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DARFUR: A "PLAN B" TO STOP GENOCIDE?

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DARFUR: A "PLAN B" TO STOP GENOCIDE?

WEDNESDAY, APRIL 11, 2007

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The committee met, pursuant to notice, at 9:32 a.m., in room SD–419, Dirksen Senate Office Building, Hon. Joseph R. Biden, Jr. (chairman of the committee) presiding.

Present: Senators Biden, Feingold, Menendez, Cardin, Casey, Webb, Lugar, Coleman, Corker, Sununu, and Voinovich.

OPENING STATEMENT OF HON. JOSEPH R. BIDEN, JR., U.S. SENATOR FROM DELAWARE

The CHAIRMAN. This is just a brief interlude here. The Ambassador is caught in traffic. He's going to be about 5 minutes late. I wanted to explain why we're going to wait another 5 minutes or so, because we should start off with the administration witness first. So, we're going to just recess until the Ambassador arrives.

Thank you.

[Recess.]

The CHAIRMAN. The hearing will come to order. I beg your pardon.

Thank you for being here. Mr. Ambassador, welcome. And welcome, to our outside witnesses, as well: Susan Rice, a former Assistant Secretary of State for Africa, now at Brookings; Stephen Morrison, one of the leading think-tank experts on Africa, from CSIS; and Larry Rossin, the leader of the Save Darfur Coalition.

Folks, it's been 4 years now since the crisis in Darfur erupted, 4 years since the genocide began. And it's been 3 years and 9 months since Congress formally recognized this as genocide. The resolution in both the House and Senate passed, 3 years and 9 months ago, and it passed unanimously. Not a single member denied the horror that was underway. It's been 3 years and 7 months since the administration added its own recognition. On September 9, 2004, in testimony before the committee, then-Secretary of State Colin Powell said clearly that the killings in Darfur were genocide; shortly thereafter, so did President Bush.

So, now, all these years later, the question still remains: What are we going to do about it? What are we going to do to stop the slaughter, to return the survivors to their homes, to bring those responsible for the murder, rape, and terror to justice, and to build a lasting peace? What are we going to do about Darfur? That's the question I've asked the Ambassador. And he's the administration's point person for Darfur. And, like his predecessor, Deputy Sec-

retary Zoellick, I have no doubt about his dedication and determination to do the right thing.

In December, the Ambassador told a group of Senators that Khartoum had until the end of the month to agree to the deployment of U.N. peacekeepers. That deadline has long since passed, with no agreement by Khartoum to accept the peacekeepers, and no reaction, from the United States or the international community, to its refusal.

Today, this committee expects to hear from the Ambassador a concrete plan of action. I hope that he'll flesh out the administration's plan B, as was referred to earlier, and tell us how and when the administration will act on that plan.

What should we do about Darfur? Well, that's the question I've asked our outside witnesses, because there are almost certainly steps the administration is not planning to take that this committee should consider from these outside witnesses.

I have my own strongly held view on what we should do. Most importantly, we need a comprehensive approach to what is a complex problem. We have to work all six sides of what John Prendergast, one of the leading experts on Darfur, rightly calls "The Policy Rubik's Cube." That will require the kind of resources, coordination, and sustained engagement at the highest levels that, in my view, we have not yet seen or we have not—not only from this administration, but also we have not seen from our partners around the world.

Let me quickly suggest some of the pieces of the complex approach that need to be taken.

First, pursuing Khartoum is necessary, but not sufficient. We need to work on the major rebel groups, as well. Three years ago, after visiting a refugee camp on the Chad-Darfur border, I met with the leaders of two of the major rebel groups. I urged them to come up with a common program. I offered to host them in Congress if they did. I warned them that if they did not, Khartoum would use their division as an excuse to do nothing. We need a major sustained diplomatic initiative to bring these rebels together.

Second, peacekeepers are essential, but they're not enough. We need a peace process. If we end the violence, but fail to achieve a sustained political settlement in Darfur, the violence will return. That puts a premium on a single peace process, supported by the international community, including the African Union and the United Nations, and managed by an oversight group of concerned countries.

Third, unilateral sanctions may be necessary, but will not suffice. We need a coordinated action from many other countries. The United States has had significant sanctions on Khartoum since 1990. We're almost sanctioned out, to use a phrase the President used in another context.

For pressure to be meaningful, it must be multilateral. The Chinese, the Arab world, the Europeans, the African Union, everyone should be joining together in this campaign. Without American leadership, I see absolutely no prospect of that happening.

Fourth, limiting our focus to Darfur is too narrow. We have to include the neighbors, especially Chad and the Central African Republic. I saw firsthand the spillover effects of Darfur—of the

Darfur crisis on Chad, and it has gotten much worse over the past 3 years. The crisis is putting an incredible strain on the neighbors. And, at the same time, they have tremendous influence with some of the key players. Our Darfur diplomacy and initiatives must include the neighbors.

Finally, and most urgently, convincing Khartoum to accept a meaningful peacekeeping force should be our goal, but if it refuses, imposing such a force must be our mission. I wish that the African Union had the mandate, the manpower, and the material to do the job, but it does not. We must set a hard deadline now on Khartoum to accept the hybrid African Union-United Nations force, and we must start planning to impose that force if Khartoum refuses, and to take other concrete steps that can start saving lives now.

I've long advocated a NATO-led no-fly zone to stop the air support Khartoum provides to the Janjaweed. Recently, Khartoum stepped up its slaughter from the skies. It is within our power to clip their wings. Yes; a no-fly zone could make it more difficult for humanitarian groups to operate, so we should do everything possible to design it with their concerns in mind. And I expect to ask the witnesses about that.

I hope that we could come out of this morning with a clear plan for action. For too long, all of us have expressed our outrage at the destruction of Darfur, without doing anything meaningful to stop it. I think it's long past time we must act, even if that action is in the face of the refusal of Khartoum to accommodate anything. I realize that sounds reminiscent of what I said 12 years ago about Bosnia, but I think this is incredible. Our grandkids are going to be seeing their own version of Hotel Rwanda that may look even worse.

So, I thank you very much. I also want to point out that Senator Lugar will be here, but he is testifying before the Armed Services Committee on Nunn-Lugar, and he's introducing a judge, before the Judiciary Committee, from Indiana. But he will be here.

I thank you, again, Mr. Ambassador. And I indicated to the Senator from New Hampshire, if he had an opening comment on the Republican side, he's welcome to it.

STATEMENT OF HON. JOHN E. SUNUNU, U.S. SENATOR FROM NEW HAMPSHIRE

Senator SUNUNU. If I might just offer a couple of brief comments. First——

The CHAIRMAN. Please.

Senator SUNUNU. I want to mention that Senator Feingold isn't here, but he chairs the Africa Subcommittee, I'm the ranking member, and I know he has a great interest in both testimony from Mr. Natsios and in the situation.

