We recognize, however, that implementation of the DPA has been slow and this

has made rebel groups reluctant to join the political process. We have called repeatedly

on the government to implement key portions of the agreement, including disarmament

of Arab militias and empowerment of the Transitional Darfur Regional

Authority. One of our most important tasks is to bolster the position of Minni

Minawi, the sole rebel signatory to the DPA, in order to show that embracing peace

yields dividends. He has been marginalized by the government on key decisions related

to Darfur and the package of reintegration assistance promised to his troops

under the DPA has materialized very slowly, if at all. Most recently, a violent and

deadly March 24 attack by the GOS on a house run by SLM/MM in Khartoum and

the fatal ambush of a senior commander in Darfur, only serves to raise questions

about the seriousness of the GOS commitment to a negotiated peace. Nonsignatory

factions might ask why they should sign the Darfur Peace Agreement if the GOS

continues to brutalize parties to the agreement.

The number of rebel groups now operating in Darfur also complicates a negotiated

settlement. As I mentioned earlier, the GOS has played a major role in splintering

opposition movements into factions and has attempted to buy off one 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

among rebel factions, delaying or preventing the creation of a unified political

position. Surrounding countries have also exacerbated 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 well-being of people in Darfur. No peace agreement

would have been possible in southern Sudan had there been multiple rebel

factions each with a different political agenda.

In January I met with rebel leaders to gain their perspective and to deliver a

strong message from the U.S. Government that they need to unify politically and

support humanitarian operations. I stressed that 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 have urged them

to renounce the violent overthrow of the Government of Sudan, which some have

been publicly advocating, and which is an impediment to peace negotiations. I urged

them to be flexible and practical about their demands in any upcoming negotiations;

they will not get everything they ask for.

We have begun to see a number of good, new initiatives that feed into broader

U.N. and AU efforts to negotiate a political settlement. One particularly promising

initiative that the United States strongly supports is the process being led by First

Vice President Salva Kiir, who is also the President of southern Sudan. With the

blessing of Khartoum, Vice President Kiir has consulted with Darfur’s tribal leaders,

community groups, and nonsignatory rebel leaders in order to find a workable solution

to the Darfur crisis. The Sudan People’s Liberation Movement (SPLM) can play

an important role in advising the Darfur nonsignatory groups since they have the

experience and credibility that comes from successfully negotiating the Comprehensive

Peace Agreement with Khartoum.

Recently, international attention has focused on the need for an enhanced peacekeeping

capacity in Darfur. The African Union peacekeepers have done, and continue

to do, an admirable job under extremely difficult conditions, but a more robust

force is needed. African Union troops have come under increasing attack, with the

most recent incident resulting in the death of five Senegalese peacekeepers in

Northern Darfur. Two Nigerian peacekeepers were killed earlier in March. Missions

that were once carried out as a matter of course, for example, protection details for

women leaving IDP and refugee camps in search of firewood, have now been halted

and the threat of increased rapes and attacks is very real. The USG has provided

over $350 million in support to the approximately 7,700 strong AMIS force since

FY04. This includes construction and operation of 34 base camps, maintenance of

vehicles and communications equipment, predeployment equipment and training,

and strategic airlift. However, the AU has reached the limit of its capabilities, and

a robust force with the command and control of the United Nations is desperately

needed in order to function effectively and minimize the risk of atrocities in the future.

The AU itself has called for a transition of the African Union Mission in Sudan

(AMIS) to a United Nations operation.

Transition of the current African Union Mission in Sudan to a more robust hybrid

AU/UN peacekeeping operation remains a policy priority for the United States. U.N.

Security Council Resolution (UNSCR) 1706 of 31 August 2006 has a robust mandate,

including the protection of civilians, and remains the touchstone for the U.S.

position on peacekeeping in Darfur. In November 2006, the United Nations and African

Union convened a high level meeting in Addis Ababa where key players, including

the Government of Sudan and the five permanent members of the U.N. Security

Council, agreed to a three-phase plan that would culminate in a hybrid AU/

UN peacekeeping force of 20,000 troops and police under U.N. command and control.

This plan was reconfirmed at an AU Peace and Security Council meeting in Abuja

and by a U.N. Security Council Presidential Statement (PRST). Sudan has repeatedly

told us over the past months that they agree to the Addis framework; and the

PRST was done at their specific behest. However, in a March 6 letter that President

Bashir sent to U.N. Secretary General Ban Ki-Moon, he essentially rejected the

Addis Agreement’s Phase II Heavy Support Package, effectively also scuttling the

third phase or hybrid force. Furthermore, he stated: ‘‘Command and control after

provision of the support packages is the responsibility of the African Union, with

the necessary support from the United Nations.’’ U.N. command and control of the

hybrid operation was agreed to by all parties in Addis, including Sudan, as an essential

component of any force. This is not negotiable.

We are very concerned with President Bashir’s letter rejecting major portions of

the heavy-support package. We are hopeful that an April 9 meeting in Addis Ababa

signals that the GOS is willing to reconsider its position. We trust that the GOS

will honor its commitments and move swiftly to implement all remaining phases of

this agreement, including a vigorous joint AU/UN peacekeeping force under U.N.

command and control. The U.S. Government strongly opposes any efforts by the Sudanese

Government or others to renegotiate, once again, the agreement reached in

Addis Ababa on November 16, 2006. The failure to implement the Addis framework

is not acceptable and will soon be met, as we have long stated, with a more

confrontational approach.

I would like to add a word about international pressure on Khartoum. In January,

I made a visit to China where I had positive meetings with several key officials,

including 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 AU/UN 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 Comprehensive

Peace Agreement framework. China’s Ambassador to the U.N. Wang Guangya

played a vital and constructive role in helping to broker the Addis compromise. During

his recent visit to Khartoum, Chinese President Hu Jintao encouraged Bashir

to show flexibility and allow the AU/UN hybrid force to be deployed. While we welcome

and encourage China’s efforts to apply diplomatic pressure on the Government

of Sudan, we 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.

Similarly we are pleased with the emergence of broad international support for

the humanitarian needs of people in Darfur. Many countries in Africa and around

the world have echoed UNSCR 1706 and called publicly for Khartoum to admit U.N.

peacekeepers and abandon its futile effort to impose a solution by force. During my

October 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 recently played a much more active role in urging

the Sudanese Government to take a more constructive approach to the Darfur crisis.

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 nongovernmental

organizations can and should continue to shine a spotlight on Khartoum’s

enablers.

