Thank you very much, Mr. Chairman. It’s a

pleasure to be back before the committee as you conduct these deliberations

on one of the most difficult situations the international

community is facing, and that’s the tragedy in Darfur, where, as

you noted, so many hundreds of thousands of people are at risk,

so many hundreds of thousands of people have been forced from

their homes, from their villages to camps, and where there is an

absolute need for the international community to come together

and speak with one voice as to how we deal with this situation.

Mr. Chairman, I do have a prepared statement that I’d like to

offer for the record, and then I will draw from that in my opening

remarks.

Mr. Chairman, members of the committee, let

me thank you for this opportunity to testify on the situation in

Darfur, and let me begin by reviewing a little history. The violence

in Darfur has complex roots in traditional conflicts between Arab

nomadic herders and African farmers. The violence intensified during

2003 when two groups, the Sudan Liberation Movement and

the Justice and Equality Movement, declared open rebellion

against the Government of Sudan, because they feared being on the

outside of the power- and wealth-sharing agreements that were

being arranged in the North-South negotiations, the Naivasha discussions

as we call them.

Khartoum reacted aggressively, intensifying support for Arab militias

to take on these rebels and support for what are known as

the janjaweed. The Government of Sudan supported the janjaweed

directly and indirectly as they carried out a scorched earth policy

toward the rebels and the African civilian population in Darfur.

Mr. Chairman, the United States exerted strong leadership to

focus international attention on this unfolding tragedy. We first

took the issue of Sudan to the United Nations Security Council last

fall. President Bush was the first head of state to condemn publicly

the Government of Sudan and to urge the international community

to intensify efforts to end the violence.

In April of this year, the United States brokered a cease-fire between

the Government of Sudan and the rebels and then took the

lead to get the African Union to monitor that cease-fire. As some

of you are aware, I traveled to the Sudan in mid-summer and made

a point of visiting Darfur. It was about the same time that Congressman

Wolf and Senator Brownback were there as well as Secretary

General Kofi Annan. In fact, the Secretary General and I

were able to meet in Khartoum to exchange our notes and to make

sure that we gave a consistent message to the Sudanese Government

of what was expected of them.

Senator Brownback can back me up when I say that all of us saw

the suffering that the people of Darfur are having to endure. And

Senator Corzine was just in Darfur recently. He can vouch for the

fact that atrocities are still occurring. All of us met with people

who had been driven from their homes by the terrible violence that

is occurring in Darfur, indeed many of them having seen their

homes and all of their worldly possessions destroyed or confiscated

before their eyes.

During my visit, humanitarian workers from my own agency,

USAID, and from other nongovernmental organizations told me

how they are struggling to bring food, shelter, and medicine to

those so desperately in need, a population, as you noted, Mr. Chairman,

of well over a million.

In my mid-summer meetings with officials of the Government of

Sudan, we presented them with the stark facts of what we knew

about what is happening in Darfur, from the destruction of villages

to the raping and the killing, to the obstacles that impeded relief

efforts. Secretary General Annan and I obtained from the Government

of Sudan what they said would be firm commitments to take

steps and to take steps immediately that would remove these obstacles,

help bring the violence to an end, and do it in a way that

we could monitor their performance.

There have been some positive developments since my visit, since

the visit of Senator Brownback, Congressman Wolf, and the Secretary

General. The Sudanese have met some of our benchmarks,

such as improving humanitarian access, engaging in political talks

with the rebels, and supporting the deployment of observers and

troops from the African Union to monitor the cease-fire between

Khartoum and the rebels.

The AU Ceasefire Commission has also been set up and is working

to monitor more effectively what is happening in Darfur. The

general who is in charge of that mission, a Nigerian general by the

name of General Okonkwo, is somebody that we know well. He is

the same Nigerian general who went into Liberia last year and

helped stabilize the situation there, a very good officer, a good commander

who knows his business.

The AU’s mission will help to restore sufficient security so that

these dislocated, starving, hounded people can at least avail themselves

of the humanitarian assistance that is available. But what

is really needed is enough security so that they can go home, not

be safe in camps. We need security throughout the countryside.

These people need to go home. We are not interested in creating

a permanent displaced population that survives in camps on the

dole of the international community.

And what is really needed to accomplish that is for the janjaweed

militias to cease and desist their murderous raids against these

people and for the Government in Khartoum to stop being complicit

in such raids. Khartoum has made no meaningful progress in substantially

improving the overall security environment by disarming

the janjaweed militias or arresting its leaders.

So we are continuing to press the Government of Sudan and we

continue to monitor them. We continue to make sure that we are

not just left with promises instead of actual action and performance

on the ground, because it is absolutely clear that as we approach

the end of the rainy season, the situation on the ground must

change and it must change quickly.

There are too many tens upon tens of thousands of human beings

who are at risk. Some of them have already been consigned to

death in the future because of the circumstances they are living in

now. They will not make it through the end of the year. Poor security,

inadequate capacity, and heavy rains which will not diminish

until later this month, continue to hamper the relief effort.

The United Nations estimates that there are 1,227,000 internally

displaced persons in Darfur. In July, almost 950,000 IDPs received

food assistance. About 200,000 Sudanese refugees are being assisted

by the UNHCR and partner organizations across the border

in Chad. The World Food Program expects two million IDPs will

need food aid by October.

The U.S. Government provision of aid to the Darfur crisis in the

Sudan and Chad totaled $211 million as of September 2, 2004. This

includes $112 million in food assistance, $50 million in non-food assistance,

$36 million for refugees in Chad, $5 million for refugee

programs in Darfur, and $6.8 million for the African Union mission.

The United States also strongly supports the work of the AU

monitoring mission in Darfur. In fact, we initiated the mission

through base camp setup and logistic support by a private contractor

that we are paying for. The AU mission is currently staffed

with 125 AU monitors now deployed in the field, and those monitors

have already completed 20 investigations of cease-fire violations

and their reports are now being written up and being provided

to the AU and to the U.N. and to the international community.

The UA monitoring staff is supported by a protection force of 305

troops made up of a Rwandan contingent of 155 who arrived on August

15 and a Nigerian contingent of 150 who arrived on August

30. Recognizing the security problems in Darfur, the U.N. and the

United States have begun calling for an expanded AU mission in

Darfur through the provision of additional observers and additional

protection forces so their presence can spread throughout this very,

very large area that is about 80 percent the size of the State of

Texas. It is not a simple geographic or monitoring or military mission.

It is very complex.

Khartoum seems to have expressed a willingness to consider

such an expanded mission. I am pleased to announce, Mr. Chairman,

that the State Department has identified $20.5 million in fiscal

year 2004 funds for initial support of this expanded AU mission.

We look forward to consulting with Congress on meeting additional

needs that such a mission might have.

As you know, as we watch the month of July—as you watched

through the month of July, we felt that more pressure was required.

So we went to the United Nations and asked for a resolution

and we got that resolution on July 30 after a bit of debate, but

it was 13 to 0 with two abstentions.

This resolution, 1556, demands that the Government of Sudan

take action to disarm the janjaweed militia and bring janjaweed

leaders to justice. It warns Khartoum that the Security Council

will take further action and measures, which is the U.N. term for

sanctions. Measures is not a softer word. It includes sanctions and

any other measures that might be contemplated or available to the

international community. And it warned Khartoum that the United

Nations, through its Security Council, will take actions and measures

if Sudan fails to comply.

That resolution urges the warring parties to conclude a political

agreement without delay, and it commits all states to target sanctions

against the janjaweed militias and those who aid and abet

them, as well as others who may share responsibility for this tragic

situation.

Too many lives have already been lost. We cannot lose any more

time. We in the international community must intensify our efforts

to help those imperiled by violence, starvation, and disease in

Darfur. But the Government of Sudan bears the greatest responsibility

to face up to this catastrophe, rein in those who are committing

these atrocities, and save the lives of its own citizens.

At the same time, however, the rebels have not fully respected

the cease-fire, and we are disturbed at reports of rebel kidnaping

of relief workers. We have emphasized to the rebels that they must

allow unrestricted access of humanitarian relief workers and supplies,

and that they must cooperate fully, including cooperating

with the AU monitoring mission.

We are pleased that the Government of Sudan and the rebels are

currently engaged in talks in Abuja hosted by the AU. These talks

are aimed at bringing about a political settlement in Darfur. The

two sides have agreed on a protocol to facilitate delivery of much needed

humanitarian assistance to rebel-held areas, and are now

engaged in discussions of protocol on security issues. These negotiations

are difficult. We expect that they may be adjourned for a

period of time after these initial agreements, and we are some

ways away from seeing a political resolution between the two sides.

We are urging both sides to intensify negotiations in order to

reach a political settlement, and I have personnel from the State

Department who are on the ground in Abuja on a full-time basis

to assist the negotiators in their work.