There's no greater manmade humanitarian crisis that I can think of in the world today. And, Mr. Chairman, I think you've outlined, very effectively, the moral obligation that we have to pursue a—really, a just outcome here. The slow pace that we've seen is absolutely unacceptable, and we need not just a proper response and an effective plan, but we need to understand what the reasons are for such a slow pace.

I was in the room with you when Secretary Powell testified before our committee and talked about the genocide that was occurring. That was 2½ years ago. And, to be sure, at that time the expectations were much, much higher.

So, we need to understand exactly what the reasons are for the slow pace of progress, and I think we need to be very frank. If there were disagreements within the State Department or within the administration about the path we should be pursuing, we need to know about that, we need to understand that, so that we can, you know, best decide, as legislators, what might be done to either help build consensus or pursue a particular path that might reinforce the goals and objectives of Mr. Natsios and those that have spent the most time in the region.

So, I hope this hearing might put out some of those, sort of, frank assessments of what can be done better, what can be done differently, and where there might be alternatives and options in order to deal with this incredible humanitarian crisis.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much.

Mr. Ambassador, again, welcome. Thank you. You've got a difficult job. We're anxious to hear what you have to say.

STATEMENT OF HON. ANDREW S. NATSIOS, PRESIDENT'S SPECIAL ENVOY TO SUDAN, DEPARTMENT OF STATE, WASHINGTON, DC

Ambassador NATSIOS. Thank you, Mr. Chairman. Thank you for inviting me before the committee.

President Bush appointed me to this position in September of last year, about 7 months ago. I—actually, my first trip to Darfur was in 1990, 17 years ago, during the first Darfur war. This is the third war in 20 years, and by far the most destructive.

I do have written testimony. I'm not going to read that; it's very long. But, for the record, I'd like to submit that, Mr. Chairman.

The CHAIRMAN. The entire statement will be included in the record.

Ambassador NATSIOS. Thank you.

I went then as a USAID official. My job then was to make sure people didn't die in what was a drought and a war at the same time, and I wasn't focused on the politics of it. It was a tribal war between the Fur people, an African tribe, and the Arabs. And so—and then, there's another war, in the 1990s, between the Masalit tribe—which are Africans—and the Arabs. And now, this is a third war between the Masalit, the Fur, and the Zagawas and the Arabs. And it's mostly the northern Arabs, not the southern Arabs. The southern Arabs—the southern Rizegat, actually have been neutral in the war and the Nazir of the southern Rizegat have actually helped protect some of the African tribes from attacks from the Janjaweed. So, I think it's a very bad idea to assume this is all Africans versus all Arabs. That is simply not true, and it may make peace harder if people think the bad guys are all the Arabs and the good guys are all of the African tribes. That's simply not the case.

The war has been dangerously regionalized, at this point. It's destabilized Chad, it's poured, now, into the Central African Republic, and we are very worried about the regional consequences of this,

not just from a political standpoint, but from a humanitarian standpoint. There were 400 people killed, or who died from exposure, in attacks in Chad in the last week, which is very disturbing, according to reports coming in from the field.

We believe the only way to deal with this is, ultimately, a negotiated settlement, and—because over the long term we have to have some kind of an agreement between the people who live there, who have been at war with each other, with—one side, with support of the Government of Sudan—for the economy and the social structure and the social fabric of the province to be put back together again.

We think coercive measures will be necessary; in fact, are necessary. When you said, Senator, "I gave them a deadline, at the end of December," actually they met the deadline for that phase. In December, I met with President Bashir, and I told him that he had said: Under no circumstances would there ever be a "blue helmet" ever in Darfur, under phase 1, phase 2, phase 3 of the Kofi Annan plan, which we negotiated on November 16, with 30 countries and 3 international organizations at the meeting. And he said, "I've still—that's still my position." I said, "That's completely untenable." And I said, "We're going to have to impose these new coercive measures if you refuse to do that." He agreed, at that point, to allow blue helmets. And blue helmets are in Darfur now—not a large number of them, but he has agreed to all of the provisions of the first phase, which is about 190 people.

And so, there was, in fact, some action, but it's very slow. And there's a reason it's slow. The Sudanese Government sees the peacekeeping force as regime-threatening. And the reason they see that is, they believe that if a U.N. force enters Darfur, they will begin to arrest people for war-crimes trials in Europe, under the ICC. And there is a fear that—I've told them that is not in the resolution, that's not what they're there for. They said, "Well, it may not be, now; but, once the troops arrive, you can change the resolution, later on."

In any case, that's the fear. And it's a real fear, because, of course, they committed crimes, and they're going to be held accountable. And we know that the ICC has already announced they're investigating people and will be, shortly, making some indictments of some major figures in the regime.

We believe, finally, that a negotiated settlement is the only way. But we must deal with the property, livelihoods, and security issues for the people in the province, in a peace agreement that has to be implemented. I mean, there's a lot of broken agreements that have been signed over the years. I've watched them for 17 years, between the north and the south. They sign agreements—they sign agreements and then they don't implement any of them. So, it's not a function of simply signing things; it's a function of doing them.

Once the blue helmets arrived in Darfur under phase 1, I complimented them publicly for agreeing to what they did agree to. But, before that, I didn't talk about it, because I wasn't sure they were going to actually physically let them in.

Where are our diplomatic efforts and our policy? Our focus is on human rights and on humanitarian issues. We have no military or economic interest in Darfur. I repeat that, because this is a refrain

that is being used to, sort of, exaggerate among the Arab tribes, what the purpose of the United States and other countries' interests in Darfur are. They're for oil, they're for building a military base—other ridiculous arguments are being made to fuel tensions—ethnic tensions within the country in a very unhelpful way.

We believe that we need to energize, although this is not the purpose of this hearing, the implementation of the Comprehensive Peace Agreement between the north and the south. We think there's a direct relationship between peace in the south and peace in Darfur. We have asked the southerners, who are actually the most influential with the rebel groups, to get involved in this. I asked them last December, I asked them again in March, and they have done that—Salva Kiir is getting involved, who is the President of the south; and the First Vice President of the northern government. At first, the northern government said, "Absolutely not, you will not do this." Over time, we've, I think, convinced the Sudanese Government that it was in their interest to have them involved. And they are involved now.

The rebels I met with in January in Chad told me the most influential group for them were the southerners, because together the south and Darfur make up half the country, and the model for the DPA, the Darfur Peace Agreement that was signed last May, is the Comprehensive Peace Agreement between the north and the south. They see their brothers in the south as a model for what they want to do in Darfur.

