Mr. Secretary, thank you for your statement

today, in calling this situation for what it is. No matter what the

Sudanese Government would or wouldn’t do, we have an obligation

to do so, at a minimum, and I compliment you for being so straightforward.

I’d like to ask unanimous consent that a much longer opening

statement be placed in the record as if read.

Thank you.

I’d like to focus on two things, if I may, Mr. Secretary. I think

the American people and a lot of our colleagues, as well, are confused

about how much of what we’re attempting to do to save thousands,

and maybe tens of thousands of lives over time, relates to

the need to have the approval of Khartoum.

Right now, the AU is in there in limited numbers as an observer

with no mandate and no authority to protect civilians, but to observe

and report. And, as I understand this beefed-up effort that

we are looking for through and with the African Union observer’s

mission, that we have committed to play some part in preparing to

have the capacity to do a better job—that it still doesn’t envision

the possibility of this military force protecting civilians, and that

if we were to go to that step—if the world was to go to that step,

if we were to push that step—it would require Khartoum’s sign-off.

Is that, factually, the situation?

But the bottom line is, please—I don’t mean to

interrupt——

Is that the Khartoum has to sign-off.

Right.

It’s not precisely analogous, but we went through

a similar thing with Milosevic and Kosovo, not Bosnia, and this notion

of sovereignty, that we could not—notwithstanding the fact

that he was fully engaging in genocide, we could not move in

Kosovo without—this is early on—without the consent, in effect, of

the Government of Belgrade. This is different, I acknowledge.

But the fundamental concern I have here is, as we and our

friends in the Security Council and our European friends—work

out the new rules of the road of the 21st century, it seems to me—

and I’m not asking you to respond, but it’s something I’d like to

have some time with you about at sometime—there seems to me

a desperate need for us to come up with new rules of the road,

internationally, to have some legitimate recognition that there’s

other circumstances in which a nation forfeits its sovereignty, short

of going to war. I’d respectfully suggest we should consider the notion—

I don’t mean what our specific action would be, what precise

action we would take—but it seems to me that, as a practical matter,

and as a matter of international law, when a nation engages

in genocide within their borders, cooperates with it, they forfeit

their sovereignty. I’ve found it counterintuitive to suggest, as the

first Bush administration did and some in the Clinton administration,

that we could not intervene in Kosovo because of the sovereignty

of Serbia, notwithstanding the fact we had a genocidal

SOB who was clearly, clearly, clearly engaging in genocide.

And I thought the Secretary General’s statements over the last

year and a half, we’re, sort of, beginning to work out new rules of

the road. For example, we made it clear that if, in fact, a nationstate

that’s sovereign harbors terrorists, and those terrorists clearly,

in fact, inflict damage upon us, and there’s no action taken by

that government to deal with them, they forfeit their sovereignty.

I’d respectfully suggest we should be debating whether or not

Khartoum has forfeited their sovereignty under the traditional

20th century notion of what outside interests and countries are

able to do within their territory, based on this doctrine of sovereignty.

That’s way beyond this, I know, but it leads me to this question.

I just want to know—and it’s no surprise to you where I come from

on this—one of the suggestions and maybe this has such relevance

to me, because I was so invested in the Balkans—the U.N.—Secretary

General’s special representative’s recommendation reminded

me slightly of the plan that the Brits came up with for Bosnia and

the cantonization notion they had—when he suggested establishing

safe areas for civilians who have been driven from their homes.

Now, my question is, if that ends up being part of the total package

here—that is, the AU goes in with the permission of Khartoum,

in larger numbers, slightly expanded mandate, and safe—I think

the phrase they used was ‘‘safe areas’’ for civilians are set up—and

this is genuinely a question—doesn’t that plan threaten to consolidate

the ethnic cleansing?

And do you have a view on that plan?

Yes.

Have you told—I don’t mean you, personally—

have we told the U.N. that this plan might be unacceptable to the

United States?

And, very obviously, Mr. Secretary, I have no

doubt where your heart is in this. I don’t have the slightest doubt

where your heart is. And you’ve made it clear where you’re head

is, as well. I’m not asking you to answer this question, but the

question I’m so tempted to have answered—I’d love to get you aside

and say, OK, you’re still Chairman of the Joint Chiefs of Staff, and

Lugar is President—or Bush is President, and he says to you, what

could I do—don’t give me this sovereignty crap—what could I do

that could save, in the next two, three, five, seven, 10 weeks, thousands

of lives, while we are beefing up the AU? What could I do

that would not lock me in so that I am—I’m already overextended—

would it matter, general, if you were able to commit to

me, rapidly, 3,000 forces to go in and stabilize the area now while

this is taking place?’’