When I was in Khartoum earlier in the summer, I told President

Bashir, Vice President Taha, Foreign Minister Ismail, the Minister

of Interior, and others, that the United States wants to see a

united, unified, prosperous, democratic Sudan. I told them that to

that end we are fully prepared to work with them. I reminded

them that we had reached an historic agreement on June 5, an

agreement that we had worked on for so long, an agreement between

the Government of Sudan and the Sudan People’s Liberation

Movement, the so-called North-South agreement. And this North-

South agreement covered all of the outstanding issues that had

been so difficult for these parties to come to agreement on, they

had come to agreement on.

Since then, the parties have been engaged in final negotiations

on remaining details. However, the parties now are stuck on the

specifics of a formal cease-fire agreement and have not yet begun

the final round of implementation modalities. Special Envoy

Sumbeiywo met recently with the parties, but could not resolve the

remaining cease-fire-related issues.

Khartoum appears unwilling to resume talks at the most senior

level, claiming that it must focus on Darfur. That would be fine if

its focus were the right focus, but it is not. The SPLM is more forward-

leaning, but still focused on negotiating details. We believe

that a comprehensive agreement would bolster efforts to resolve

the crisis in Darfur by providing a legal basis for a political solution

and by opening up the political process in Khartoum.

President Bashir has repeatedly pledged to work for peace, and

he pledged that again when I met with him earlier in the summer.

But President Bush, this Congress, Secretary General Annan, and

the international community want more than promises. We want

to see dramatic improvements on the ground right now. Indeed, we

wanted to see them yesterday. In the meantime, while we wait, we

are doing all that we can.

We are working with the international community to make sure

all those nations who have made pledges of financial assistance

and other kinds of assistance meet their pledges. We are not yet

satisfied with the response from the international community to

meeting the pledges that they have made. In fact, the estimated

needs have grown, and the donor community needs to dig deeper.

America has been in the forefront of providing assistance to the

suffering people of Darfur and will remain in the forefront. But it

is time for the entire international community to increase their assistance. The U.S. has pledged $299 million in humanitarian aid

through fiscal year 2005 and $11.8 million to the AU mission, and

we are well on our way to exceeding those pledges.

Clearly, we will need more assistance in the future and we are

looking at all of our accounts within the Department to see what

we can do, and when we are beyond our ability to do more from

within our current appropriations, we will have to come back to the

Congress and make our request known.

Secretary General Annan’s August 30 report called for an expanded

AU mission in Darfur to monitor commitments to the parties

more effectively, thereby enhancing security and facilitating

the delivery of humanitarian assistance. The Secretary General’s

report also highlighted Khartoum’s failure to rein in and disarm

the janjaweed militia, and noted that the Sudanese military continued

to take part in attacks on civilians, including aerial bombardment

and helicopter strikes.

We have begun consultation in New York on a new resolution

that calls for Khartoum to fully cooperate with an expanded AU

force, and for cessation of Sudanese military flights over the Darfur

region. It also provides for international overflights to monitor the

situation in Darfur and requires the Security Council to review the

record of Khartoum’s compliance to determine if sanctions, including

on the Sudanese petroleum sector, should be imposed.

The resolution also urges the Government of Sudan and the

SPLM to conclude negotiations, the Lake Naivasha negotiations, on

a comprehensive peace accord.

And, Mr. Chairman, there is finally the continuing question of

whether what is happening in Darfur should be called genocide.

Since the United States became aware of the atrocities occurring

in Sudan, we have been reviewing the Genocide Convention and

the obligations it places on the Government of Sudan and on the

international community and on the state parties to the Genocide

Convention.

In July, we launched a limited investigation by sending a team

to visit the refugee camps in Chad to talk to refugees and displaced

personnel. The team worked closely with the American Bar Association

and the Coalition for International Justice, and were able

to interview 1,136 of the 2.2 million people the U.N. estimates have

been affected by this horrible situation, this horrible violence.

Those interviews indicated first a consistent and widespread pattern

of atrocities, killings, rapes, burning of villages committed by

janjaweed and government forces against non-Arab villagers.

Three-fourths of those interviewed reported that the Sudanese military

forces were involved in the attacks. Third, villagers often experienced

multiple attacks over a prolonged period before they were

destroyed by burning, shelling, or bombing, making it impossible

for the villagers to return to their villages. This was a coordinated

effort, not just random violence.

When we reviewed the evidence compiled by our team and then

put it beside other information available to the State Department

and widely known throughout the international community, widely

reported upon by the media and by others, we concluded, I concluded,

that genocide has been committed in Darfur, and that the

Government of Sudan and the janjaweed bear responsibility and

that genocide may still be occurring.

Mr. Chairman, we are making copies of the evidence that our

team compiled available to you and to the public today. We are

putting it up on our Web site now as I speak.

We believe in order to confirm the true nature, scope, and totality

of the crimes our evidence reveals, a full-blown and unfettered

investigation needs to occur. Sudan is a contracting party to the

Genocide Convention and is obliged under the Convention to prevent

and to punish acts of genocide. To us at this time, it appears

that Sudan has failed to do so.

Article 8 of the Genocide Convention provides that contracting

parties may, I’ll quote now, ‘‘may call upon the competent organs

of the United Nations to take action, such action under the charter

of the United Nations as they, the competent organs of the United

Nations, as they consider appropriate, actions as they consider appropriate

for the prevention and suppression of acts of genocide or

any of the other acts enumerated under Article 3 of the Genocide

Convention.’’

Because of that obligation under Article 8 of the Convention, and

since the United States is one of the contracting parties, today we

are calling on the United Nations to initiate a full investigation. To

this end, the United States will propose that the next U.N. Security

Council Resolution on Sudan requests a United Nations investigation

into all violations of international humanitarian law and

human rights law that have occurred in Darfur with a view to ensuring

accountability.

Mr. Chairman, as I have said, the evidence leads us to the conclusion,

the United States to the conclusion that genocide has occurred

and may still be occurring in Darfur. We believe the evidence

corroborates the specific intent of the perpetrators to destroy

a group in whole or in part, the words of the Convention. This intent

may be inferred from their deliberate conduct. We believe

other elements of the Convention have been met as well.

Under the 1948 Convention on the Prevention and Punishment

of the Crime of Genocide, to which both the United States and

Sudan are parties, genocide occurs when the following three criteria

are met: First, specific acts are committed, and those acts include

killing, causing serious bodily or mental harm, deliberately

inflicting conditions of life calculated to bring about physical destruction

of a group in whole or in part, imposing measures to prevent

births or forcibly transferring children to another group.

Those are specified acts that if committed raise the likelihood that

genocide is being committed.

The second criteria, these acts are committed against members

of a national, ethnic, racial, or religious group. And the third criterion

is they are committed with intent to destroy in whole or in

part the group as such.

The totality of evidence from the interviews we conducted in July

and August and from other sources available to us show us that

the janjaweed and Sudanese military forces have committed large scale

acts of violence, including murders, rape, and physical assaults

on non-Arab individuals.

Second, the janjaweed and Sudanese military forces destroyed

villages, foodstuffs, and other means of survival. Third, the Sudan

Government and its military forces obstructed food, water, medicine,

and other humanitarian aid from reaching affected populations,

thereby leading to further deaths and suffering. And finally,

despite having been put on notice multiple times, Khartoum

has failed to stop the violence.

Mr. Chairman, some seem to have been waiting for this determination

of genocide to take action. In fact, however, no new action

is dictated by this determination. We have been doing everything

we can to get the Sudanese Government to act responsibly. So let

us not be too preoccupied with this designation. These people are

in desperate need and we must help them. Call it civil war, call it

ethnic cleansing, call it genocide, call it none of the above. The reality

is the same. There are people in Darfur who desperately need

the help of the international community.

I expect—I more than expect—I know that the Government in

Khartoum will reject our conclusion of genocide anyway. Moreover,

at this point, genocide is our judgment and not the judgment of the

international community. Before the Government of Sudan is taken

to the bar of international justice, let me point out that there is a

simple way for Khartoum to avoid such wholesale condemnation by

the international community, and that way is to take action to stop

holding back, to stop dissembling.

The Government in Khartoum should end the attacks and ensure

its people, all of its people are secure, ensure that they are all secure.

They should hold to account those who are responsible for

past atrocities and ensure that current negotiations taking place in

Abuja and also the Naivasha Accords are successfully concluded.

That is the only way to peace and prosperity for this war-ravaged

land. Specifically, Mr. Chairman, the most practical contribution

we can make to the security of Darfur in the short term is to do

everything we can to increase the number of African Union monitors.

That will require the cooperation of the Government of

Sudan, and I am pleased that the African Union is stepping up to

the task. It is playing a leadership role and countries within the

African Union have demonstrated a willingness to provide a significant

number of troops, and this is the fastest way to help bring security

to the countryside through this expanded monitoring presence

so we can see what it is going on and act to prevent it.

In the intermediate and long term, the security of Darfur can

best be advanced by a political settlement in Abuja and by the successful

conclusion of the peace negotiations between the SPLM and

the Government in Sudan, the Lake Naivasha Accords.

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

you.

Mr. Chairman, members of the committee, thank you for the opportunity to testify

on the situation in Darfur. Let me start by reviewing a little history.