While our primary topic today is Darfur, the crisis there must be seen in the context

of our overall policy goals in Sudan; ensuring the implementation of the Comprehensive

Peace Agreement and supporting the democratic transformation of

Sudan through free and fair elections in 2009. Unless there is progress on these two

broader goals, there is little chance that we will be able to find a lasting solution

to the crisis in Darfur. The international community needs to recognize the fact that

southern Sudan is at a crossroads. The CPA has created a fragile peace between

the north and the south after two decades of conflict during which more than 2.4

million people died and 4 million were displaced. However, over the next year, several

important steps must be taken to ensure that the CPA succeeds. Armed militias

still threaten the security of southern Sudan. These groups must be demobilized or

integrated into the SAF or the SPLA, and the withdrawal of the Sudanese Armed

Forces from all areas of the south must stay on schedule. The southern economy

is finally growing, but north-south boundary disputes, including the lack of implementation

of the Abyei Border Commission’s decision, and a lack of transparency

in oil contracts keep the south from getting its full share of oil revenues. The pilot

census must proceed in order to lay the foundation for elections in 2009, and legislative

reforms—including the election law—must be passed. 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 is likely that security issues will be the cause. At ceremonies

to celebrate the CPA’s second anniversary on January 9, 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 in early December

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 U.N.’s efforts

to stabilize the situation.

It is my belief that one of the most important efforts we are undertaking in southern

Sudan is to support the transformation of the Sudan People’s Liberation Army

(SPLA) into a smaller, more professional military force. This will offset outside efforts

to destabilize the GOSS through militias or other armed groups. The discipline

and competence afforded by modern, professionally trained troops and officers will

prove a stabilizing factor in southern Sudan. At the same time, the U.N., U.S., and

other partners need to press forward with reform of the police and criminal justice

sector so that local conflict does not escalate, thus requiring an SPLA response. Reform

of the security sector in Sudan is proceeding, although more slowly than we

would like. According to UNMIS, the U.N. Mission in southern Sudan, SAF redeployment

from southern Sudan is verified at 68 percent but further progress is hindered

by delays in other security-related requirements, such as the formation of

units composed equally of SAF and SPLA troops known as Joint Integrated Units

(JIUs). SPLA redeployment from the transitional areas along the north/south border

is mostly complete but is being held up due to a delay in the formation of the Joint

Integrated Units. CPA security provisions need to be implemented now or conflict

is likely to erupt in several areas around oil-rich Abyei and near Juba. Joint Integrated

Units 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 United States plans to financially

and materially support this important process of providing strategic training and

mentoring to the SPLA at key levels. This assistance will not include any weapons

or weapons systems and is specifically provided for under the CPA.

Economic issues divide the north and south. The Sudanese economy is growing

at a rate of 12 percent per year. Their Gross Domestic Product will double in the

next 6 years if current growth rates are maintained, after having already doubled

over the last 5 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. Under the CPA, the Government of National Unity is required to begin

making sizeable increases in the budgets and revenues in 2007 to impoverished

provinces throughout the country. These provinces have yet to see the benefits of

oil revenues. The Parliament has approved these expanded provincial budgets, however

the money has not yet been sent to the provinces by the Ministry of Finance.

The United States is a major partner for aid, but not for trade. Unilateral economic

sanctions are a 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. The Darfur Peace and Accountability Act (DPAA) and the President’s

Executive Order 13412 modified the U.S. comprehensive sanctions regime

against Sudan under Executive Order 13067 by easing many restrictions with respect

to the Government of southern Sudan, and certain other geographic areas,

though Sudan, and specifically the Government of Sudan, is still subject to significant

sanctions under U.S. law.

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 10 state governments in the south. The new government in Juba

is still a weak institution in its infancy, especially in such areas as service delivery,

financial management, and human resource development. In recent months, however,

I am happy to note that President Salva Kiir has taken steps to confront the

issue of corruption in his government. In the past weeks he took decisive action to

counter corruption among GOSS officials with alleged involvement in mismanagement of resources, which we believe was a needed step in improving the management

of the GOSS.

Below the surface, there has been little political transformation. Whether in Khartoum

or in Juba, military officers are in charge. 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. If the elections are to be held

as scheduled, the census must be expedited.

Despite these serious shortcomings, there has been some progress under the CPA.

Peace is holding in the south for the first time in 24 years. The GOS has transferred

over $1 billion in oil revenues to the new GOSS. Designed by both the north and

the south, the new Sudanese pound has been introduced as the new common currency.

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 percent 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 an authoritarian

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 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. 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 continuing 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 supports the proposal being

considered for an East African summit through the regional Inter-Governmental Authority

on Development (IGAD) to reassemble 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.

These are our objectives: To provide life-saving humanitarian assistance to the

millions of people who have been displaced from their homes and affected by violence

in Darfur; to promote a negotiated, political settlement to the conflict that is

agreed to by all parties within the framework of the Darfur Peace Agreement; to

support the deployment of an AU/UN hybrid international peacekeeping force to

protect civilians and ensure continued humanitarian access; and to ensure the successful

implementation of the CPA. However, if we find the Sudanese Government

is obstructing progress on these objectives, the United States Government will

change its policy and will pursue more coercive measures. The burden is on the Sudanese

Government to show the world that it can meet and implement the commitments

it has already made.

There are three—and, I might add, plan B

is a series of things that will be phased, over time, depending on

how things go. If we see a deterioration of the Sudanese Government’s

attitude and cooperation on phase 1 and phase 2, which

they’ve clearly agreed to, then there are going to be other measures.

But the measures now that are before the President are, No.

1, personal sanctions against one rebel leader who’s an obstructionist.

I mean, the perception is: All the rebel leaders are John

Adams and Abraham Lincoln and George Washington. They are

not. Some of them are very able people. I’ve known them for many

years. But some of them are dangerous extremists. And one of

them has been obstructing any peace deal, and he is on the list.

Two war criminals, people who we think have committed terrible

atrocities, are on that list. And there will be travel bans, there will

be bans on—or the confiscation of bank accounts and other measures

against individuals. Is it going to have a big effect? You know,

are they traveling widely in the United States? No; they’re not. But

it—they do not like being on this list, I have to tell you. People are

very worried in Khartoum as to who the other two people are in

the Sudanese Government. Everybody keeps asking us, which, of

course, we’re not telling anyone. That’s the President’s decision—

the announcement.

The second provision of this round of sanctions, should the President

decide to go ahead with this, is—are 29 companies that are,

in fact, owned by the Sudanese Government, that are very large

companies, very powerful companies, through which a lot of money

moves, particularly oil revenues. And many of them do their transactions

in dollars, and we believe that, under the new enforcement

mechanisms, which is part 3 of this, these sanctioned companies,

in fact, will have some of their operations paralyzed.