We have encouraged—I have personally encouraged—I spent a week in Chad, in January, working with the rebels and working with Jan Eliasson and Salim Salim, to unify the rebels. They're broken down into 14 or 15 different groups, depending on the week. It is a very chaotic situation. One of the problems with the security situation at this point, is not two sides fighting against each other; it's anarchy. The government has lost control of large parts of the province now; and some of the rapes, by the way, that are going on, are by rebels raping women in their own tribes. We know, in one of the refugee camps that's now controlled by the rebels formally, there have been terrible atrocities committed by the rebels against the people in the camps.

We also believe that there needs to be one negotiating process. When I started, last year, there were six different tracks for negotiations between the rebels and the Sudanese Government. We said, "That is not going to work." There has to be one route. And we've actually moved toward that, and that is what part of the Addis agreement was, to have just the United Nations and the African Union track. Our job was to support them, not to set up separate independent negotiations, which will be used as a mechanism for forum shopping by the rebels or even the government. We don't want that to happen. The only way this is going to be solved is a comprehensive settlement that is between two sides, with one negotiating position on each side, which we're encouraging the rebels to have.

I might add, the southern agreement would never have taken place if there were 12 John Garangs. There was one John Garang leading the southern negotiations, and one northern government official, the Vice President, Ali Osman Taha, who negotiated the

agreement. It would never have happened if there were multiple parties on each side, with different agendas and different positions.

The current situation is very troubling to us, because of the government's loss of control, because of rebel attacks on aid agencies which are now increasing, of the 120 vehicles that were stolen by—from aid agencies—and, by the way, the U.S. Government has spent $2.4 billion keeping people alive over just the last 2 years. We are, by far, the largest international donor. I think 65 percent of all the food comes from the United States to feed people; 2½ million people are in over 200 displaced camps all over Darfur, and there are hundreds of NGOs and eight U.N. agencies that are at work, and they all have heavy funding from the United States—but 120 aid trucks were looted last year. The great bulk of those, actually, were from the rebels, and a few from the Janjaweed militias.

We now have Arab-on-Arab violence. The principal people getting killed right now are one Arab tribe fighting with other Arab tribes. Since February 11, there has actually been no aerial bombardments, according to very credible sources on the ground. So, there's been 2 months of no aerial bombardments. Second, the principal deaths since the beginning of the year actually have been Arabs being killed by this Arab-on-Arab violence.

There have been about 80,000 new IDPs, in January and February. That's slowed down in February and March. And right now we're seeing a relative lull in the fighting in Darfur. The fighting, however, has intensified to a dangerous degree in Chad, and that's where the bulk of the people getting killed are, at this point.

I'd just like to make a quick point on the CPA, and that—the Comprehensive Peace Agreement—it is not the case that the CPA is not being implemented. It is being implemented, parts of it. A billion dollars in oil revenues have been transferred from the north to the south. That's a significant change. There is no war in the south. There is no famine in the south. The economy's picking up. Roads are being built—a lot with U.S. Government support, I might add—and health clinics built and schools being built, teachers being trained. The economy is moving. However, the transformational provisions of the CPA, which John Garang insisted on being in there—elections, the sharing of revenue, not just with the south, but all of the provinces in the north, because many of the rural provinces in the north are getting no money from the oil revenues at all—that is in the CPA. It's not just a transformation of the south. Those difficult provisions of transformation are not being implemented. They're the most dangerous, in terms of the stability of the central government in its own interests, and it seems those interests are under attack right now, because of the instability in Darfur. And so, they have been unwilling to implement those provisions. It is critically important that the CPA be implemented if we're going to have a model for a successful implementation of a peace agreement in Darfur.

There is little progress on border demarcation. There's an impasse in Abyei. I've raised all these issues repeatedly with President Bashir, and told him if he wants to stabilize Darfur, he needs to implement the CPA with the south, because if the rebels see

that the CPA is being implemented, I believe there's a greater likelihood they will return to the negotiating table.

Our policy is in three areas. That is, to stabilize the humanitarian situation. While the death rates in the camps are well below emergency levels, we are nervous, because access by the NGOs has deteriorated because of the anarchy in the province now and the attacks on aid agencies which has led to a couple of them leaving. A very dangerous situation.

Two, we are very nervous about the rainy season that's coming up. We have a lot of food—more than enough food in the capital cities—but the problem is getting it, without attacks on the convoys, into the camps before the rainy season starts, in 9 weeks.

Second, our political solution is simply to get the rebels back to the negotiating table with the government. The government has not put preconditions, other than one—they want to use the DPA as a basis for further negotiations—with additional amendments, and they've told me they will be flexible on that. I talk to Jan Eliasson quite often; he's an old friend of mine. He's leading the negotiating teams. He has a plan in place for how we can proceed, in the next month, to move toward that.

And, finally, we want the full three phases of the Bashir—I'm sorry—the Kofi Annan and Ban Ki-moon plan that was agreed to and Addis implemented. As of today, the United Nations has announced, with the African Union, that the Sudanese Government has agreed, it appears, to the—what is called the "heavy support package," phase 2, which they trashed in a letter to Ban Ki-moon, a month ago, when I was—they signed it when I was there—literally, when I was in the city, they signed it and sent it, but did not give us a copy.

They appear to have reversed themselves on this. Now, I have to say "appeared," because there's a long history of them signing things, announcing things in communiques, and then not doing them. So, what will be the proof of this is whether or not we're allowed to go ahead with the work we're going to do in building more camps to house more soldiers. The big impediment to phase 1 has been the absence of barracks, which are now constructing for the 190 troops who will be arriving. And then, there will be assistance that will be given by the international community for the construction for the additional 3,000 people under phase 2.

They have not agreed to phase 3, and there are two remaining issues on phase 3, called the "hybrid force." One is U.N. command and control. I put U.N. command and control in the text of the Addis agreement. I insisted on it. I said, "That is the bottom line for the United States. If there's no United Nations in command and control, we do not support the agreement."

Two—and the Sudanese Government is resisting that; they don't want orders coming from—to these troops from New York directly—two, they do not want any troops from outside Africa. We believe—and I believe there are people in the United Nations who can confirm this—that there are not enough sufficiently trained peacekeeping troops in Africa to handle this, that we need troops from other peacekeeping countries outside Africa, which the Sudanese have been very resistant on.

And there are a number of other smaller issues, but those are the two central issues, at this point.

And let me just conclude by saying, we were about to impose plan B, at least this phase of it, and we did not want to announce them, frankly, when a congressional delegation was in Khartoum; we didn't think that was particularly good timing. And then, there's been a request made by Ban Ki-moon, the Secretary General of the United Nations to our Secretary of State, and to me. I met with him last Monday, and he repeated, "I need 2 weeks to 4 weeks to try to see if the current round of negotiations is going to work to get the paralysis that we're facing moving." As a courtesy to the Secretary General, we've agreed to that delay, but there is a finite limit to it, and if we continue to see stonewalling, then those measures are going to be implemented.