The violence in Darfur has complex roots in traditional conflicts between Arab nomadic

herders and African farmers. The violence intensified during 2003 when two

groups—the Sudan Liberation Movement and the Justice and Equality Movement—

declared open rebellion against the Government of Sudan because they feared being

on the outside of the power and wealth-sharing agreements in the north-south negotiations.

Khartoum reacted aggressively, intensifying support for Arab militias, the

so-called *jinjaweid.* The Government of Sudan supported the jinjaweid, directly and

indirectly, as they carried out a scorched-earth policy towards the rebels and the

African civilian population.

Mr. Chairman, the United States exerted strong leadership to focus international

attention on this unfolding tragedy. We first took the issue of Sudan to the United

Nations (UN) Security Council last fall. President Bush was the first head of state

to condemn publicly the Government of Sudan and to urge the international community

to intensify efforts to end the violence. In April of this year, the United States

brokered a ceasefire between the Government of Sudan and the rebels, and then

took the lead to get the African Union (AU) to monitor that ceasefire.

As some of you are aware, I traveled to the Sudan in midsummer and made a

point of visiting Darfur. It was about the same time that Congressman Wolf and

Senator Brownback were there, as well as Secretary General Kofi Annan. In fact,

the Secretary General and I were able to meet and exchange notes. We made sure

that our message to the Sudanese government was consistent.

Senator Brownback can back me up when I say that all of us saw the suffering

that the people of Darfur are having to endure. And Senator Corzine was just in

Darfur and can vouch for the fact that atrocities are still occurring. All of us met

with people who had been driven from their homes—indeed many having seen their

homes and all their worldly possessions destroyed or confiscated before their eyes—

by the terrible violence that is occurring in Darfur.

During my visit, humanitarian workers from my own Agency—USAID—and from

other Non-Governmental Organizations (NGOs), told me how they are struggling to

bring food, shelter, and medicines to those so desperately in need—a population of

well over one million.

In my midsummer meetings with the Government of Sudan, we presented them

with the stark facts of what we knew about what is happening in Darfur from the

destruction of villages, to the raping and the killing, to the obstacles that impeded

relief efforts. Secretary General Annan and I obtained from the Government of

Sudan what they said would be firm commitments to take steps, and to take steps

immediately, that would remove these obstacles, help bring the violence to an end,

and do it in a way that we could monitor their performance.

There have been some positive developments since my visit, and since the visit

of Senator Brownback, Congressman Wolf, and the Secretary General.

The Sudanese have met some of our benchmarks such as engaging in political

talks with the rebels and supporting the deployment of observers and troops from

the AU to monitor the ceasefire between Khartoum and the rebels. Some improvements

in humanitarian access have also occurred though the government continues

to throw obstacles in the way of the fullest provision of assistance.

The AU Ceasefire Commission has also been set up and is working to monitor

more effectively what is actually happening in Darfur. The general who is in charge

of that mission, a Nigerian general by the name of Okonkwo, is somebody that we

know well. He is the same Nigerian general who went into Liberia last year and

helped stabilize the situation there.

The AU’s mission will help to restore sufficient security so that these dislocated,

starving, hounded people can at least avail themselves of the humanitarian assistance

that is available. But what is really needed is enough security so that they

can go home. And what is really needed is for the jinjaweid militias to cease and

desist their murderous raids against these people—and for the Government in Khartoum

to stop being complicit in such raids. Khartoum has made no meaningful

progress in substantially improving the overall security environment by disarming

the jinjaweid militias or arresting its leaders.

So we are continuing to press that government and we continue to monitor them.

We continue to make sure that we are not just left with promises instead of actual

action and performance on the ground. Because it is absolutely clear that as we approach

the end of the rainy Season, the situation on the ground must change, and

it must change quickly. There are too many tens upon tens of thousands of human

beings who are at risk. Some of them have already been consigned to death because

of the circumstances they are living in now. They will not make it through the end

of the year. Poor security, inadequate capacity, and heavy rains (which will not diminish

until late September) continue to hamper the relief effort.

The UN estimates there are 1,227,000 Internally Displaced Persons (IDPs) in

Darfur. In July, almost 950,000 IDPs received some form of food assistance. About

200,000 Sudanese refugees are being assisted by UNHCR and partner organizations

in Chad. The World Food Program (WFP) expects two million IDPs will need food

aid by October.

U.S. Government provision of aid to the Darfur crisis in Sudan and Chad totaled

$211.3 million as of September 2, 2004: This includes $112.9 million in food assistance,

$50.2 million in non-food assistance, and $36.4 million for refugees in Chad,

$5 million for refugee programs in Darfur, and $6.8 million for the African Union

mission.

The U.S. also strongly supports the work of the AU monitoring mission in Darfur.

In fact, we initiated the Mission through base camp set-up and logistics support by

a private contractor. The Mission is staffed with 125 AU monitors now deployed in

the field and has completed approximately 20 investigations of cease-fire violations.

The AU monitoring staff is supported by a protection force of 305, made up of a

Rwandan contingent of 155 (they arrived on August 15) and a Nigerian contingent

of 150 (they arrived on August 30). Recognizing the security problems in Darfur, the

UN and the U.S. have begun calling for an expanded AU mission in Darfur through

the provision of additional observers and protection forces. Khartoum appears to

have signaled a willingness to consider an expanded mission.

I am pleased to announce, Mr. Chairman, that the State Department has identified

$20.5 million in FY04 funds for initial support of this expanded mission. We

look forward to consulting with the Congress on meeting additional needs.

As you know, as we watched through the month of July, we felt more pressure

was required. So we went to the UN and asked for a resolution. We got it on July

30.

Resolution 1556 demands that the Government of Sudan take action to disarm

the jinjaweid militia and bring jinjaweid leaders to justice. It warns Khartoum that

the Security Council will take further actions and measures—UN-speak for sanctions—

if Sudan fails to comply. It urges the warring parties to conclude a political

agreement without delay and it commits all states to target sanctions against the

jinjaweid militias and those who aid and abet them as well as others who may share

responsibility for this tragic situation. Too many lives have already been lost. We

cannot lose any more time. We in the international community must intensify our

efforts to help those imperiled by violence, starvation and disease in Darfur.

But the Government of Sudan bears the greatest responsibility to face up to this

catastrophe, rein in those who are committing these atrocities, and save the lives

of its own citizens. At the same time, however, the rebels have not fully respected

the ceasefire. We are disturbed at reports of rebel kidnappings of relief workers. We

have emphasized to the rebels that they must allow unrestricted access of humanitarian

relief workers and supplies and cooperate fully, including with the AU monitoring

mission.

We are pleased that the Government of Sudan and the rebels are currently engaged

in talks in Abuja, hosted by the AU. These talks are aimed at bringing about

a political settlement in Darfur. The two sides have agreed on a protocol to facilitate

delivery of much-needed humanitarian assistance to rebel-held areas, and are now

engaged in discussions of a protocol on security issues. We are urging both sides

to intensify negotiations in order to reach a political settlement.

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Ismail, the Minister of Interior and others, that the United States wants to see a

united, prosperous, democratic Sudan. I told them that to that end we are fully prepared

to work with them. I reminded them that we had reached an historic agreement

on June 5—an agreement between the Government of Sudan and the Sudan

People’s Liberation Movement (SPLM). That agreement covered all the outstanding

issues in the north-south process.

Since then, the parties have been engaged in final negotiations on remaining details.

However, the parties are stuck on the specifics of a formal ceasefire agreement

and have not yet begun the final round of implementation modalities. Special Envoy

Sumbeiywo met recently with the parties, but could not resolve the remaining

ceasefire-related issues. Khartoum appears unwilling to resume talks at the most

senior level, claiming it must focus on Darfur. That would be fine if its focus were

the right focus. But it is not. The SPLM is more forward leaning, but still focused

on negotiating details. We believe that a comprehensive agreement would bolster efforts

to resolve the crisis in Darfur by providing a legal basis for a political solution

(decentralization) and by opening up the political process in Khartoum.

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again when we met in midsummer. But President Bush, this Congress, Secretary

General Annan and the international community want more than promises. We

want to see dramatic improvements on the ground right now. Indeed, we wanted

to see them yesterday.

In the meantime, we are doing all that we can. We are working with the international

community to make sure that all of those nations who have made pledges

of financial assistance meet those pledges. In fact, the estimated needs have grown

and the donor community needs to dig deeper. America has been in the forefront

of providing assistance to the suffering people of Darfur and will remain in the forefront.

But it is time for the entire international community to increase their assistance.

The U.S. has pledged $299 million in humanitarian aid through FY05, and

$11.8 million to the AU mission, and we are well on the way to exceeding these

pledges.

SYG Annan’s August 30 report called for an expanded AU mission in Darfur to

monitor commitments of the parties more effectively, thereby enhancing security

and facilitating the delivery of humanitarian assistance. The report also highlighted

Khartoum’s failure to rein in and disarm the jinjaweid militia, and noted that the

Sudanese military continued to take part in attacks on civilians, including aerial

bombardment and helicopter strikes.