Under the third part of this are new enforcement mechanisms to

implement the sanctions that the President put in place 2 years

ago, and then new sanctions he put in place under the Darfur

Peace and Accountability Act that the Congress passed, that were

put in place—I remember, distinctly, the date, because it was in

October, because the executive order was signed the day I arrived

in Khartoum, which is one reason the Sudanese—because they

were so furious, they would not let me see President Bashir.

And so, we have new mechanisms that we’ve developed since

9/11 that were not available in the 1990s, or even in the earlier period.

This is just in the last 2 years, these new mechanisms have

been put in place. They are the mechanisms, Senator, that are

being used in Iran and North Korea, and we’re going to employ

those mechanisms to do a much more aggressive enforcement

mechanism for existing sanctions plus the 29 new companies that

we would add, should the President decide to go ahead with this.

Well, it is the 29 plus the existing 130 that

are already on the list. We’re just adding—we’re going to keep adding

more and more companies, is what we’re going to do. And this

phase—we have 29—you have to go through a long, apparently,

legal process. It’s the Treasury Department that does this. The

head of OFAC, I meet with constantly; we’re—he spends a huge

amount of time on this to make sure that all of the legal hurdles

required under Federal statute are followed, so we don’t have lawsuits

on our hands and that we effectively can enforce these.

We believe it will have an effect on the economy, a substantial

effect, be—and the reason we know is because it’s having an effect

on the Iranian and North Korean economy. I would not be as enthusiastic

about this—these measures, having had experience with

sanctions before, except for the fact that we know what it’s doing

in these two other countries; it’s having a real impact.

Finally, I would add that all oil transactions—and there are a

number of oil companies that are state-owned by the Sudanese

Government, and state-run—all those transactions are in dollars,

even though we don’t buy the oil and the oil has nothing to do with

American companies. The current practice is: All international oil

transactions, regardless of which country or which company, are in

dollars. And so, they have to go through American banks in order

to take place. And so, that’s one of the mechanisms that will be put

in place that does not exist, at this point.

I don’t want to go in, in a public session,

to the details of which companies are on that list, or which one.

One, it’s the President’s—I don’t want to get into White House prerogatives

on announcing which companies are on the list and which

companies are not.

I think, Senator, the largest, most powerful effect here is not on

individual companies, it’s on the enforcement mechanisms, which

are new; because we didn’t have these enforcement mechanisms in

place. In fact, we’re the only country in the world that has such a

powerful enforcement mechanism, through the Federal Reserve

Bank, to actually enforce these sanctions. And that is something

that’s, as I said before, relatively new.

He asked the British, who were the primary

sponsors of that resolution, to hold off, as well, for 2 to 4

weeks, for the same reason.

And we have been working with them on

it, yes. We support a resolution. I don’t know the current state—

I’d have to ask Kristen Silverberg—about the drafting of a resolution.

But they asked also for that. That’s been public comment by

Ban Ki-moon, to ask the British to hold off on that temporarily.

Senator, I recognize there’s been a lot of

discussion about this. I have made an offer to the committee to

come brief you in a classified session. All military options are on

the table for discussion within the executive branch. And I’m happy

to tell you the state of that, in a classified session, and let me tell

you why.

There are 21⁄2 million people in those camps, in 13-—the displaced

camps in Darfur—and there are 13,000 relief workers, working

for U.N. agencies and NGOs. They are extremely vulnerable.

Every comment I make—literally every comment—is in the Darfur

newspapers, not just the Khartoum newspapers—in Darfur. They

have TV stations. They broadcast everything we say. It’s one thing

for someone from the legislative branch to make comments. When

I make comments specifically about any kind of military activity,

it has a profound effect. And I have to be very careful that it does

not cause a reaction that could put people’s lives in danger on the

ground. When other people make the comments, that’s a different

matter, but when someone from the executive branch does it, it

causes very severe reactions in the field. So, I have been asked repeatedly

in the field by my friends in the international community

to be very careful what I say. I’m happy to brief you and your committee

privately on this——

Let me first say that I spent an hour with

him last Monday, and I was very impressed by his commitment.

And the evidence is, from, just, people I know in the U.N. system,

that he is seized with this issue. And he told me this is his No. 1

priority. He has spent a lot of time on it. His staff is spending a

lot of time on it. I met all of the Under Secretaries General who

are dealing with this, at length last Monday, separately, and it was

clear that he had given them very, very aggressive instructions as

to what was to happen. I think we need to give him a chance.

I should tell you——

That means that——

If he asked for a 2- to 4-week

delay, that we need to respect that. That’s what he asked for, specifically,

publicly.

Second, let me just say that there’s been a lot of speculation of

the role of other countries in the negotiations on Darfur. I believe

that the Chinese have already played—I know the Chinese have already

played a constructive role. Ambassador Wong, who’s become

a friend, who is the Perm Rep for the Chinese Government in New

York, in fact, came, at Kofi Annan’s request, to the Addis Conference,

in November—November 16. And we worked together on

the language. And the Chinese are committed to what we agreed

to November 16. And they now are saying something they seldom

do. The Chinese do not conduct diplomacy the way we do; they do

it very quietly. But they’re now making public statements, telling

the Sudanese they must be, No. 1, flexible, and, No. 2, they must

accept and implement the agreement that was reached, as it was

reached November 16. In fact, their special envoy for Darfur just

returned to Beijing, and he repeated this. We have indications, at

this point, that the Chinese are now taking even a more aggressive

role than they have in the past. So, I actually think we need to encourage

Chinese involvement in this. I think they may be the crucial

actors. I think there’s been a lot of China-bashing in the West,

and I’m not sure, to be very frank with you, right now it’s very

helpful. I think the Chinese actually may be the critical factor that

led to the Sudanese reversing their position in Addis, 2 days ago,

on the second phase of the ‘‘heavy support package’’ of the Kofi

Annan plan. We have evidence that they put very heavy pressure

on them.

So, I don’t want to violate confidences, Senator, publicly, but I

believe, actually, other members of the Security Council are working

on this. We talk constantly, every week, with the Chinese—at

the Presidential level, at the—Deputy Secretary Negroponte just

spoke to the Deputy Secretary of the Chinese Foreign Ministry, I

think yesterday or day before yesterday. I met with Ambassador

Wong last week in New York. I’ve met with the Chinese Ambassador

to the United States, and I think we’ve had very good conversations

of that. So, I think Ban Ki-moon has the support of

member states. I even think, now, many of the Arab States are fed

up with the way in which the Sudanese Government is conducting

itself, and they are beginning to put pressure on—in their own

way, quietly, on the Sudanese Government to resolve this.