It's up to the President. It's his decision to make. But I know where he is on this; he's as angry as all of us are on this, and wants action. But the Secretary General requested it. He did it publicly; it's not a secret. And we've agreed to wait a short time while we let the negotiations that he's undertaking now take their course.

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

[The prepared statement of Ambassador Natsios follows:]

PREPARED STATEMENT OF HON. ANDREW S. NATSIOS, PRESIDENT'S SPECIAL ENVOY TO SUDAN, DEPARTMENT OF STATE, WASHINGTON, DC

Thank you, Mr. Chairman and members of the committee. I appreciate the opportunity to be here with you today to discuss how the United States (U.S.), together with the United Nations (U.N.) and our international partners, is addressing the crisis in Darfur.

A great deal has happened since I last gave testimony—some of it frustrating, some of it hopeful—but what has not changed is the administration's firm commitment to ending the violence and responding to the immeasurable suffering of the people of Darfur. The only U.S. interest in Darfur is a peaceful end to the crisis. Our goals are to provide life-saving humanitarian assistance to the millions of people who have been affected by violence; to promote a negotiated, political settlement to the conflict within the framework of the Darfur Peace Agreement; to support the deployment of a robust African Union (AU)/U.N. hybrid international peacekeeping force; and to ensure the successful implementation of the Comprehensive Peace Agreement (CPA). We have no military or economic interests in Darfur and we oppose any effort by any group to separate Darfur from Sudan. While we have a relationship with the Sudanese Government on counterterrorism issues, this relationship has not prevented us from elevating humanitarian and human rights concerns to a preeminent position in our policy toward Sudan. As a country and as a government we are appalled by the atrocities that have occurred in Darfur including those in 2003 and 2004 when some of the worst violence occurred, and the United States has made solving conflict in this region a priority.

This is the third war in Darfur in just over 20 years, but it is by far the most destructive in terms of lives lost and people displaced. The current war is not a "simple" conflict between Arab and African tribes, but a much more complex dispute fueled by drought and desertification, disputes over land rights, competition between nomadic herders and farmers, and longstanding marginalization of Darfur by the Government in Khartoum. The Sudanese Government's disastrous decision to arm, direct, and pay Northern Arab tribes, now called the Janjaweed, as their proxies in the war against Darfur's rebels led to genocide and resulted in the deaths of hundreds of thousands of innocent civilians and the destruction of their villages and livelihoods.

Since then, the security situation on the ground has continued to evolve and has become increasingly chaotic. The Government of Sudan (GOS) is using the same strategies against Darfur that Sadiq al-Mahdi first developed and used against the south in the 1980s. By manipulating preexisting tribal divisions, creating militias drawn from the youngest and most disenfranchised members of Arab tribes, forcing people from their homes, and separating them from their traditional leaders, the

government has created a lawless environment where banditry and violence are on the increase as rebel groups and tribal structures fragment and begin to fight amongst themselves. We are now seeing more examples of Arab on Arab violence in Darfur, localized tribal conflicts, and looting, extortion, and hijacking by rebel groups. In January and February of this year, 80,000 people have been forced from their homes and into camps because of violence. In addition, regional political agendas are being played out in Darfur and violence and refugees are spilling across borders into Chad and the Central African Republic.

Against this backdrop, however, there are some small signs of hope and progress. Credible reports from Darfur indicate that there has been a slow, steady decrease in civilian casualties since January 2007 and direct fighting between the Sudan Armed Forces (SAF) and nonsignatory rebel groups has virtually ceased in the past months. When I visited Sudan in October and again in December 2006, a broad range of GOS officials appeared to believe that they could solve their "Darfur problem" through military means. This policy has proven to be a disaster as government troops have taken a beating at the hands of rebels and as they have lost weapons and equipment to rebel forces. I have stressed to Khartoum and the rebels that a military solution is not possible, as have our allies. Several regional powers have also begun to play a positive role. Most notably, in late February 2007 Libya brokered an agreement between Chad and Sudan to reduce hostility along their common border. Unfortunately, this appears to have unraveled in recent days and we note with great concern the recent attacks inside Chad against civilians in the villages of Tiero and Morena and escalating violence along the border. However, these types of constructive efforts are welcome and we encourage Libya and other regional powers to work closely with the United Nations and African Union on these initiatives.

Perhaps most heartening, groups inside Darfur are beginning to push back against the terrible violence they have seen over the past 4 years. The Nazir of the southern Rizegat, the leader of an Arab tribe in south Darfur, has remained neutral over the course of the conflict despite attempts to draw him in. In other parts of Darfur, there are indications that Arab and African tribes are trying to rebuild cooperation, with a few scattered reports of groups returning looted livestock to the original owners and beginning to meet and trade in traditional markets.

We will continue to watch the security situation very closely. If the government and rebel groups continue to exercise restraint between now and the end of the rainy season, there will have been a full 20 weeks of relative quiet, enough time to restart political negotiations. If, however, either side breaks the fragile calm that appears to be holding between government and rebel forces inside Darfur—directly or through their proxies—we will take this as a clear signal that the parties to the conflict are not serious about the peace process and will respond in the strongest possible terms.

The current security environment has had an extremely negative impact on humanitarian operations in Darfur and eastern Chad. The U.S. Government's (USG) first and most urgent priority is to ensure the continued delivery of life-saving humanitarian assistance to the 2½ million internally displaced persons (IDPs) and refugees living in camps in Darfur and eastern Chad. While civilian deaths may have declined in recent months, people are still being forced from their homes and nearly 80,000 new IDPs have flowed into camps in January and February of this year. The United States has called upon all actors in Darfur—including the government, the Arab militias, the rebel signatories and the nonsignatories—to cease all interference in the delivery of humanitarian aid. Representatives from NGOs have told me that there are now so many rebel groups in Darfur, it has become virtually impossible to negotiate deals for safe passage of workers and supplies. The number of security incidents against humanitarian agencies has increased, with more than a dozen local Sudanese staff killed, one expatriate woman sexually assaulted, and approximately 120 vehicles hijacked over the course of 2006. Much of this violence, particularly the theft of vehicles and supplies, has been perpetrated by rebels who seem more intent on stealing and looting than representing the people of Darfur. In my trips to the region I have met repeatedly with rebel leaders and have insisted that this type of activity cease immediately. While none of the rebels took responsibility for incidents, this message was clearly heard and we have seen a slight decrease in vehicle hijackings over the past few months, although the number remains unacceptably high.