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to monitor the situation in Darfur and requires the Security Council to review the

record of Khartoum’s compliance to determine if sanctions, including on the Sudanese

petroleum sector, should be imposed. The resolution also urges the Government

of Sudan and the SPLM to conclude negotiations on a comprehensive peace accord.

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

is genocide.

Since the U.S. became aware of atrocities occurring in Sudan, we have been reviewing

the Genocide Convention and the obligations it places on the Government

of Sudan.

In July, we launched a limited investigation by sending a team to refugee camps

in Chad. They worked closely with the American Bar Association and the Coalition

for International Justice and were able to interview 1,136 of the 2.2 million people

the UN estimates have been affected by this horrible violence. Those interviews indicated:

A consistent and widespread pattern of atrocities (killings, rapes, burning of villages)

committed by jinjaweid and government forces against non-Arab villagers;

Three-fourths (74%) of those interviewed reported that the Sudanese military

forces were involved in the attacks;

Villages often experienced multiple attacks over a prolonged period before they

were destroyed by burning, shelling or bombing, making it impossible for villagers

to return.

When we reviewed the evidence compiled by our team, along with other information

available to the State Department, we concluded that genocide has been committed

in Darfur and that the Government of Sudan and the jinjaweid bear responsibility—

and genocide may still be occurring. Mr. Chairman, we are making copies

of the evidence our team compiled available to this committee today.

We believe in order to confirm the true nature, scope and totality of the crimes

our evidence reveals, a full-blown and unfettered investigation needs to occur.

Sudan is a contracting party to the Genocide Convention and is obliged under the

Convention to prevent and to punish acts of genocide. To us, at this time, it appears

that Sudan has failed to do so.

Article VIII of the Genocide Convention provides that Contracting Parties ‘‘may

call upon the competent organs of the United Nations to take such action under the

Charter of the United Nations as they consider appropriate for the prevention and

suppression of acts of genocide or any of the other acts enumerated in Article III.’’

Today, the U.S. is calling on the UN to initiate a full investigation. To this end,

the U.S. will propose that the next UN Security Council Resolution on Sudan request

a UN investigation into all violations of international humanitarian law and

human rights law that have occurred in Darfur, with a view to ensuring accountability.

Mr. Chairman, as I said the evidence leads us to the conclusion that genocide has

occurred and may still be occurring in Darfur. We believe the evidence corroborates

the specific intent of the perpetrators to destroy ‘‘a group in whole or in part.’’ This

intent may be inferred from their deliberate conduct. We believe other elements of

the convention have been met as well.

Under the 1948 Convention on the Prevention and Punishment of the Crime of

Genocide, to which both the United States and Sudan are parties, genocide occurs

when the following three criteria are met:

*specified acts are committed:*

killing;

causing serious bodily or mental harm;

deliberately inflicting conditions of life calculated to bring about physical

destruction of a group in whole or in part;

imposing measures to prevent births; or

forcibly transferring children to another group;

*these acts are committed against members of a national, ethnic, racial or religious*

*group: and*

*they are committed ‘‘with intent to destroy. in whole or in part [the group] as*

*such’’.*

The totality of the evidence from the interviews we conducted in July and August,

and from the other sources available to us, shows that:

The jinjaweid and Sudanese military forces have committed large-scale acts of

violence, including murders, rape and physical assaults on non-Arab individuals;

The jinjaweid and Sudanese military forces destroyed villages, foodstuffs, and

other means of survival;

The Sudan Government and its military forces obstructed food, water, medicine,

and other humanitarian aid from reaching affected populations, thereby leading

to further deaths and suffering; and

Despite having been put on notice multiple times, Khartoum has failed to stop

the violence.

Mr. Chairman, some seem to have been waiting for this determination of genocide

to take action. In fact, however, no new action is dictated by this determination. We

have been doing everything we can to get the Sudanese government to act responsibly.

So let us not be preoccupied with this designation of genocide. These people

are in desperate need and we must help them. Call it a civil war. Call it ethnic

cleansing. Call it genocide. Call it ‘‘none of the above.’’ The reality is the same: there

are people in Darfur who desperately need our help.

I expect that the government in Khartoum will reject our conclusion of genocide

anyway. Moreover, at this point genocide is our judgment and not the judgment of

the International Community. Before the Government of Sudan is taken to the bar

of international justice, let me point out that there is a simple way for Khartoum

to avoid such wholesale condemnation. That way is to take action.

The government in Khartoum should end the attacks, ensure its people—all of its

people—are secure, hold to account those who are responsible for past atrocities,

and ensure that current negotiations are successfully concluded. That is the only

way to peace and prosperity for this war-ravaged land.

Specifically, Mr. Chairman, the most practical contribution we can make to the

security of Darfur in the short-term is to increase the number of African Union

monitors. That will require the cooperation of the Government of Sudan.

In the intermediate and long term, the security of Darfur can be best advanced

by a political settlement at Abuja and by the successful conclusion of the peace negotiations

between the SPLM and the Government of Sudan.

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

Well, I can assure you that the leaders in

Khartoum are watching this hearing very, very carefully, and they

are not completely indifferent or invulnerable to the effective international

pressure. As a result of Kofi Annan’s visit, my visit, visit

of Members of Congress recently, Senator Frist’s visit, many have

been there, we did succeed over the last 21⁄2 months in opening up

a humanitarian system that had pretty much been shut down by

the Sudanese.

When I went there at the end of June with Kofi Annan, they

were not issuing travel permits. They were not giving visas. They

were keeping humanitarian supplies and vehicles stuck in the

ports. All that has now opened up. So that pressure worked with

respect to getting the humanitarian aid in right now. Frankly, the

more serious problem now is getting it distributed, the retail distribution

of the aid, and making sure those who promised aid actually

produce the aid. So there has been a response in that regard.

There has been a response with respect to not objecting to the

African Union monitoring group and allowing protection forces to

come in with those monitors. There has been a response in terms

of political dialog that is now taking place in Abuja. It took us a

while to do that. And the threat of sanctions is still out there over

them, particularly in the sector that is of greatest concern to them,

and that is oil, a principal source of revenue.

Where we have not seen the kind of success we really need to

see has been security, and we have had difficulty with this. We

made it clear to the Sudanese that ultimately security is the problem,

it is not just humanitarian aid. Humanitarian aid wouldn’t be

a problem if there was security so people can go back to their villages

and take care of themselves.

And so we have to keep applying pressure. Now, diplomacy with

the threat of force is always much more effective, but it is not just

because people are not anxious to get involved in Darfur with their

military forces. But when you take a look at Darfur, the size of the

place, the very rugged and isolated nature of the country and what

would the mission be of such forces coming from outside into a sovereign

government, it’s a daunting mission to contemplate for the

reasons that you mentioned, Mr. Chairman.

And therefore, what the international community has determined,

what we have determined, is the best way to go about this

is continue to apply pressure on the Government of Sudan to take

responsibility for its own territory and its own people. And they are

not immune from diplomatic pressure, as we have seen, but we

have to increase the pressure.

We also have to do it in a calibrated way, because there are political

challenges inside of Khartoum within the government between

hard-liners who resent any kind of pressure and those who believe

that they have to respond to the concern and pressure applied by

the international community. So what we have to do is calibrate

the pressure. There is nobody prepared to send troops in there from

the United States or the European Union or elsewhere to put it

down in the sense of an imposition force.

What we do have is a willingness on the part of the African

Union, and I’m very pleased that they have shown this willingness,

to send in thousands of monitors and protection forces for those

monitors. And I think if you get a goodly number of these folks in

and their presence is felt throughout the countryside of Darfur, you

have a better chance of bringing the situation under control and

helping the Sudanese Government or giving them greater incentive

to bring it under control.

Senator Corzine, first of all, let me thank you

for the work that you have been doing on this issue and thank you

for having taken that trip recently and for your work along with

Senator Brownback and others on the resolution, the genocide resolution,

which really gave me another tool to work with when Congress

passed that resolution.

On your first question, with respect to support for an AU force,

I think there is a general feeling among most members of the Security

Council that the right answer is to get this force up and running

as quickly as possible. Now, how that translates into money,

assets, planes, logistic support, I can’t answer that until we’ve actually

engaged with the Council.

There are some members of the Council—China and Pakistan—

who have shown some reluctance to going for strong resolutions

with respect to Sudan. As you know, they abstained on 1556 and

we’ll have to work our way through that. We are ready to support

it. As I indicated earlier, we have placed millions of dollars aside

to support it and we may have to come back to the Congress or find

additional resources from within the accounts that I have available

to me to support this deployment.

It may also be that at some point we may have to use our own

Department of Defense assets in a logistics way to get things in.

Generally, there is enough contract air around and companies that

can provide on-the-ground logistics infrastructure support and food

and water and things of that nature that if you have the money,

you can provide that. Helicopters are more problematic. They generally

have to come from military organizations that know how to

keep these things in an austere environment and keep them up

and flying. That’s more difficult to achieve, as you know.