He did not raise it with me, Senator, but,

let me just mention, in the supplemental budget that is before

you—I know other issues are sort of clouding this, or are pushing

this aside, but in that budget that you have before—there’s quite

a lot of money for Sudan. And there’s $150 million in that budget

request, the supplemental, for the AMIS force, supporting the

AMIS force in Darfur. And there’s $99.8 million for the international

peacekeeping activities for the United Nations under that.

So, there’s about $250 million—I’m sorry—the $100 million—the

$99 million is in the 2008 request.

We have a lot more money in the account for peacekeeping operations,

but we have to get agreement, first, to transfer the cost of

this operation in Darfur, which is one of the critical issues—we do

not want to come—keep coming back to Congress for special appropriations;

it doesn’t work, and it’s not working for the European

Union either—we want the United Nations to fund this under the

regular appropriation so we can go through a normalized process

to do this. In order to do that, we have to have U.N. command and

control.

So, U.N. command and control is not just a matter of military operations,

it’s a matter of—the member states are not going to agree

to have the United Nations fund this unless they have control over

the operation. I’ve told that repeatedly to President Bashir and to

his ministers. It’s not just a function of United States wanting the

United Nations to be in control, it’s a function of member states not

willing to vote for a resolution that would allow this to be funded

by the United Nations.

Right now, phase 1 and phase 2 of the ‘‘light support package’’

and the ‘‘heavy support package’’ under the Addis agreement of November

16 can be funded out of existing funds and the funds we

have in the supplemental appropriations. So, we’re taking care of

it, in terms of that.

We will have discussions with the Congress, later on, should

there be a transfer of this funding from the episodic funding to regular

U.N. appropriations. Right now, we’ve put in the current state

of affairs—what’s in the budget will support the current state of

affairs, and what we believe—the startup money needed to fund

the U.N. operation.

Senator, I’m aware of many different

pieces of legislation on this issue, and I—prior to my taking this

job, when I was a—I’m still a professor at Georgetown; this is—I

have another job; I have my students—I stated my position on this

issue. But I am a member of the administration, I suppose the administration’s

position—I don’t know if it’s been made public—but

there is a great deal of concern about this legislation in the administration.

I do not think the administration supports the notion of

divestiture, and there are several reasons for it.

My concern about it, personally, is, from our past experience with

divestiture legislation it would take a couple of years before it had

an effect, and we don’t have a couple of years. Divestiture legislation

is not going to have an affect on the Sudanese economy in the

next year, even if it passed immediately, was immediately enforced.

It will take a while. We don’t have a while.

No. 2, I remember, when I was a State legislator in Massachusetts,

22 years ago, I voted for sanctions on South Africa to purge

the State pension fund of any investments of companies in South

Africa. And I remember that. What people don’t realize is, many

States still have statutes on the books from 20 years ago; they

never rescinded them. So, there is a reluctance in the administration

to support legislation that would have the States—and there’s

been, by the way, a Supreme Court ruling that actually had my

name on it, at one point, because I was the chief operating officer

for State government; I was being sued by the Board of Trade. And,

when I was the secretary of administration in Boston, I had a staff

in Boston on this issue, so I’m very familiar with it, in the legal

sense, since I was being sued as a representative of the Commonwealth

of Massachusetts.

There is now a Supreme Court ruling that has three conditions

for any State or municipality to do divestiture. And it’s a harsh

standard. And I think one statute in Illinois has already been ruled

unconstitutional. There is a reluctance to support this, because the

fear is to have each State and municipality conducting their own

foreign policy could create chaotic conditions. And once the legislation—

or the crisis is over, and we want to change the sanctions,

some States may not do it. That’s still the case. There are still

sanctions against South Africa in some State pension funds because

of something that happened 20 years ago that is no longer

the case. That’s the reason there is concern about the legislation.

There is already a lot of pressure. In fact,

many companies in Europe, where there are no sanctions, have announced

they’re not going to do any more investments in Darfur—

or in Sudan, because of what’s happened. And I, frankly, think

that’s because of political realities, people are getting so upset over

what’s happening. So, there already is that kind of pressure.

The sanctions regimes that we are considering now, and the

President has before him, in fact, I think, would have a much more

immediate impact than divestiture legislation, because there’s a

way of enforcing them very quickly. The problem with this—it has

a symbolic value, the divestiture legislation, but it is actually not

going to have a real effect on the Sudanese. It would take 2 to 3

years, in my view, based on past experience, for it to have any kind

of real experience.

Frustrated.

Well, Senator, I think a lot of things we

do, we’re not going to put in the newspaper. In fact, I actually had

a ban on talking to the press. I haven’t taken any reporters with

me on my trips. When I went to Chad, I had a press conference

for a Chadian newspaper. I went to Libya, a month ago—I didn’t

have any conversations publicly about what those discussions were,

because, frankly, I would not be—people won’t talk to me if they

think I’m going to talk to the press. So, a lot of the things we do,

we cannot discuss publicly, or my ability, as a diplomat, to influence

other countries is going to be diminished. The Chinese were

not happy that I had a press conference in Beijing before I left

China, in January. I told them I had to say something. I didn’t talk

about what they said. I just discussed what our position was.

And so, I’m balancing the need for some confidentiality in these

conversations with your need to know what we’re doing. You have

a right to know. I’m frustrated. I mean, I have a lot of friends in

Sudan. I’ve been going to Sudan for 18 years, Senator, and I have

to tell you, I’ve seen an awful lot of suffering. I’ve seen famines go

on. I’ve been in charge of trying to save people’s lives, not just in

the south, but in Darfur. Two and a half million people died in the

war between the north and the south. Two and a half million. Almost

all of them southerners. I went through famines where there

are mass graves. So, I know what people are going through. I’ve

seen the horror of it. And I know what happened in Darfur. I was

in Darfur in October 2003, when these atrocities really started in

earnest, and I think I was one of the first Westerners to have a

press conference in Nairobi and explain that it appears a new civil

war is starting. I mean, it’s in a couple of books that I had this

press conference. It wasn’t widely reported. So, I am deeply concerned

about this.

We do have a comprehensive plan. We’re pursuing the plan.