What would—and, again, I’m not asking you; I just want you to

know that I think a lot of people are asking the same question I’m

asking, in my own head—what—is there anything that comes off

of what Senator Corzine, I thought—I caught the tail-end of his

comments—you know, no one—nobody wants us to get, quote,

‘‘bogged down’’ in another place. We haven’t finished Afghanistan,

we haven’t finished Iraq, we have Korea looming—not necessarily

war, but, Korea’s a giant problem, nuclear-threshold questions in

Iran, the Middle East. I got it all. But I wonder—I would be asking

the question of you, or General Myers, What could I do if it’s going

to take me a month or two with the international community to put

the AU in a position they could do more—what could we do, like

we did—like we did in Liberia, like we did in a few other places

where we went in, and we were out—we made no long-term commitment—

and stabilized the situation.

You know, I realize it’s not above your paygrade or competence;

it may be beyond your willingness or brief to speak to that, but I

hope someone has asked that question and has gotten an answer

so the man sitting behind that desk knows what options are available.

And if you conclude that sovereignty is the sole relevant

issue, then, you know, this is all moot.

But, anyway, I thank you for what you’ve done. If you want to

respond, I’d welcome it, but I will not ask you to. You don’t have

to.

Right.

Well——

Well, actually——

With all due respect, sir——

So I’m not misunderstood——

You can stop there. We’ve made it

really clear that we don’t like what North Korea is doing. We’ve

made it very clear they’re a grave danger to us. We’ve made it very

clear they are not doing—they are—we are in jeopardy as a consequence

of them; otherwise, we wouldn’t be talking about spending

hundreds of billions of dollars on a star-wars program. We

made it clear we think they are potentially a mortal enemy, and

we’re not doing a damn thing about threatening to use force. I’m

not suggesting we should.

So you can make a judgment, like the President did, early on,

and say there is—what was it?—an ‘‘axis of evil,’’ and these are evil

states, and then conclude that you are not prepared, at the moment,

given the circumstances, to be able to do something.

And the only thing I’m saying is, the first step always is, what

is the declaration, relative to the argument that ‘‘You cannot cross

my border because I’m a sovereign country’’? And I would just—

that’s all I’m suggesting.

So you can make that judgment, ‘‘You forfeited your sovereignty,

we ain’t doing something now, but we’re looking, the world’s looking.’’

So I just want to make it clear. I’m not—I do not believe, and

I think our present actions demonstrate, that we can make judgments

about how evil, how dangerous, how threatening a nation is

to us, and not conclude we should use force.

Mr. Chairman, thank you for holding this extremely timely and important hearing.

It has been three months since our last hearing on the crisis in Darfur. Since

then, there has been some progress, but the situation remains dire. The United

States and the international community must take stronger measures to prevent an

even greater humanitarian tragedy than has already unfolded.

On July 30, the United Nations Security Council passed resolution 1556, which

gave Khartoum 30 days to disarm the janjaweed, improve security for internally displaced

persons, bring human rights perpetrators to justice, and remove impediments

to humanitarian access—or risk the imposition of sanctions.

In recent weeks, the Sudanese Government has removed a number of bureaucratic

impediments to aid delivery. Food is being airdropped into the region. Aid

flows to the camps have improved, as has access by humanitarian workers.

Khartoum also has engaged in a serious dialog with the Sudanese Liberation

Army and the Justice and Equality Movement in Abuja under the auspices of the

African Union.

The progress is real. But it is far outweighed by the peril in Darfur. Hundreds

of thousands of lives remain on the line.

On September 2, the Secretary General’s Special Representative to Sudan, Jan

Pronk, reported to the Security Council that Khartoum has neither disarmed the

janjaweed, nor provided effective security for the approximately 1,200,000 internally

displaced people in Darfur.

Ambassador Danforth has stated that there are confirmed reports that the government

participated in attacks on civilians in Darfur as recently as August 26.

And although assistance is reaching more people, humanitarian workers are discovering

that more people need aid than they originally estimated.

The bottom line is that the Government of Sudan is not taking the actions demanded

of it. And so the question before us is straightforward: what are we and

our allies in the international community prepared to do to change the situation in

Darfur?

Will the Security Council act to impose sanctions under article 41 of the UN charter

as threatened in 1556?

Are we and our international partners prepared to push for a Chapter 7 peacekeeping

force with a mandate that includes protection of civilians?

Will other members of the Security Council support strong action—or will they

undercut it?

In short, what is our strategy to prevent what you have now agreed with Congress

is genocide in Darfur?

If we fail to act—when the evidence of Sudan’s crimes are clear for the world to

see, and when we have the means to stop them—we renege on the promise of ‘‘never

again’’ made after World War II, a promise repeated after the genocide in Rwanda.

Were those words merely empty rhetoric, or will the world fulfill its promises

when confronted, as we are right now, by another terrible challenge to human decency?

I believe we should take strong measures, both domestically and internationally.

In late July, Senator DeWine and I introduced legislation aimed at increasing the

pressure on the government in Khartoum to bring a halt to the violence in Darfur.

Senator Lugar subsequently introduced his own bill, which is similar in several

respects, but takes a slightly different approach in others. I am pleased that we

were able to introduce a joint bill today—a bill that we hope the entire Senate can

support.

I thank the chairman. I look forward to hearing from you, Mr. Secretary.