But I fully agree with you that the AU expansion is what we

ought to be focusing on in the immediate future, because that will

give us some semblance of control over the country and some semblance

of knowing what’s going on so that we can hold the Sudanese

Government to account. And it will be first priority for our efforts

in the days ahead as we move not only through the resolution

that we put down yesterday, but in dealing with this entire problem.

Not yet. They are talking in terms of something

from 2,000 to 5,000. The Rwandans have been forthcoming,

the Nigerians have been forthcoming. We don’t have what in my

old days in the army I would have called an operational concept.

In other words, fine, I’ve got 5,000 troops or 2,000 troops, how are

they going to be deployed, where are they going to be deployed,

what’s their mission, are they monitoring, are they protecting monitors,

or are they prepared to intercede when they see something

bad happening?

The initial efforts of the monitoring group that’s there now, when

they have seen something, they have taken note of it and reported

it back, which gives us leverage to go back to the Sudanese Government

and say, stop telling us you’re not doing this when we can

see you are doing it, and here’s the evidence. That’s pressure, and

they can’t ignore that kind of calling them to account for promises

they have made.

So what we have to do is work with the AU, and we’re prepared

to do this, with diplomatic folks as well as military folks. We have

some military personnel with the AU monitoring group now who

are providing very solid advice to come up with an operational concept

as to what these troops should actually do.

I can’t give you a solid answer, Senator. We

tabled or put the resolution out for comment yesterday afternoon

and I do not yet have reports back from Ambassador Danforth on

the reaction. But I will say that there—I think there is—there’s an

overall reluctance to impose severe sanctions against Sudan at the

moment because people are unsure as to whether they would have

the desired effect, or would they enhance the position of the hardliners,

who will say no matter what you do, the international community

led by the United States is coming after us. So I think

we’ve got a lot of work to do before we could get the kind of sanctions

that would actually change behavior of the authorities in

Khartoum.

Keep in mind that the United States has sanctions on. There

isn’t much more we could do in the way of sanctions unilaterally

that would affect the Sudanese very much. There’s not much left

in that closet. But getting the Security Council to act is going to

be a challenge. Nevertheless, in the draft resolution that we put before

the Council members last evening, we call for another 30-day

period of looking at this, but any time between now and then if we

think it’s possible for the Council to act, we can ask the Council

to act.

And we threw into the equation the possibility of oil sanctions,

because that really is the strong one. The European Union last

week in some statements they made seemed to be inclined more toward

the necessity for sanctions, even if it involves sanctions on oil.

China and Pakistan have not been forthcoming in that regard because

of interests that they have in Sudan that are not necessarily

coincident with the interests that we are trying to pursue at the

moment.

May I say another word, Senator?

You said it really is so accurate to say that

Africa really wants to start taking care of African problems, and

the leadership that has been provided by a number of African leaders, whether it’s President Obasanjo, President Kanari, President—

so many others are showing this kind of leadership. I saw it in the

Liberian situation last year where ECOWAS was in the lead, AU

was in the lead, and at the right moment we put just enough

American military presence in to stiffen up everybody and get the

President out of the country and off into exile, Charles Taylor, and

the situation stabilized. And it’s not fixed, but it’s stabilized and

it’s improving.

This gives me a chance to make a plug to you, gentlemen and

ladies, for the President’s initiative to enhance the ability of African

countries to deploy peacekeepers by training them when there

isn’t a crisis, giving them the equipment they need, the experience

they need, the training they need so that when a crisis comes along

and you create a coalition of the willing, you have a competent coalition

of the willing.

We saw that in Liberia last year when we started to put together

this force with ECOWAS. People were coming to me saying, do not

send the Nigerians back into Liberia. It was a very bad experience

in the early 1990s. Well, they have been trained and professionalized

with a lot of help from us in the late 1990s and they went in,

they did an absolutely superb job. So we have to invest before these

crises come along.

I’ll make one other statement if I can take advantage of your

time, Mr. Hagel. There is another crisis that is descending upon Africa—

locusts. There is a locust infestation that is now spreading

across Northwest Africa and is beginning to spread due east out of

Mauritania, and you’ll see more and more about and read more

about it in your newspapers and television, because this will put

an added burden on the international community for food support

and to help people who are sitting there watching their farms

eaten alive. And this generation of locusts is regenerating itself exponentially

almost every day.

For decades there has been tension between

the different parties in the western part of the Sudan, in the

Darfur region between those who grow crops and those who are

herders, between the Arab population and then the basically African

population. As the Lake Naivasha Accords went forward and

it looked like the North-South agreement was coming together, tension

increased with respect to how this would affect the western

part of the country and would they be left out of the benefits of

such an agreement.

At the same time, you had new oil wells coming into the country,

so these tensions erupted in a rebellion, in a civil war between the

SLA, SLM, and the other organizations, JEM, and the government.

And the fighting broke out in earnest in the beginning of 2003 with

attacks by the rebels against the government. The government responded,

and not having, at least as they saw it, enough capacity

within their own armed forces and police forces to deal with this

in a sensible way using force of the state, legal force of the state,

they resorted to these militias and they began arming these

janjaweed, which essentially mean guys on horseback and camel,

who go out and destroy these villages and run the people off, kill

the people, rape the people, steal their possessions.

What is so terrible about it is that you can see that these are

not just individuals who ride in on horses and camels. They’re part

of a coordinated attack as we would say in the infantry where

they’re supported by gun ships flown by the government, military

forces giving them backup, and they go in and do the dirty work.

And so the government launched this effort, launched these

janjaweed, and now the government has to end it, bring it under

control.

It is not a simple matter for the government to do this, having

launched it, because they are still facing, as they see it, a rebellion.

But nevertheless, they have to face this and they have to bring it

under control, and to think that there will be some outside force

that could come in and undertake military action against the

janjaweed as if they’re a military organization waiting to be defeated

is naive in my judgment.

So we have to get the Sudanese Government to do it, and I think

if you could get several thousand African Union monitors and protection

forces for the monitors, and as the Rwandans have said, if

we go in, we are not going to just look the other way if we see

something terrible happening in a particular village.

And so I think if you can get that force in as quickly as possible,

as Senator Corzine suggested, then I think you can have some ability

to control the situation, monitor it well, and put additional pressure

on the government, and essentially assist the government in

bringing this situation under control.

Senator Corzine talked about some, some of the camps that are

nowhere near being show camps, but in addition to camps, there

are lots of other people out there that we don’t know where they

are. They are essentially foraging in this terrible place and they’re

living in villages that cannot really sustain them any longer, are

at risk, and that gives us even more incentive to move forward

quickly.

My experience though is that with these kinds of forces coming

from the African Union, it takes time. It took us almost 2 months

to get the Nigerian 150 troops in, even though President Obasanjo

hoped he could do it rather quickly. By the time you kit them out,

as my British colleagues would say, as you kit them out, get them

ready to go, and then make sure that when they get there, they

have food, they have water, they have the wherewithal, they have

communications, they have transportation. It is not like deploying

the 82nd Airborne with the full logistics kit that comes with an

American unit. It takes time, it takes resources, it takes money.

And just as Senator Corzine, we do have some money, but we’re

going to need a lot more, Senator.

I have money remaining in this fiscal year

2004. The Congress was very generous. We started out asking for

$94 million for 2004 for the Sudan and by the time we got through

with supplementals, money given to us out of the Defense supplemental,

we are close to $500 million in terms of all of the money,

close to $600 million frankly, a little over $600 million of money

available for the Sudan, to include Darfur but throughout the

Sudan.

But as we look at what the needs of this African Union force are,

and when they become better known, the money that I have already

applied to that in the tens of millions will not be enough, so

we will have to come back to the Congress. I cannot give you an

estimate now of what it will take.

For 2005, we have requested just about $600 million, $594 million

or thereabouts for 2005 funding throughout the Sudan.

Yes. That is a different program altogether.

Right.

The resolution that is before the United

Nations——

It asks the United Nations to launch an international

commission to make a judgment on behalf of the United

Nations as to whether or not it constitutes genocide or not. I talked

to Kofi Annan 2 days ago and told him that that was the conclusion

we had reached as a government and I would be presenting

that conclusion to you.

And in the resolution that we are putting forward, it asks—I’m

looking for the specific paragraph—one of the operating paragraphs,

request that the Secretary General establish as soon as

possible an international commission of inquiry in order immediately

to investigate all violations to determine whether acts of

genocide have occurred. So we have put it in the resolution that

way.

The specific operative paragraphs under the

draft resolution are under Chapter 7, but the likelihood of getting

a resolution that essentially says, let’s have an intervention force,

the likelihood of getting that is, I think, pretty low. And even if you

could get such a resolution, I’m not sure who would come forward

to provide such forces.

And so that’s why the focus of our efforts and the focus on the

resolution is the building up and expansion of the AU force as

quickly as possible. That’s what we’re pushing. That’s our No. 1

priority in this resolution and the No. 1 diplomatic effort we’re undertaking

is to get that AU force up and running, make sure we

have agreement with the Sudanese Government and they don’t object

to this, and provide the wherewithal, as Senator Corzine was

saying, to do it as quickly as we can.