We’ve been having meetings with the Europeans on what we are

doing to enforce these sanctions. Chancellor Merkel said something

quite remarkable 2 weeks ago, publicly, and so did the German Defense

Minister. And, of course, the Germans are now in the Presidency

of the European Union. Both of them said, so I don’t think

it was a mistake or a misunderstanding or mistranslation; they

both said, ‘‘We may have to impose sanctions—European sanctions—

against Sudan.’’ And Chancellor Merkel said something very

unusual. And the Europeans are always saying we need a Security

Council resolution. She said, ‘‘Even if we have no Security Council

resolution, the Europeans may impose bilateral sanctions on

Sudan.’’ That is quite significant. We have been in discussion with

them. I met Dr. Solana, the equivalent of Secretary Rice in the European Union, in December; his views on what needed to be done

were the same as our views. And he has been taking leadership

there, quietly. We’ve been meeting regularly with European diplomats.

There have been working-level meetings in Washington on

how sanctions work, in the American context, how these enforcement

mechanisms—how powerful they are. So, we’ve been doing a

lot of work very quietly to set the stage for this. And I think we’ve

made a lot of progress.

There is a plan. We’re implementing the plan. We can’t always

make all of it public, because it makes it much harder to get people

to talk to us, then.

There is something you can do. The sanctions

that exist in law that allow us to do what is on the President’s

desk have very weak civil penalties for corporations that violate

them. If we could get legislation through Congress to dramatically

increase the level of those financial penalties, it would be very

helpful to the Treasury Department, and it would be very powerful,

in terms of sending a message to countries that were—or companies

that were considering trying to get around the sanctions. So,

if we could work with you on that, that is something we would

agree, not only—enthusiastically agree to.

Let me—actually, I think, Senator, that is

‘‘the’’ question. We talk a lot in vague, abstract terms about this.

The reality is, there are 21⁄2 million people in those camps who cannot

support themselves. That’s why we’re spending $2.3 billion,

along with the Europeans and the Canadians and the Japanese, to

support those people in those camps. They need to go back to their

villages. They need to get their land back and their animals back.

I would estimate, myself, that 2 to 3 million animals were looted

from the farmers. People talk about the farmers versus the herders.

Most of the farmers had small herds of animals. They didn’t—

they weren’t—they were not nomadic. But the investment account

for these farmers is the animal herds that keep them alive during

a drought, for example. And we need to recreate their livelihoods

through a reconstruction program.

One of the things I’ve told the Arabs in Darfur, through press

conferences and meeting—I’ve met with some of them—is, if we do

a reconstruction program, it’s going to be for everybody. It can’t be

just for the people in the camps, because, if it is, we will never

have peace. We’ll never have peace. We can’t argue that all of the

Arabs are committing all of this violence, because that is not true.

And we, in some ways, have villainized the Arabs in a way that’s

not very helpful. I have told them, if they sign a peace agreement,

there will be projects for the herders, as well as for the farmers,

that will restore livelihoods and bring the economy back.

They actually have a symbiotic relationship. When the thing was

functioning—the economy was functioning—you know, the herders

don’t eat their animals, most of the time; they sell their animals

and buy grown food from the farmers in the markets. And so, the

two—that whole symbiotic relationship’s been destroyed by this

war. If we do not deal with the property issues in a peace agreement,

we’re not going to have peace.

I think the way this would play out, just in terms of sequencing,

is, hopefully, in the near future, Jan Eliasson and Salim Salim will

get the rebels to consolidate—not completely—behind one leader.

We’re not going to have a John Garang. Don’t expect a John

Garang. There isn’t one for Darfur. But if we consolidate those 15

movements into three or four movements, and one negotiating position,

the government will sit down with them, and they will begin

to negotiate amendments to the Darfur Peace Agreement.

The rebels have told me they just—they want several issues that

have to be dealt with. One is compensation for the damage done

to their livelihoods. The amount in the DPA is $30 million. They

said it was an insult. The Sudanese have told me they’re willing

to substantially increase that. They’ve used very high figures. I

think they’re serious about that.

Two, there has to be a disarmament of both the rebels and the

Janjaweed and all the militias, the border patrol, all of the public

defense force. There are too many people with heavy weapons. The

place is awash in weapons. And unless they are confiscated, we’re

not going to have an end to the war.

I would add, the only institution in the world that has significant

experience in demobilizing rebel forces and government forces in a

war is the United Nations. I watched them do a lousy job at this,

18 years ago in Somalia; they are doing excellent jobs now in many

countries all over the world. They’ve developed expertise, which is

critically important here. I told President Bashir, ‘‘The rebels are

never going to give their heavy weapons to you or your army under

any peace agreement. I don’t care what’s written in it. They don’t

trust you. They’re not going to give you the weapons.’’ They told

me, ‘‘If the United Nations comes in, and the U.N. troops, we will

surrender our weapons to them if the Janjaweed do.’’ So, we need

the United Nations there, not just for peace and stability now; to

enforce a peace agreement, or there’s not going to be an end to this

violence, because if those weapons are not confiscated, Senator,

people are not going to go back to their villages. People in the

camps have told me, ‘‘We’re not going back until we feel safe.’’ And

that means disarmament.

Once they go back, then we will start the reconstruction program,

which will involve livelihoods, agriculture programs, nomad

programs, and, I might add, health and education programs.

These—I was in Darfur 17 years ago. There’s no difference in

Darfur now, versus 17 years ago, except that one of the roads was

paved in the capital city, the governor’s mansion was rebuilt, the

governor’s offices were rebuilt, and the airport was rebuilt. There

are no more health clinics, no more agriculture programs, no more

water projects. And people in the rural areas are saying, ‘‘Where

is all this oil revenue going? It’s not going to us.’’ And that’s a

legitimate question.

There is a commitment in the DPA now.

I believe—I don’t remember the exact sequencing, but in 1 year it’s

$200 million for reconstruction, in the next year it’s $300 million,

that would go to Darfur from oil revenues from the central government.

Now, there’s another interesting provision of the CPA, the Comprehensive—

between the north and the south—it says in it—and

it’s being—hopefully, going to be in force this year; we’re waiting

to see if the actual action is taken by the Sudanese Government—

to take oil revenues and increase the provincial budgets of all the

provinces. Most of the oil revenues are spent in Khartoum now.

They never see it in the provinces. The provinces, there’s a—all of

them are as impoverished in the north as the south.

Under the CPA, this year, this calendar year, they are supposed

to dramatically increase the revenues going to the provinces. The

Parliament has—Sudanese Parliament—has approved a new

budget with dramatically increased spending. The problem is, the

Ministry of Finance has not yet disbursed that money. We’re waiting

to have it disbursed. I put it in my written testimony. We’re

watching that. If they disburse it, it will be a sign to me that

they’re serious about sharing oil revenues with the periphery of the

country that has been discriminated against for decades in Sudan.