Relief efforts are also being slowed by bureaucratic obstacles and continual harassment by the Government of Sudan. Visas and travel permits are routinely delayed or denied and humanitarian goods languish in customs for months. This seriously undermines the ability of aid workers to deliver needed supplies and services to civilians in the camps. We have pressed the government continually on this point,

stressing that they should facilitate—not block—the delivery of humanitarian relief. During my recent trip to Sudan in March, I met with President Bashir and insisted that his government lift burdensome bureaucratic restrictions on relief workers. He gave his verbal assurance that this would happen and U.S. pressure, together with that of other donors, led to a breakthrough agreement signed March 28 between the Government of Sudan and United Nations that should significantly improve humanitarian access. If the agreement is implemented as written, it will signal the Sudanese Government's intention to improve the humanitarian environment for aid agencies.

I should mention that despite difficult and dangerous conditions, humanitarian workers have done a remarkable job of providing life-saving assistance to 2½ million IDPs and refugees in Darfur and eastern Chad. This is currently the largest humanitarian relief operation in the world and the United States is the single largest donor of humanitarian assistance. We have contributed more than $2.6 billion in assistance to Sudan and eastern Chad in FY 2005 and FY 2006 and have provided more than 72 percent of all humanitarian assistance to Sudan. USAID is sending 40,000 metric tons of food aid to Darfur every month and the United States provided 50 percent of the appeal by the U.N. World Food Program in 2006. In addition to food, the United States is providing shelter, water, sanitation, health, and hygiene programs for those in need. We are also working to protect vulnerable populations such as women and children by improving physical safety and providing immediate services to victims of violence. Given the extremely rugged conditions in Darfur, this assistance is saving lives every day and we need to recognize the tremendous work the humanitarian community is doing.

The only way to achieve long-term progress in Darfur is to promote a political settlement among all the parties to the conflict within the framework of the Darfur Peace Agreement, and this is where we are now focusing our attention. We strongly support a leadership role for the United Nations and African Union and stand ready to support the important work of Special Envoys Jan Eliasson and Dr. Salim Ahmed Salim. We believe that the United Nations and the African Union can play a critical role in keeping the attention of the international community focused on a negotiated settlement and can help channel disparate initiatives into a coordinated peace process. This will help minimize duplication and confusion and will guard against "forum shopping" by parties to the conflict. Again, these are issues that I raised in my most recent visit to Sudan in March and I received expressions of support for negotiations—without preconditions—from the Government of Sudan, including President Bashir. It remains to be seen whether the GOS will make good on these statements, but there appears to be a growing consensus among key members of the ruling coalition that a peace agreement with nonsignatory rebel groups may be the only way out of the current crisis.

As the central basis for negotiations, the United States supports the Darfur Peace Agreement (DPA) signed by the GOS and the faction of the Sudan Liberation Movement headed by Minni Minawi (SLM/MM) on May 5, 2006. Despite some limitations, the DPA is a good agreement that outlines ways to address the root causes of the conflict, creates space for the delivery of humanitarian aid, and gives international forces a robust mandate to protect civilians and humanitarian workers. In further negotiations among nonsignatories and the GOS, we support adding amendments, annexes, or clarifications to the DPA. What we do not support is starting from scratch and spending another year negotiating a new agreement that will likely be worse for the rebel movements and the people of Darfur. We have made this point to all parties involved.

We recognize, however, that implementation of the DPA has been slow and this has made rebel groups reluctant to join the political process. We have called repeatedly on the government to implement key portions of the agreement, including disarmament of Arab militias and empowerment of the Transitional Darfur Regional Authority. One of our most important tasks is to bolster the position of Minni Minawi, the sole rebel signatory to the DPA, in order to show that embracing peace yields dividends. He has been marginalized by the government on key decisions related to Darfur and the package of reintegration assistance promised to his troops under the DPA has materialized very slowly, if at all. Most recently, a violent and deadly March 24 attack by the GOS on a house run by SLM/MM in Khartoum and the fatal ambush of a senior commander in Darfur, only serves to raise questions about the seriousness of the GOS commitment to a negotiated peace. Nonsignatory factions might ask why they should sign the Darfur Peace Agreement if the GOS continues to brutalize parties to the agreement.

The number of rebel groups now operating in Darfur also complicates a negotiated settlement. As I mentioned earlier, the GOS has played a major role in splintering opposition movements into factions and has attempted to buy off one group at a

time rather than pursuing a broader peace through transparent negotiation with all parties. This tactic of divide and conquer creates inequality, dissatisfaction and mistrust among rebel factions, delaying or preventing the creation of a unified political position. Surrounding countries have also exacerbated divisions by providing support for rebel groups in pursuit of their own geopolitical agendas. As a result, we now confront a confusing array of rebel factions, the number of which fluctuates up to as many as 15 at any given time. Rebel leaders frequently appear more focused on their own ambitions than on the well-being of people in Darfur. No peace agreement would have been possible in southern Sudan had there been multiple rebel factions each with a different political agenda.

In January I met with rebel leaders to gain their perspective and to deliver a strong message from the U.S. Government that they need to unify politically and support humanitarian operations. I stressed that while the people of the United States are appalled by the atrocities committed against the people of Darfur, the rebels should not translate that into support for their political movements, many of which are personality based and the goals of which are obscure. I have urged them to renounce the violent overthrow of the Government of Sudan, which some have been publicly advocating, and which is an impediment to peace negotiations. I urged them to be flexible and practical about their demands in any upcoming negotiations; they will not get everything they ask for.

We have begun to see a number of good, new initiatives that feed into broader U.N. and AU efforts to negotiate a political settlement. One particularly promising initiative that the United States strongly supports is the process being led by First Vice President Salva Kiir, who is also the President of southern Sudan. With the blessing of Khartoum, Vice President Kiir has consulted with Darfur's tribal leaders, community groups, and nonsignatory rebel leaders in order to find a workable solution to the Darfur crisis. The Sudan People's Liberation Movement (SPLM) can play an important role in advising the Darfur nonsignatory groups since they have the experience and credibility that comes from successfully negotiating the Comprehensive Peace Agreement with Khartoum.

Recently, international attention has focused on the need for an enhanced peacekeeping capacity in Darfur. The African Union peacekeepers have done, and continue to do, an admirable job under extremely difficult conditions, but a more robust force is needed. African Union troops have come under increasing attack, with the most recent incident resulting in the death of five Senegalese peacekeepers in Northern Darfur. Two Nigerian peacekeepers were killed earlier in March. Missions that were once carried out as a matter of course, for example, protection details for women leaving IDP and refugee camps in search of firewood, have now been halted and the threat of increased rapes and attacks is very real. The USG has provided over $350 million in support to the approximately 7,700 strong AMIS force since FY04. This includes construction and operation of 34 base camps, maintenance of vehicles and communications equipment, predeployment equipment and training, and strategic airlift. However, the AU has reached the limit of its capabilities, and a robust force with the command and control of the United Nations is desperately needed in order to function effectively and minimize the risk of atrocities in the future. The AU itself has called for a transition of the African Union Mission in Sudan (AMIS) to a United Nations operation.