I really can’t speak to that because at least

as far as our work is concerned at this point, we haven’t gotten to

the point of identifying any particular individuals, and we are not

in the position to say to the international court what it might do.

I don’t know whether it is following this closely or not. As you

know, we are not party to that court.

It’s an open question, Senator, and it’s a

question that I considered carefully over the weekend as I looked

at the report that I had from my group and as I looked at all the

other information I had. And I came to the conclusion that, whether

it did or did not undermine it, the facts led to no other conclusion,

and, therefore, I went on the basis of the facts. I think it was

the right choice to make, and the President agrees with the choice

that I recommended to him.

We have seen improvement, in the 31⁄2 years of this administration,

in the Sudan on terrorism. They’ve cooperated in a number

of areas. They have eliminated some organizations who were supporting

terrorist activities from their presence in Khartoum. And

after the Lake Naivasha—Naivasha Accords were coming along, we

hoped to see even greater cooperation. We want to have a normal

relationship with Sudan in due course, and we still can get there.

And the impediment is this problem in Darfur.

So I hope that the Sudanese Government, when they digest what

they’re seeing here on television today, and when they digest what

the U.N. is going to do, I hope, in the not-too-distant future, will

realize that this is not the time to start going backward, but the

time to go forward. And I hope it will not undercut the progress

we have seen. It is a still a state sponsor, but it is no longer a non-cooperating

country, the way it had been in the past.

Yes.

No.

There is a feeling in many countries, particularly

in the Arab and Muslim world, that the Sudanese have to be

given time to respond to the pressure put upon it by the international

community. That’s great, as long as you’re not a refugee

or an IDP who doesn’t have time, because you want to know where

the next meal is coming from, you want to know when you can get

home to put in a crop for next year, you want to know when you

can reconstitute your family——

You want to go home.

I don’t know that I can speak for him. It’s

just that there is a view that we should be careful about exerting

too much pressure on Sudan, because—the Sudanese Government—

because of the internal political situation in the country,

and that we could well bring into power people who are even less

interested in finding a proper solution to this problem.

There is a risk. I can’t put a number on it.

But it’s something that we’ve considered over the last few weeks.

It’s also why I took time to get a solid basis upon which to rest our

determination, so that when, I think, the international community

takes a look at what I have said today and the judgment that the

administration has made, they will see that it rests on facts, not

just the—you know, we’re annoyed or we’re mad or we want to do

something. It rests on a solid basis of facts. And I hope that, there-

fore, it will cause the international community to put more pressure

on the Sudanese. And I hope the Sudanese say, this is what

the world is seeing. And you can’t say it isn’t happening; it is happening.

You can’t say you’ve fixed it when you haven’t fixed it. You

can’t say that you’re not supporting the jangaweed when the African

Union monitors can see the airplanes in the air, firing at these

villages and reporting it. And so I hope that, notwithstanding what

the legislature has said, the Sudanese Government and the Sudanese

legislature will reflect on what I have said here today and

what I hope the international community will say in the next resolution.

We are not ‘‘after’’ Sudan. We are not trying to punish the Sudanese,

people of the Sudanese Government. We’re trying to save

lives. And in that, we have a mutual interest with the Sudanese

Government, if they are determined, as we are, that their people

should not be put at this kind of risk. That’s what they say they

are. They say they are determined that their people should not be

put at this kind of a risk. Well, then, they’ve got to do something

about it. And we can’t look the other way because it might cause

political difficulties in the legislature of the Sudanese Government.

Sudan is a sovereign country with a government,

and what they have agreed to, and what they have cooperated

in, is the deployment of a monitoring group, and protection

force for the monitoring group so the monitoring group can do its

work. Now there’s an effort to expand that significantly. The Sudanese

have said, you know, you can’t just come into our country as

a peacekeeping force and as an intervention force totally indifferent

to the sovereignty of the nation and the sovereignty of the government.

And what the African Union is doing now is working with

the Government of Sudan and working with others to determine

how large a group should go in, and what should they be called,

and what will their mission be? Right now, the——

The bottom line is, it is going in——

It is—yes, Khartoum has to cooperate with

the effort.

Now, Khartoum has been uncooperative in

earlier episodes, but were brought around to cooperation because

they found that it was in their interest to cooperate. And that’s essentially

the process that we are in and the AU is in.

Yes.

We have concerns about the concept that’s

being used that came out of the Darfur Action Plan, as it’s called.

The safe areas. Because it essentially says

that once you’re outside the boundary of a safe area, you’re not

safe, and it’s a free-fire zone. So we have concept about the practicality—

have concerns about the practicality of the concept.

We have expressed our concerns about this

concept. I haven’t talked directly to Secretary General Annan about

it.

Let me say a word on the first part of your

presentation, Senator, and that is that sovereignty may not have

the same meaning in the 21st century that it might have had in

the past or it had back in the days of Kosovo. But if—sovereignty

isn’t surrendered, usually. You’ve got to go take it away.

And so one has to be very careful. You’ve

said—you presented your case, but then you said, ‘‘I won’t tell you

what action we’re going to take.’’ But you can’t stop there, because

if you’re——

You’ve got to——

If you—if some——

Yes.

Yes.

The issue of sanctions comes up frequently,

and the one with the most bite and leverage to it, I think, would

be oil. It would, of course, require concerted U.N. action, and the

U.N. would have to do it in the form of a resolution so that it becomes

binding in international law. There’s nothing that can be

done unilaterally on that.

And, yes, I think we can do more, in talking to the Chinese,

Pakistanis, the Egyptians, the leadership of the Arab League to put

more pressure on Khartoum.

I do think we will be able to persuade the Sudanese—and it

won’t take too much time, I hope—that it is in their interest to

allow this monitoring force to be built up—this protection monitoring

force to be built up as quickly as we can build it up. And

that’s going to be the focus of all of our efforts and energies in the

days ahead. And I will be talking to both the Egyptian, as well as

the Chinese, leadership about this.

Arab League, as well.

The logistics problem is getting it done, getting

the troops equipped so that they can perform the mission,

making sure there’s a concept, an operational concept, so that they

know what they’re going in to do, and then getting the actual contributors,

not just, sort of, expressions of interest, we might be prepared

to do something.’ We’d get the nations of the African Union

to make specific commitments in quantities, then put in place the

command-and-control system. So it’s really, sort of, the military logistics

and command-and-control issues that I think we have to

focus on right now.

The Sudanese don’t want to be in the position that they find

themselves in now with this kind of pressure. We were looking forward

to a much more promising year, 2004, with respect to U.S./

Sudanese relations. As you recall, Senator——

Brownback, I went there last fall

and said, let’s get this Naivasha deal done by the end of December.

Well, they all said yes. A bit optimistic. It took another five or so

months. But we got it.

And we were saying we’re going to have a

White House ceremony for this. We are going to get 8,000 or more

peacekeepers to come in from throughout the United Nations to

help you implement this accord. All sorts of economic benefits will

flow from this accord. All of that is still there, waiting.

So there is an incentive for the Sudanese Government to do the

right thing now, if they’ll only do it, because benefits will flow from

the Naivasha Accord and from an East-West settlement, the end of

the crisis in Darfur. It will be to the benefit of all Sudanese people,

to the benefit of the Sudanese Government, as they try to come out

of the isolation that they have been in, at least with respect to the

United States and with respect to many of the nations in the

world, especially within Europe. And to help them develop the resource

that they have—oil—to benefit all of the people of Sudan.

And that, of course, you’ll recall, Senator Brownback, was one of

the major sticking points in the negotiations between the North

and the South as we worked on the Lake Naivasha Accord. But we

solved it. We got an understanding of how that oil revenue would

be distributed. So this is a country that has resources and assets,

and they want to use them. And to use them properly, they need

to be part of the international community and not a pariah of the

international community.

And so I think we’ve got to continue to put the pressure on them.

And the No. 1 item we should be working on now is the AU force

getting in.

There is no specific action, in the form of

sanctions, if that’s your context, Senator Feingold. It expresses its

disappointment—the resolution expresses the U.N. Security Council’s

disappointment that more hasn’t been done. And it tees up,

from the previous resolution, the possibility of sanctions, to include

the petroleum sector, if the Council is not satisfied with the forthcoming

actions. And it speaks principally to the expansion of the

AU force and asks for the Secretary General to form a group to go

look into the question of genocide.

But it deplores the recent violence that has taken place, and it

essentially tees the ball up again, and tees it up in a better way,

if we do not see improvement and there is a will within the Council,

to impose sanctions. But there’s no immediate sanctions that

come out of this resolution.

The Sudanese would say to you that they—

their understanding was that they had more time than just 30

days, based on their understandings with the Secretary General of

the Security Council. So what we’re saying is that we are now

measuring it, at the 30-day point. They are found wanting. There

has been improvement in humanitarian support, there is a political

dialog that’s underway. The monitors have been deployed, and we

have the possibility of many more monitors and protection forces

being deployed. And express our dissatisfaction through this resolution

on the security situation. And as the specific language of this

draft resolution will say, Government of Sudan has failed fully to

comply, and Sudanese Government will—hang on a minute—declares

the Council will take further action, including measures as

provided for in Article 41, which is the measures article of the

charter, including with regard to the petroleum sector and individuals.