I——

Yes, Senator. I am aware, Senator, of your

work in Vietnam. I ran USAID for 5 years, and there’s an AID

office there, and it has substantial programs. So, I’m aware of the

progress the country has made, and your interest in that, and your

interest in China, as well.

I’ve learned, over the years doing this sort of work on the development

side, that different countries act differently. I mean, United

States—Americans are more confrontational, more direct, more

blunt, more black-and-white than even our European friends are.

I actually think that our leadership is critically important around

the world, not just in Sudan, but in many other countries. If every

country behaved the way we did, I’m not sure we could always get

done what we need to get done. Sometimes, more subtle approaches

need to supplement what we’re doing. And my sense from the Chinese,

from 3 days of meetings in Beijing, is the Chinese are taking

a more subtle approach that is really affecting the behavior of the

Sudanese Government.

As I said before, I believe the reversal of phase 2, the ‘‘heavy support

package,’’ where the Sudanese Government basically trashed

the whole thing in a 14-page letter President Bashir sent to Ban

Ki-moon a month ago. And I was with him in his office. He said,

‘‘I—Mr. Natsios, I just signed the letter.’’ He didn’t give us a copy

of it. If I had known it was 14 pages long, I would have been a little

distraught, because long letters mean bad things, usually,

under these circumstances.

They reversed their positions 2 days ago in Addis. They’ve endorsed—

they said, ‘‘With the exception of the attack tactical—attack

tactical helicopters, they’ve accepted everything else.’’ Now, it

remains to be seen whether they actually cooperate with us in

bringing those 3,000 troops in. That’s a different matter. We have

to test this. But I think the Chinese played a role in that. I don’t

want to discuss, publicly, what that is, but there’s a shift going on,

and I don’t want to start making statements that are going to discourage

the Chinese from using their own influence to help us in

this, because I think they can be critically important. And I think

they are being helpful.

There is a lull in fighting since the 11th

of February—in Darfur, not in Chad; there is increased violence in

Chad. We are trying to find out what exactly caused the incident

in eastern Chad that resulted in 400 people dying in the last week.

There was an incident, where the Chadian Army was chasing some

Chadian rebels into Sudan, who then were intermingled with Sudanese

troops, and the Chadian military killed 17 Sudanese troops 2

days ago. And that was extremely disturbing, because the ceasefire

between Chad and Sudan is one of the reasons why the United

Nations and the NGOs and diplomats and our embassies believe

there’s been a substantial reduction in civilian casualties in the

last 2 months. There was a negotiated truce by the Libyans between

Chad and the United—and Sudan—which have been at virtual

war the last 2 years. That has exacerbated the violence

against civilians. Whenever you have two countries fighting, civilians

get caught in the crossfire. So, it is very, very disturbing to

me that this happened.

Now, the report we have, from reliable field people who said they

investigated it, is that this was a mistake on the part of the—the

Chadians did not know they were firing at Sudanese troops, the 17

they killed; they thought they were just firing at Chadian rebels

who were trying to unseat President Deby.

I’m hoping—and I want to say this today, because the Sudanese

will listen to what I’m saying—please act with restraint in responding

to this incident. If we have a renewal of the Chad-Sudan war,

more civilians are going to get killed, and we don’t want that to

happen.

Two, the rebel leaders have been meeting in northern Darfur, for

the last month and a half, to try to come together to unify. The fact

that they’re not leading their troops means they’re not fighting as

much.

Now, this lull may well dissolve, in the next few weeks, because,

before the rains start, there’s typically military offenses by both the

rebels and the government. I hope and pray that, in the next 9

weeks, both sides will restrain themselves sufficiently, and we can

minimize civilian casualties. And then, the 10 weeks of the rainy

season, there’s very little military activity, it can’t move around because

the rains are so heavy. So, we could have 5 months of relatively

stable conditions, which would be an excellent platform to

begin peace negotiations between the rebels and the government.

Yes. There is—the lead for this—and we

have to be very careful we do not create a separate mechanism for

talking to the rebels, that goes around the United Nations or the

African Union, because we want one track, we don’t want multiple

tracks where they’re playing off against each other—on either the

rebel side or the government side, because that happens, too, all

the time. We believe that the rebel movements must be consolidated.

We can’t have 15 different movements. And that’s what we

have right now, according to our latest analysis of the situation.

When I met with the rebels in January, I asked the American

Ambassador Marc Wall, who is a very able career diplomat. I said,

‘‘Marc, what can I do to help consolidate this?’’ He said, ‘‘Your trip

helped consolidate it. They’ve been meeting for 6 weeks, because

they don’t want to be embarrassed in front of you. And they’re

going to prevent—present a unified position for a large part of the

movement.’’ And they did that. We spent, like, the entire afternoon.

We ate a goat together. The U.S. Government paid for a stuffed

goat. And we talked—there were 50 of them there, and we spent

a long time—I told them, ‘‘You must give up your public statements

that you want to violently overthrow the government. You can’t be

advocating that and expect to negotiate with them. Two, you have

to unify. Three, you can’t make ridiculous demands. I’ve read some

of your demands. No one will agree to that stuff. If you plan to give

up some of what you’re demanding in a negotiation, then that’s

fine, I understand that.’’ But some of them think, unless they get

95 percent or 99 percent of what they’re asking for, they’re not

going to sign the peace agreement. I said, ‘‘That is not way—the

way negotiating works.’’ Some of them have never negotiated before.

We have gotten involved, some conflict-prevention institutions in

Europe—I personally asked them to get involved—in helping to

prepare the way for these negotiations. That is ongoing. We did not

want the U.S. Government to do the training. We wanted someone

else, without connection to the U.S. Government, that are competent

at doing this. And they are engaging in that now.

The third thing we do is, we have U.S. Government, State Department,

and AID officers on the ground in Darfur around the

clock; they live there. And they have been in constant contact,

meeting with the rebel leaders, urging them, trying to negotiate

with different ones to consolidate this. So, there is an ongoing U.S.

Government effort on the ground with career Foreign Service officers

from the State Department. I met with them. I spent several

days out in Darfur, in March, and then in October of last year; and

I think they’re very capable, they’re making those connections. Our

Charge´ has been out there to talk to people, as well, Cameron

Hume, one of our most senior diplomats in the Foreign Service.

And I think it’s having an effect, because the message is clear,

‘‘You can’t—we can’t wait forever to have these negotiations start.’’