Transition of the current African Union Mission in Sudan to a more robust hybrid AU/UN peacekeeping operation remains a policy priority for the United States. U.N. Security Council Resolution (UNSCR) 1706 of 31 August 2006 has a robust mandate, including the protection of civilians, and remains the touchstone for the U.S. position on peacekeeping in Darfur. In November 2006, the United Nations and African Union convened a high level meeting in Addis Ababa where key players, including the Government of Sudan and the five permanent members of the U.N. Security Council, agreed to a three-phase plan that would culminate in a hybrid AU/UN peacekeeping force of 20,000 troops and police under U.N. command and control.

This plan was reconfirmed at an AU Peace and Security Council meeting in Abuja and by a U.N. Security Council Presidential Statement (PRST). Sudan has repeatedly told us over the past months that they agree to the Addis framework; and the PRST was done at their specific behest. However, in a March 6 letter that President Bashir sent to U.N. Secretary General Ban Ki-Moon, he essentially rejected the Addis Agreement's Phase II Heavy Support Package, effectively also scuttling the third phase or hybrid force. Furthermore, he stated: "Command and control after provision of the support packages is the responsibility of the African Union, with the necessary support from the United Nations." U.N. command and control of the hybrid operation was agreed to by all parties in Addis, including Sudan, as an essential component of any force. This is not negotiable.

We are very concerned with President Bashir's letter rejecting major portions of the heavy-support package. We are hopeful that an April 9 meeting in Addis Ababa signals that the GOS is willing to reconsider its position. We trust that the GOS will honor its commitments and move swiftly to implement all remaining phases of this agreement, including a vigorous joint AU/UN peacekeeping force under U.N. command and control. The U.S. Government strongly opposes any efforts by the Sudanese Government or others to renegotiate, once again, the agreement reached in Addis Ababa on November 16, 2006. The failure to implement the Addis framework is not acceptable and will soon be met, as we have long stated, with a more confrontational approach.

I would like to add a word about international pressure on Khartoum. In January, I made a visit to China where I had positive meetings with several key officials, including State Councilor Tang Jiaxuan and Assistant Foreign Ministers Cui Tiankai and Zhai Jun. The Chinese have been largely supportive of our efforts to resolve the Darfur situation through peaceful means and have been publicly encouraging Khartoum to allow the AU/UN hybrid force as agreed to in Addis. We confirmed with them our position that our interests in Darfur are solely humanitarian and we have no economic or military interests behind our policies. We also made it clear that we are not pursuing regime change in Sudan unless the people vote for a new government in free and fair elections agreed to under the Comprehensive Peace Agreement framework. China's Ambassador to the U.N. Wang Guangya played a vital and constructive role in helping to broker the Addis compromise. During his recent visit to Khartoum, Chinese President Hu Jintao encouraged Bashir to show flexibility and allow the AU/UN hybrid force to be deployed. While we welcome and encourage China's efforts to apply diplomatic pressure on the Government of Sudan, we look to Beijing to join with the international community in applying more forceful measures, should Khartoum remain intransigent. China's substantial economic investment in Sudan gives it considerable potential leverage, and we have made clear to Beijing that the international community will expect China to be part of the solution.

Similarly we are pleased with the emergence of broad international support for the humanitarian needs of people in Darfur. Many countries in Africa and around the world have echoed UNSCR 1706 and called publicly for Khartoum to admit U.N. peacekeepers and abandon its futile effort to impose a solution by force. During my October trip, I also made a stop in Egypt where I met with the Egyptian Foreign Minister Abul Gheit and Secretary General of the Arab League, Amr Moussa. Mr. Moussa and the Arab league have recently played a much more active role in urging the Sudanese Government to take a more constructive approach to the Darfur crisis.

Despite all this, the regime in Khartoum continues to find the weapons it needs for conflict, to find markets for its products, and to find investors. So while I have conveyed a real appreciation here today for many international efforts to push Sudan in the right direction, I also want to be quite clear: The world needs to do more. Congress, individual activists, and the huge array of committed nongovernmental organizations can and should continue to shine a spotlight on Khartoum's enablers.

While our primary topic today is Darfur, the crisis there must be seen in the context of our overall policy goals in Sudan; ensuring the implementation of the Comprehensive Peace Agreement and supporting the democratic transformation of Sudan through free and fair elections in 2009. Unless there is progress on these two broader goals, there is little chance that we will be able to find a lasting solution to the crisis in Darfur. The international community needs to recognize the fact that southern Sudan is at a crossroads. The CPA has created a fragile peace between the north and the south after two decades of conflict during which more than 2.4 million people died and 4 million were displaced. However, over the next year, several important steps must be taken to ensure that the CPA succeeds. Armed militias still threaten the security of southern Sudan. These groups must be demobilized or integrated into the SAF or the SPLA, and the withdrawal of the Sudanese Armed Forces from all areas of the south must stay on schedule. The southern economy is finally growing, but north-south boundary disputes, including the lack of implementation of the Abyei Border Commission's decision, and a lack of transparency in oil contracts keep the south from getting its full share of oil revenues. The pilot census must proceed in order to lay the foundation for elections in 2009, and legislative reforms—including the election law—must be passed. Without international action to energize implementation of the CPA, the most likely outcome will be two Sudans, not John Garang's vision of a united "New Sudan."

Should the CPA collapse it is likely that security issues will be the cause. At ceremonies to celebrate the CPA's second anniversary on January 9, Salva Kiir, the first Vice President of the Government of National Unity and the President of the Gov-

ernment of southern Sudan, accused the Sudan Armed Forces (SAF) of deliberately violating the security provisions in the CPA. South of Juba and along the border between northern and southern Sudan, other armed groups associated with the central government remain a serious and destabilizing problem in the south. In Malakal, a state capital on the Nile, such tension led to combat in early December 2006; only the aggressive and timely intervention of United Nations Mission in Sudan (UNMIS) troops prevented the violence from spreading. I visited Malakal just after the incident to show the support of the U.S. Government for the U.N.'s efforts to stabilize the situation.

It is my belief that one of the most important efforts we are undertaking in southern Sudan is to support the transformation of the Sudan People's Liberation Army (SPLA) into a smaller, more professional military force. This will offset outside efforts to destabilize the GOSS through militias or other armed groups. The discipline and competence afforded by modern, professionally trained troops and officers will prove a stabilizing factor in southern Sudan. At the same time, the U.N., U.S., and other partners need to press forward with reform of the police and criminal justice sector so that local conflict does not escalate, thus requiring an SPLA response. Reform of the security sector in Sudan is proceeding, although more slowly than we would like. According to UNMIS, the U.N. Mission in southern Sudan, SAF redeployment from southern Sudan is verified at 68 percent but further progress is hindered by delays in other security-related requirements, such as the formation of units composed equally of SAF and SPLA troops known as Joint Integrated Units (JIUs). SPLA redeployment from the transitional areas along the north/south border is mostly complete but is being held up due to a delay in the formation of the Joint Integrated Units. CPA security provisions need to be implemented now or conflict is likely to erupt in several areas around oil-rich Abyei and near Juba. Joint Integrated Units have been assigned locations in the main towns but are without proper training or support. Contrary to the provisions of the CPA, companies in these battalions remain in separate units for both housing and training. The SPLA is gradually downsizing into a professional army, but still needs proper training, facilities and administration for the downsized force. The United States plans to financially and materially support this important process of providing strategic training and mentoring to the SPLA at key levels. This assistance will not include any weapons or weapons systems and is specifically provided for under the CPA.