So it elevates the concern that the Council has with respect

to what the Sudanese Government have been doing with respect to

security, and sets in play, for Council consideration, that actions

may be required affecting the petroleum sector and specific individuals.

So it’s a step forward from where we were 30 days ago, but

it is not yet the pulling of a trigger.

I have individuals who are doing nothing but

following this every day, who have somebody permanently assigned

to the negotiating team in Mbuzia, and former Principal Deputy

Assistant Secretary Charlie Schneider is doing nothing but Darfur,

Sudan, right now. We have not made a judgment as to whether a

special envoy was necessary. Senator Danforth, Ambassador Danforth,

did a terrific job related to the Lake Naivasha negotiations,

and made several trips to the region. But, of course, there was a

full team that was working, on a day-to-day basis, and we have

such a full team now. And if it makes sense, at some point, to put

somebody else into an envoy position, I would have no reservations

about doing that if it seemed appropriate.

Thank you, Senator.

In a tactical sense, the building up of the indigenous

forces beforehand, through the peace initiative that the

President has put before the Congress, so that there are trained,

qualified, ready, equipped troops that can go in and establish security

when called upon to do so, either by invitation or because

there’s been a collapse of authority. And the more money we put

into that, the better off I think we are. And I hope that we can get

very, very robust funding for that kind of activity.

I think the request right now—and I’ll have

to get it for the record—it’s a hundred million, but, you know, it

ought to be a lot more, and it shouldn’t just be Africa. We can be

doing the same thing in Latin America, we could do the same thing

in Asia, just to have troops in different parts of the world that are

trained, ready, and competent, and professional.

At another level, though, the real guarantee for nation-building

and to provide security is for people to not have cause to rebel or

to create instability. And programs such as the President’s Millennium

Challenge Account, we’re investing in those countries that

are making the right choices with respect to democracy, with respect

to economic freedom, with respect to human rights, with respect

to the rule of law. If you make solid investments in those

kinds of countries and in those sorts of programs, you’re removing

the cause of instability. And that’s why I believe the Millennium

Challenge Account is such an important program.

The first countries that we have identified for this are working

hard to make sure that they get the right contract or compact with

us. So many other countries that were not included in the first

tranche are now coming to us saying, What do we have to do to

get into this program?

And so the real solution to this comes from alleviating poverty,

doing something about disease, doing something about HIV/AIDS,

doing something about those factors that create instability, and,

you know, make the ground fertile for civil war, for rebellion, for

disaffected young people, who are not being educated, who are not

being taken care of, who see no future in the political system

they’re living under, to fight against that political system and to

create this instability.

So tactically, invest in peacekeeping forces. Strategically, do

more with programs such as the Millennium Challenge Account.

Give me a lot more funding for USAID programs. Give me a lot

more funding for public diplomacy programs. Give me a lot more

funding for exchange programs, so I can bring more and more people

from countries around the world to the United States to be educated

and learn so they can go back and help their societies. That’s

soft power that we talk about. The soft elements of power are as

important as the hard elements of power.

I’ve been involved in a number of these situations. I remember

when we went into Panama in December 1989. I was so privileged

last week to be at the inauguration of yet another freely elected

President of Panama, and to sit there. And 14 years ago, I was the

one who was issuing the orders, on behalf of Secretary Cheney and

President Bush, to invade the place and take out Manny Noriega.

And 14 years later, we see a democratically elected President yet

again.

But when we went into Panama, it took us 3 days to deal with

the military problem. And we started looking around, Well, how do

we actually build this nation back up? And that didn’t take 3 days;

that took months and years to do it correctly.

And so another thing we have done in the State Department,

we’ve created now a new office under Mr. Carlos Pasqual, and it

is an office that’s going to be looking at potential places of instability

around the world and start thinking now what we might

have to do to nation-build in these countries if called upon to do

so, so that we start to put in place the staff, the capacity, the resources,

and the competence needed, on an interagency basis within

our government, to handle these kinds of challenges as they

come along.

So strategically, the Millennium Challenge Account, USAID,

HIV/AIDS, all those soft elements of power. Tactically, train units

that can go in—indigenous units that can go in and provide security.

And then, in between, start to create the infrastructure we

need in the U.S. Government so that we’re not constantly surprised

by these demands when they come along.

Sure.

Absolutely. And a place like Cote d’Ivoire,

there are French troops there—it’s not, as the night follows day,

they always have to be African troops. I think it’s—these are regional

and international problems. And what I find is, in my peacekeeping

account, I’m going to need more and more funds in the

years ahead. And I’m glad I’m going to need more and more funds,

because it means there’s peace to be kept, whether it’s in the Congo

or Cote d’Ivoire or Liberia or Haiti.

Haiti’s a good example. We went in with our French colleagues

and our Canadian colleagues, rather quickly, and some other colleagues,

and now the United States troops came out within a couple

of months’ time, and there’s a 3,000-person peacekeeping

force—Brazilians, Argentinians, Chileans, a number of others, Sri

Lankans are coming, and even, to the surprise of many people, and

the shock of some, the Chinese wish to send a small group of

troops, police-type forces, in to help Haiti, as well.

So it is not just a regional matter; it is an international matter.

And I think that we have to scale up, and the U.N. has to scale

up our competency, resources, and funds to conduct these kinds of

activities in the future.

They are.

No, it’s a very good effort. It’s an interagency

effort under Mr. Pasqual, and everybody’s cooperating. We all know

we have to do this right in the future.

We have—Mr. Whitehead, who is on the

ground acting as our representative in Khartoum—as you know, we

do not have Ambassadorial-level representation, for reasons that

are well known to you, Senator Boxer——

And, as I mentioned earlier, we

have an individual permanently assigned to the peace discussions—

political discussions taking place in Mbuzia. And——

I’ll can get it for you. I don’t have his full

name in my——

And Charlie Schneider is managing it as his

sole duty. He was the Principal Deputy Assistant in the African

Bureau—been replaced so that he can devote all his time and attention

to that. And the idea of a more senior individual is something

we will take under consideration.

With respect to the Washington Post, they

have had strong views on this for some time. The fact of the matter

is, there is no peacekeeping force that is there. It’s not a peacekeeping

force that’s suggested by the tone of the editorial, but a

peace-making force, somebody to go in there and actually take control.

And, I’m sorry, I don’t see a source of such a force. So we are

pushing for an expansion of the AU monitoring mission, and several

thousand troops will make a difference, in my judgment.

With respect to the resolution, I think it’s a strong resolution. It

declares that the Council will take further action, including measures

as provided for in Article 41, including with regard to the petroleum

sector. It’s a direct threat to the Sudanese Government

with respect to that which is of value to them—that is, the petroleum

sector—and, as well, the resolution talks about action against

individual members in the event of noncompliance of the previous

resolution, or failure to cooperate, and requests that the Secretary

General report in 30 days to the Council on the progress, or lack

thereof—30 days from the date of this resolution. So there is that

timeline in there.

Can I guarantee or say to you that the Security Council will vote

any particular sanction at the end of the next 30 days, or not? No,

I cannot answer that question for you.

But this is a strong resolution. It is a resolution that I think will

be debated. I think there are a lot of people who feel it is too

strong. We will have a challenge getting full support for this resolution.

And one of the things that we have to constantly make a

judgment about on any resolution is, put forward a strong one, one

that we believe is the right resolution that is appropriate to the

challenge we’re facing, and then argue it out with our Security

Council colleagues to get approval for the resolution. And so I do

disagree with the Washington Post when it says that the resolution

is not a strong one.

Yes.

Yes, they have been given a serious problem.

And I think our estimate is that there are perhaps 200,000 Sudanese

who are now in the camps on the Chadian side of the boarder

being provided for by the United Nations agencies. And part of the

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

them.

That you have to get engaged early. I think

we did. We made it a matter of international concern early on. We

worked hard for the Naivasha Accord, which is really tied up in

this whole situation. And we had success with that. We were able

to arrange a cease-fire in early April, which was good at the time;

but, unfortunately, it didn’t bring a solution to the problem. We

went from $94 million that we were planning to allocate to Sudan,

and we’ve put in now up to close to $600 million for the fiscal year,

so we responded in that way. We responded with our diplomatic efforts,

our political efforts. Working with our friends in the Security

Council, we put forward a resolution. And we put forward that resolution—

about 6 weeks or so ago, people were not sure we could

get a resolution passed. It took a lot of hard work on the part of

our diplomats in New York and our diplomats in capitals around

the Security Council world. We got it. We have succeeded in persuading

the Government of Sudan to give greater access to humanitarian

workers. The number of humanitarian workers has increased

by multiples.

So the complaints or criticism that nothing has happened and

none of this has served any purpose are not entirely placed well,

because the aid is flowing. It’s a matter of retailing it out and getting

it to the people who need it.

Where we have not seen success is on the security side. And

what Rwanda tells us is, that is what we have to do. This is not

quite a Rwanda. We have this jangaweed force out there that is essentially

committing these acts, as we now call them, of genocide.