Once the negotiations start, it’ll be much easier for us to get

President Bashir to agree to a cease-—a formal cease-fire that’s enforceable,

which is what happened in the south. Once we got the

negotiations going, then there was a—they called—they didn’t call

it a ‘‘cease-fire,’’ they called it a ‘‘cessation of hostilities.’’ And that

allowed them to negotiate without fighting going on, on a large

scale in the south, and I think that was one of the contributing factors

to success of the north-south peace agreement.

There are other countries involved in this.

Let me just say—be a diplomat now—there are neighboring powers

on the periphery of Sudan. Some of them are playing a constructive

role, and some of them are not. Some of them are working at cross

purposes

with each other. I don’t want to start making accusations,

because the Ambassadors will be in to see me tomorrow, and I

don’t want to do that. OK?

It’s not helpful for some of these tracks of negotiation to go on

outside the UN–AU process. The reason it isn’t is, the rebels simply

will say, ‘‘Well, I’m not getting what I want from Jan Eliasson,’’

and saying, ‘‘So, I’m going to go to the—this neighboring country.’’

We don’t want that to happen. And so, when I’ve met with all of

the neighboring countries, except for one, I’ve urged them to unify

their position, the way we did in the north-south agreement, together,

to have one negotiating track. I think, Senator, that’s a

very good question and a critical issue, actually.

I should have left before you started asking

these——

Hard questions, Senator.

I know it.

Unfortunately, you’re right.

Let me say, I spent a couple of days in Libya in March. I won’t

go through who I met with and what we discussed, because it

was—again, it was sensitive information. I think there are some

things the Libyans have done that have been constructive. And I

want to compliment President Gaddafi—or the leader, General

Gaddafi—on the effort to get a cease-fire between Sudan and Chad.

That effort, which he tried last year, was—the next day, they

started fighting again. OK? And that was a failure. This time, he

tried it—and I don’t remember the exact date of the negotiation, I

think it was in February—it’s been successful, until yesterday, or

2 days ago, when there was an incident in which—before you

walked in, I mentioned there was an incident where Chadian

troops, from what our information is, by mistake killed 17 Sudanese

troops, according to the Sudanese Government. We do not

want this incident to start up the fighting again. And I would ask

the good offices, if the Libyans are here listening, to use their good

offices to restrain both sides to prevent this cease-fire from collapsing.

We do not need another renewal of this conflict, because

it is making things much worse for civilians, who are getting killed,

and they get caught in the crossfire, for the stability of the region,

and for the NGOs and U.N. agencies trying to save people’s lives,

and for peace. For peace. So, that has been helpful.

Those are the helpful things, Senator. If you want me to discuss

other things, I’d rather do it privately; I don’t want to go into it

in public session.

It is not just Darfur, as I understand it,

that will be on John’s agenda. There are other issues, as well. We

have raised—Jendayi Frazer visited Mr. Gaddafi last year, and had

a very long discussion with him. I followed that up this year. But

our Ambassador, our Charge´ there, is a very experienced diplomat.

He’s a retired ambassador, and he has been raising these issues

with the Libyan Government on a regular basis. And so, we work

through the Embassy there on these issues, and he sat through all

of the conversations I had. I think he knows where we are and

what we’re trying to accomplish.

Let me just say, the Libyans have invited me back at the end of

this month, in 2 weeks, just as, actually, school gets out at Georgetown.

And I intend to accept the invitation and go back.

Yes, it——

Does.

Yes.

In December, I met with the leadership of

the French Government, on Chad and on the Central African

Republic, and we talked about a coordinated approach to how we

would stabilize the situation.

Two, in January I visited Chad, not just to meet with the rebels,

which I did, but I also met with President Deby, his Foreign Minister,

and his senior advisors, at length, and we talked over the

issues. I offered, in December, with President Bashir, to send messages.

I said, ‘‘Mr. President, I know you’re having a problem,

which is this problem between Chad and Sudan. If you wish me to,

I will send a message to President Deby when I go visit him. Would

you like me to do that?’’ At that point, he did not want me to do

it. Since then, there have been extra—additional diplomatic moves

that have led to this cease-fire. And we’ve encouraged that, and we

support that.

So, the cease-fire that existed until 2 days ago, which we hope

will continue, in fact is evidence that some of this is bearing fruit.

Yes.

Yes.

One, we believe that a peacekeeping operation

of the United Nations will stabilize the situation for civilians,

who are at risk now. Some of the worst atrocities are being committed

in Chad now, not in Darfur.

And, two, we believe it will stabilize the

security situation, in terms of the two sides. It is not large enough.

There are—I think there are three different options that have been

presented to the Secretary General on how large that force would

be. That’s a huge border. I mean, this is—Darfur is the size of

Texas, it’s not a tiny little area. It’s not like Rwanda, you know,

where we had the genocide; it was a very small area. This is huge

area. And I’ve flown over it for years, and it’s a vast, vast area.

And so, patrolling a—making a commitment that we’re going to

patrol the entire border between Chad and Darfur, I think we

should be careful not to overpromise. But we think that that force

would have a substantial effect on the security situation, would

stabilize things. We strongly support it, still. And there are efforts

being made now to advance it.

Senator, I actually—there was a retraction

of that by the newspaper, the following week. I actually looked at

my statement. Very clearly, I did not say that at the—there were

three mistakes, and the Georgetown Voice, which is an——

Alternative student newspaper——

Darfur——

Senator, right now, there is very little

fighting in Darfur——

Itself.

Senator, could I——

Finish——

Could I——

Senator.

Let me——

I am——

Answering you——

Answering your question.

Yes.

I’m answering your question.

The——

What you just——

Senator, please. What you just read did

not take place in Darfur. It——

Took place in——

Chad.

There is very little——

There is——

Very little violence in——

Darfur——

Right now.

Senator——

I just answered your——

Question.

Senator, there is very little fighting between

the rebels and the government, and very few civilian casualties

going on——

In Darfur right now. I just

told you——

The answer.

Senator, there——

The situation is very volatile.

There are periods of killings, which could

be construed as genocide, that took place——

Last fall and——

Earlier this year——

That is correct.

I did answer——

The question, sir.

Well——

Let me just say, very clearly, sir, I follow

what’s going on, on the ground every day, from cables, from reports;

and there are acts of barbarity against people. Some of them

are now being committed by rebels in one of the camps. The rebels

have begun to rape women. Rebels. OK? There are—there is anarchy in much of Darfur now. And there is—300 Arabs were killed

in southern Darfur——

By one Arab——

Tribe against another——

Arab tribe.