Economic issues divide the north and south. The Sudanese economy is growing at a rate of 12 percent per year. Their Gross Domestic Product will double in the next 6 years if current growth rates are maintained, after having already doubled over the last 5 years through a combination of growth and currency appreciation. Wealth is concentrated in greater Khartoum (in the Arab triangle between Dongola, El Obeid, and Kasala) while other regions of the country remain impoverished and neglected. Under the CPA, the Government of National Unity is required to begin making sizeable increases in the budgets and revenues in 2007 to impoverished provinces throughout the country. These provinces have yet to see the benefits of oil revenues. The Parliament has approved these expanded provincial budgets, however the money has not yet been sent to the provinces by the Ministry of Finance.

The United States is a major partner for aid, but not for trade. Unilateral economic sanctions are a central element in the U.S. economic policy toward Sudan. As a result, the United States has negligible trade with Sudan and minimal investment in the country. At the same time, Sudan has built stronger economic ties with China, India Malaysia, and Gulf Arab States and substantial trade continues with Japan and Europe. The Darfur Peace and Accountability Act (DPAA) and the President's Executive Order 13412 modified the U.S. comprehensive sanctions regime against Sudan under Executive Order 13067 by easing many restrictions with respect to the Government of southern Sudan, and certain other geographic areas, though Sudan, and specifically the Government of Sudan, is still subject to significant sanctions under U.S. law.

On the surface, Sudan's political reform has moved forward. The National Congress Party (NCP) and the Sudan People's Liberation Movement (SPLM) formed the Government of National Unity (GNU), organized the Parliament and distributed positions at senior levels of government as they had agreed in the CPA (though civil service reform is still outstanding). The SPLM established the Government of southern Sudan in Juba, with a limited number of positions for its NCP partners, and likewise set up the 10 state governments in the south. The new government in Juba is still a weak institution in its infancy, especially in such areas as service delivery, financial management, and human resource development. In recent months, however, I am happy to note that President Salva Kiir has taken steps to confront the issue of corruption in his government. In the past weeks he took decisive action to counter corruption among GOSS officials with alleged involvement in mismanage-

ment of resources, which we believe was a needed step in improving the management of the GOSS.

Below the surface, there has been little political transformation. Whether in Khartoum or in Juba, military officers are in charge. The NCP uses the instruments of state power, particularly the security services, to limit the scope for opposition parties and to manipulate the public agenda. It would be seriously challenged in a genuinely free and fair election. The SPLM, which has broad popular support in southern Sudan, has made impressive first steps to establish itself in the north but has never faced elections itself.

There remains a major risk that elections will not be held on time. The CPA specifies that before elections, a census will be conducted throughout Sudan, but arrangements for the census are falling behind schedule. If the elections are to be held as scheduled, the census must be expedited.

Despite these serious shortcomings, there has been some progress under the CPA. Peace is holding in the south for the first time in 24 years. The GOS has transferred over $1 billion in oil revenues to the new GOSS. Designed by both the north and the south, the new Sudanese pound has been introduced as the new common currency. A new government has been created in the south, commerce is thriving, the economy is growing, displaced people are returning to their ancestral homes and farms, and 75 percent of the 40,000 militias (most created by the GOS during the war) have been demobilized or merged into either the northern or southern armies. There is no famine in southern Sudan. We should not underestimate these achievements or the benefits of peace and increased economic growth for the average southern family. These are not insignificant achievements, but these achievements are fragile and at risk because of a failure to carry out all of the provisions of the CPA.

Overall, the situation has more cause for alarm than for reassurance. U.S. policy intended the CPA to be a turning point for Sudan's transformation from an authoritarian state to a more just and democratic state that can be a partner for stability and security in a dangerous part of the world. Sudan is now at the halfway mark between signature of the peace accord and its first major turning point, national elections. The Assessment and Evaluation Commission (AEC), set up to monitor CPA implementation, has only a muffled voice because both the NCP and SPLM must agree to any of its decisions. The ruling National Congress Party, which has been alarmed by this trend, has done little to create the atmosphere for southerners to want to remain in Sudan: The continuing conflict in Darfur and the tactics used by the central government there only confirm southern fears that nothing has really changed in Khartoum. The CPA needs renewed, high-level international political attention. Along these lines, the United States strongly supports the proposal being considered for an East African summit through the regional Inter-Governmental Authority on Development (IGAD) to reassemble the heads of state in the region involved in supporting the initial CPA agreement, to review progress to date and define steps needed to accelerate implementation.

These are our objectives: To provide life-saving humanitarian assistance to the millions of people who have been displaced from their homes and affected by violence in Darfur; to promote a negotiated, political settlement to the conflict that is agreed to by all parties within the framework of the Darfur Peace Agreement; to support the deployment of an AU/UN hybrid international peacekeeping force to protect civilians and ensure continued humanitarian access; and to ensure the successful implementation of the CPA. However, if we find the Sudanese Government is obstructing progress on these objectives, the United States Government will change its policy and will pursue more coercive measures. The burden is on the Sudanese Government to show the world that it can meet and implement the commitments it has already made.

The CHAIRMAN. Thank you, Mr. Ambassador.

I now understand why you have not begun to implement plan B. But what are some of the specific coercive steps in plan B?

Ambassador NATSIOS. There are three—and, I might add, plan B is a series of things that will be phased, over time, depending on how things go. If we see a deterioration of the Sudanese Government's attitude and cooperation on phase 1 and phase 2, which they've clearly agreed to, then there are going to be other measures. But the measures now that are before the President are, No. 1, personal sanctions against one rebel leader who's an obstructionist. I mean, the perception is: All the rebel leaders are John

Adams and Abraham Lincoln and George Washington. They are not. Some of them are very able people. I've known them for many years. But some of them are dangerous extremists. And one of them has been obstructing any peace deal, and he is on the list. Two war criminals, people who we think have committed terrible atrocities, are on that list. And there will be travel bans, there will be bans on—or the confiscation of bank accounts and other measures against individuals. Is it going to have a big effect? You know, are they traveling widely in the United States? No; they're not. But it—they do not like being on this list, I have to tell you. People are very worried in Khartoum as to who the other two people are in the Sudanese Government. Everybody keeps asking us, which, of course, we're not telling anyone. That's the President's decision—the announcement.