And they do it in a very horrible way. It is not quite as horrible

as what happened in Rwanda, with the actual lining up of people

and slaughtering of people en masse. But the lessons are: get involved

early. The AU is getting involved. The AU has people on the

ground. They want to put more people on the ground.

So I think we have learned from Rwanda. And I’ll tell you the

one who is deeply concerned about this, and has spoken about this,

is Secretary General Kofi Annan. And that’s why he has put a special

representative on the ground, and why he has been so seized

with this matter and has been personally involved. I talk to him

about it several times a week. And he has been to Sudan himself.

I don’t know that they won’t support us on

the resolution. They found it necessary to abstain on the previous

resolution, and they have some interests there that suggests, to

me, anyway, they thought it best for them to abstain. And I hope

that as they have now seen another month pass, more than a

month, and the security situation not improve, I hope this may

cause them to reflect on their previous judgment and perhaps join

in support of this resolution. And so I would not yet say they are

not going to support us. I don’t know what they will do yet.

That’s right. As long as they don’t veto.

I don’t know what the demand is yet. I don’t

know what they’ll ask for. But we are standing ready, leaning forward,

with funds available, to support them. Will I have enough

funds? I don’t know yet. But we’re prepared to support them, principally

through contractor support. We know how to hire aircraft.

We know how to engage commercial companies that can provide

housing, medicine, food, water, the other necessities of keeping a

force in the field.

We are. But, even more significantly, we’ve

got to make sure that our other colleagues, and especially the European

Union, is prepared to make its contribution to that effort,

as well.

A variety of reasons. Some feel a certain sympathy

for the Sudanese Government in general and don’t want to

apply too much pressure against that government. Some have

made financial commitments, but they have not yet been able to

meet those commitments as a result of their own budget process

and parliamentary requirements. Those are the ones we are really

putting pressure on—the United Nations, especially, is putting

pressure on them. As, I think, one of the Secretary General’s representatives

noted not too long ago, only 40 to 45 percent, roughly,

of the commitments have been fulfilled. Humanitarian organizations

that have said they would do more, we’ve got to get them to

do that, more that they talked about, in terms of people, in terms

of resources on the ground. So we’re going down each commitment

that has been made to make sure that it is fulfilled.

Absolutely, Senator. It’s part of our effort.

For the most part, they are under the overall

supervision and jurisdiction of United Nations agencies, but a lot

of NGOs are involved who actually operate the camps or——

Because the camps are crowded. Not all of the

assistance is there yet. Not all of the necessary humanitarian or

NGO workers are there to fully take care of these populations.

And, in some instances, malnutrition and illness already affecting

these individuals may cause death in the months to come.

But this is what the United Nations and its agencies and the

NGOs have been doing for the last couple of months, and that is

rapidly scaling up their capacity to deal with the populations in

these camps. And then, of course, there are new populations being

found that are being brought into camps so that they can be taken

care of.

A great deal is being done. We’re putting a

lot of money into it. Andrew Natsios, the Director of the USAID,

is on his way over there now, again, to make an assessment and

see what else we might be doing. Jan Egeland, of the United Nations,

who’s in charge of this for the United Nations, is deeply involved

in soliciting additional contributions and finding additional

workers to go in; Jan Pronk, who is the Secretary General’s personal

representative on the ground—everybody is working on this

to increase the capacity.

What we did succeed in doing was opening the pipeline in order

to put capacity into it. We got rid of most of the restrictions that

the Sudanese had on provision of humanitarian aid. No more problems

with travel documents and the like, and visas and the like,

and customs problems and the like.

That’s what they’re doing, and that’s what we

are doing, Senator, trying to help them to the best of our ability.

But they, you know, are still camps, people living under plastic

shelter, people who have to go to a central point several times a

day to get their ration, and putting in place clean water and sewage

facilities. But that capacity and that infrastructure is being

built up as rapidly as we can.

Can we move more rapidly? I hope so. And that’s what we’re

working with the U.N. on.

Yes.

If they get to the camps, and if it’s a camp

that we do have access to—the U.N. and the other agencies do have

access to, you can generally stabilize that population so that they

are being fed.

And there is——

I can’t answer that off the top of my head.

There is something like 140 to 150 camps.

And I would—I’d rather give this for the

record, but the U.N. would say—and it’s really a U.N. judgment to

make—that they have good control and access to, I would guess—

the last number that was given to me by the U.N. is that they’re

confident that they can reach out to one million of the roughly 1.2

million people who are in this condition. And there is another

200,000 that are in Chad who are also under care. But there are

probably many more people out in the countryside that we do not

have access to.

When we talk about this two-million population, it’s out of a population

of Darfur of roughly six million. So it’s about a third of the

population that is displaced in camps in Sudan or across the border

in Chad. How much of the remaining population is in distress or

trying to get to camps, I don’t have a good answer——

Right.

In the camps——

Yes.

Yes, Senator.

Yes. I wouldn’t disagree with you in the

slightest.

Possibly, Senator. We don’t have that kind of

standoff capability, obviously, in a place like Sudan, as we did in

Liberia. We do have some military personnel who are on the

ground—U.S. military personnel—working with the African Union

monitoring team under General Okonkwo. And I think that has

given some assurance to the monitoring team. And, frankly, it’s

been a channel by which we know what’s going on. And we can

help buildup the monitoring team and the protection force. Then

we have, of course, USAID personnel on the ground. And I expect

that, as we get into the buildup of the AU force, you’re liable to

see additional U.S. personnel, both civilian and military, on the

ground helping with that. I don’t see, however, a force going in that

would be, sort of, a force over the horizon of the kind that we had

in Liberia.

Yes.

I can’t predict whether the—such a sanction,

which would cut the revenues of the government—if it was an effective

sanction—which would cut the revenues of the government

significantly. I can’t tell whether that would produce the kind of

change that we would like to see or whether it would have other

kinds of consequences on that government that we might not like

to see. It’s an unknown.

Yes. It is a judgment call. And, as I said earlier

in my testimony, what we want to do is to get results. And we

believe that in that part of Sudan, this large expanse of territory,

the best approach to this is—notwithstanding the Washington Post

editorial—the best approach to this is to put the pressure on the

Sudanese Government to solve this problem in Sudan—with the

help of AU monitoring and protection forces, with the presence of

the international community, politically and diplomatically, with

money available to provide the wherewithal that these people need

to survive—and the Sudanese Government has responded in some

instances, and it has not responded in others. And we’ve got to

keep the pressure up and calibrate the pressure in a way that does

not kick in the law of unintended consequences and we find ourselves

with an even more difficult situation.

Yes.

Yes.

There are a number of other countries we’re

looking at. And, as you know, we’ve made the first awards.

Meaning, we’re prepared to enter into a compact

discussion with you to see what you’re going to do with this

money if we give to you. Then we have another category we’re calling

‘‘threshold countries,’’ where, we think you’re close, and we’ll

give you a little seed money to get closer, to, sort of, you know,

prove to us you’re worthy of it. And there are a number of other

countries who are not near. And they have been, sort of, pounding

on the door, saying, What do we have to do? It’s not hard. Democ-

racy, you’ve got to end corruption, and the rule of law has to be

in place, and you’ve got to show you’ve made a commitment to market

economics. Otherwise, we’re not going to waste money on you.

We’re not going to just put money down in a rathole that has no

impact. And you’ve got to make sure that you are prepared to invest

this money in your infrastructure. And we want to know what

your people think.

What’s been surprising in the Millennium Challenge Account is,

a number of countries—because we said we had to have some sense

of what your people wanted—have, for the first time in their history,

gone out and asked people to say, What do you want us to

do with this money? And they have opened up Internet and chat

rooms, and the people are coming and saying, This is what we

want the money spent on, in some places where you wouldn’t have

thought they had the Internet or chat rooms to begin with, but

they do, and they’re learning how to do it.

So the Millennium Challenge Account has already shown leverage

beyond just the first few countries to get the awards.

And I hope the Congress recognizes that

they’ve got to keep the funds in the program, and not start whittling

away because we’re not, you know, quite sure what you’re

going do with it all, because it’s that promise of significant funding

that will be available to those countries who are doing the right

thing that makes this program work.

President Mubarak has been in touch with

the Sudanese leadership and expressed his concern. The Arab

League has met on this, in early August, and expressed its concern.

I haven’t seen a great deal of resources flow from that expression

of concern, or any indication that they’d be willing to participate

in monitoring forces. It’s principally been the African Union, as opposed

to the Arab League, that has stepped forward.

We have applied—the United States has

sanctions against Sudan now. If you look at what additional sanctions

we can impose, they do not amount to much that we’re not

doing already. So what we’re talking about is international sanctions.

And what we have to make a judgment of is what the international

community is prepared to do. And we have put some

strong language in this operative paragraph of the resolution that

we will be debating with our colleagues at the United Nations. We

are trying to scale-up the number of monitors and protection forces

for those monitors. And I think that is the right solution. And I

don’t know that I can say more with respect to the position of the

editorial writers at the Washington Post.