I am answering the——

Question, sir.

No. We are not willing to——

Accept anything less.

We were asked—as I said earlier, before

you arrived, Senator—Secretary General Ban asked Dr. Rice, and

asked me last week when I met with him, for 2 to 4 weeks, before

we go to plan B. We had actually intended to go to it, and there

was a congressional delegation going there, and we decided not to

announce it—or, the President decided not to announce it——

During the visit.

The plan is prepared——

Yes.

The answer to——

Yes——

We are.

Well, once——

It’s signed, it will be immediately

implemented.

Well, the President has to sign the orders.

I just said, Senator, if—at the end of the

2 to 4 weeks he requested, if we haven’t made the progress that

we believe needs to be made, I believe the President will make the

decision. I’m not going to presume what the President’s going to decide

and the announcement that he’s going to make. That’s not for

my—my place to do that. But I know how angry he is, and impatient

he is, over this, as I am, as Dr. Rice is.

I agree——

With you, Senator.

No.

Senator, I did not say that. But that—look,

that’s——

That’s not the point.

The fact——

The fact of the matter is——

There is terrible——

There is terrible——

Violence——

If we want to get the international community

to support our efforts under plan B, and other countries to implement

unilateral sanctions—or bilateral sanctions against the Sudanese

Government, we have to cooperate with them, we have to

talk with them. We cannot simply ignore what everybody else is

doing. As I said before, Senator, before you came in, we’ve had extensive

meetings with the Europeans, over the last 3 months, over

how they might unilaterally, without a U.N. resolution, impose

their own sanctions, which would be similar to ours. They would

be much more powerful—much more powerful—if a new set of

sanctions is both—uses the dollar and the euro to enforce. We

know that from experiences in Iraq, Iran, and Northern—and

North Korea.

We are now engaged in diplomacy to get the Europeans onboard.

Chancellor Merkel, I believe it was 2 weeks—and the German Defense

Minister—they’re in the Presidency of the European Union—

have now said, even with the absence of a U.N. resolution, the

European Union may consider, seriously, imposing sanctions,

which they never do, they always want a Security Council resolution.

This was a big change of position. If we want to affect the behavior

of the Sudanese Government, we have to have a coordinated

international approach. That’s what we have right now. It takes a

little bit more time to do that, because you have to talk to other

people, as I’m sure you’re aware, Senator. If we simply do what we

want to do, I would have done it a long time ago, but Ban Kimoon—

we need Ban Ki-moon’s support on this. He asked for 2 to

4 weeks; we’re going to give him 2 to 4 weeks.

The Europeans asked us to work with them on how this could

be done in a way that would effectively paralyze the Sudanese

economy. They’ve asked us how it is that we’re going to do this,

from an enforcement mechanism. We’re working with them. We’ve

had a meeting in Washington, 3 weeks ago, on this, on a technical

level, to go through the steps needed for them to impose parallel

sanctions to what we’re doing.

So, if we’re going to do this, whether it’s 2 weeks or 4 weeks,

Senator, what’s—the important thing is, it has the necessary effect

on the behavior of the Sudanese Government. That’s the purpose

of this.

I agree with you.

And in North Korea.

Well, it’s not that we would lose it, but obviously

our sanctions are going to affect dollarized transactions.

They’re not going to affect euro transactions.

And if we can get the Europeans to do the

same thing we’re doing, it would have a much greater impact, because

they’re the two currencies of the world right now.

Well——

Well, with respect to the ICC, I—there are

people who think we should use the ICC investigation and process

as a diplomatic tool with respect to the Sudanese Government. I

don’t think we should. I think we need to separate the diplomacy

of this from justice. The ICC is a judicial process to determine

whether or not people committed acts of genocide or violations—

massive violations of human rights, and they need to prosecute

people as they’re going to prosecute them.

There is a report, that was commissioned

by Colin Powell when he was Secretary of State, that I executed

for him when I was the Administrator of AID, and we sent a team

of—through an NGO associated with the American Bar Association—

of police prosecutors, lawyers, and district attorneys, who

went to Darfur—I mean, not to Darfur—to Chad and interviewed

1,300 people who had been the victims of these atrocities, and

whose family members had been murdered in the massive atrocities

of 2003 and 2004. That report is on the State Department

Web site. I’m very—we took a lot of risk doing it, because some of

the—there are 28 officers from—this is done through, again, a associate

organization of the Bar Association. We did it deliberately to

have people with legal degrees and prosecutorial backgrounds to do

this. That evidence is available.

Well, I’m—what I—that’s what I argued

earlier, is, we should disentangle those war crimes tribunals from

any diplomacy, because diplomacy is where you compromise. You

shouldn’t be compromising on justice. I don’t think we should have

that in the—as part of the negotiation.

And you obviously have——

Right. I am aware of that. I’ve met with

people—in fact, when I was in Abeche to meet with the rebels in

January, some members of the ICC staff were there, also searching

for evidence. And so, we—I know they’re there, but, you know,

again, I don’t want—I don’t want to get into a position where the

United States—and it’s not our business, anyway, to negotiate with

the Sudanese Government over whether these war crimes trials

should go forward. That’s not a negotiable issue, as far as I’m concerned.

Different matter.

There is no equivalency whatsoever,

Senator.

Well, I’m talking about it, Senator, because

the rebels think they can get away with this.

And it’s——

Getting worse. And what’s

happening is, no one’s saying anything about it, because it’s politically

sensitive. We can’t let any civilian——

Yes.

Yes.

Yes.

Let me just add something—not a qualification,

but just the reality of what I’m trying to get to here. We

want the current lull in fighting—because there are peaks and—

you can see the casualty rates, from month to month; they’re

higher; they’re lower—we want ‘‘no casualties.’’ And if you don’t

make a distinction between ‘‘no casualties’’ and ‘‘a lot of casualties,’’

if everything’s the same all the time, then how do you tell people

that they’re supposed to, you know, extend a period of relative stability?

We don’t want, between now and the beginning of the rainy

season, any more civilian casualties on either side of the border,

both for humanitarian and human rights reasons, but also because

we believe a absence of hostilities could facilitate the peace process

between the rebels and the government. We had that happen in the

south. We want it to happen again.

Yes.

Well, I would just comment on what you

just said, Senator.

I went through Bosnia, myself, because, at the beginning of it,

I ran the relief effort there for the U.S. Government, and then I

worked in the NGO community there.

The atrocities stopped in Bosnia when we

had Dayton. We need a Dayton Accord for Darfur and——

Yes.

Thank you.