The second provision of this round of sanctions, should the President decide to go ahead with this, is—are 29 companies that are, in fact, owned by the Sudanese Government, that are very large companies, very powerful companies, through which a lot of money moves, particularly oil revenues. And many of them do their transactions in dollars, and we believe that, under the new enforcement mechanisms, which is part 3 of this, these sanctioned companies, in fact, will have some of their operations paralyzed.

Under the third part of this are new enforcement mechanisms to implement the sanctions that the President put in place 2 years ago, and then new sanctions he put in place under the Darfur Peace and Accountability Act that the Congress passed, that were put in place—I remember, distinctly, the date, because it was in October, because the executive order was signed the day I arrived in Khartoum, which is one reason the Sudanese—because they were so furious, they would not let me see President Bashir.

And so, we have new mechanisms that we've developed since 9/11 that were not available in the 1990s, or even in the earlier period. This is just in the last 2 years, these new mechanisms have been put in place. They are the mechanisms, Senator, that are being used in Iran and North Korea, and we're going to employ those mechanisms to do a much more aggressive enforcement mechanism for existing sanctions plus the 29 new companies that we would add, should the President decide to go ahead with this.

The CHAIRMAN. Give us some sense of what the impact of sanctioning these 29 companies would have on the overall economy.

Ambassador NATSIOS. Well, it is the 29 plus the existing 130 that are already on the list. We're just adding—we're going to keep adding more and more companies, is what we're going to do. And this phase—we have 29—you have to go through a long, apparently, legal process. It's the Treasury Department that does this. The head of OFAC, I meet with constantly; we're—he spends a huge amount of time on this to make sure that all of the legal hurdles required under Federal statute are followed, so we don't have lawsuits on our hands and that we effectively can enforce these.

We believe it will have an effect on the economy, a substantial effect, be—and the reason we know is because it's having an effect on the Iranian and North Korean economy. I would not be as enthusiastic about this—these measures, having had experience with

sanctions before, except for the fact that we know what it's doing in these two other countries; it's having a real impact.

Finally, I would add that all oil transactions—and there are a number of oil companies that are state-owned by the Sudanese Government, and state-run—all those transactions are in dollars, even though we don't buy the oil and the oil has nothing to do with American companies. The current practice is: All international oil transactions, regardless of which country or which company, are in dollars. And so, they have to go through American banks in order to take place. And so, that's one of the mechanisms that will be put in place that does not exist, at this point.

The CHAIRMAN. What impact would that have on the oil trade that the Sudanese engage in, for example, with the Chinese?

Ambassador NATSIOS. I don't want to go in, in a public session, to the details of which companies are on that list, or which one. One, it's the President's—I don't want to get into White House prerogatives on announcing which companies are on the list and which companies are not.

I think, Senator, the largest, most powerful effect here is not on individual companies, it's on the enforcement mechanisms, which are new; because we didn't have these enforcement mechanisms in place. In fact, we're the only country in the world that has such a powerful enforcement mechanism, through the Federal Reserve Bank, to actually enforce these sanctions. And that is something that's, as I said before, relatively new.

The CHAIRMAN. The Secretary General has asked you to hold off, but do you support a new Darfur Security Council resolution?

Ambassador NATSIOS. He asked the British, who were the primary sponsors of that resolution, to hold off, as well, for 2 to 4 weeks, for the same reason.

The CHAIRMAN. My question——

Ambassador NATSIOS. And we have been working with them on it, yes. We support a resolution. I don't know the current state—I'd have to ask Kristen Silverberg—about the drafting of a resolution. But they asked also for that. That's been public comment by Ban Ki-moon, to ask the British to hold off on that temporarily.

The CHAIRMAN. What is the administration's assessment of the utility, the efficacy, of imposing a no-fly zone?

Ambassador NATSIOS. Senator, I recognize there's been a lot of discussion about this. I have made an offer to the committee to come brief you in a classified session. All military options are on the table for discussion within the executive branch. And I'm happy to tell you the state of that, in a classified session, and let me tell you why.

There are 2½ million people in those camps, in 13-—the displaced camps in Darfur—and there are 13,000 relief workers, working for U.N. agencies and NGOs. They are extremely vulnerable. Every comment I make—literally every comment—is in the Darfur newspapers, not just the Khartoum newspapers—in Darfur. They have TV stations. They broadcast everything we say. It's one thing for someone from the legislative branch to make comments. When I make comments specifically about any kind of military activity, it has a profound effect. And I have to be very careful that it does not cause a reaction that could put people's lives in danger on the

ground. When other people make the comments, that's a different matter, but when someone from the executive branch does it, it causes very severe reactions in the field. So, I have been asked repeatedly in the field by my friends in the international community to be very careful what I say. I'm happy to brief you and your committee privately on this——

The CHAIRMAN. Well, we'll set a——

Ambassador NATSIOS [continuing]. In a classified session.

The CHAIRMAN. We'll set a time up for that.

My time is up. Is the Senator coming back? I guess not.

Governor, you're up.

Senator VOINOVICH. About a month ago, I had an opportunity to meet with United Nations Secretary General Ban Ki-moon and talk with him at length about Darfur. He claims that the situation there is on his mind early in the morning and late at night. I would like your assessment of his commitment to taking action to resolve the problems in Darfur and his determination to implement Resolution 1706. You have mentioned that he has discouraged adopting a new U.N. Security Council resolution on Darfur. I would like your honest appraisal of his commitment to action and how much support he may or may not be getting from other members of the United Nations.

Ambassador NATSIOS. Let me first say that I spent an hour with him last Monday, and I was very impressed by his commitment. And the evidence is, from, just, people I know in the U.N. system, that he is seized with this issue. And he told me this is his No. 1 priority. He has spent a lot of time on it. His staff is spending a lot of time on it. I met all of the Under Secretaries General who are dealing with this, at length last Monday, separately, and it was clear that he had given them very, very aggressive instructions as to what was to happen. I think we need to give him a chance.

I should tell you——

Senator VOINOVICH. May I ask you, What does that mean——

Ambassador NATSIOS. That means that——

Senator VOINOVICH [continuing]. "A chance"?

Ambassador NATSIOS [continuing]. If he asked for a 2- to 4-week delay, that we need to respect that. That's what he asked for, specifically, publicly.

Second, let me just say that there's been a lot of speculation of the role of other countries in the negotiations on Darfur. I believe that the Chinese have already played—I know the Chinese have already played a constructive role. Ambassador Wong, who's become a friend, who is the Perm Rep for the Chinese Government in New York, in fact, came, at Kofi Annan's request, to the Addis Conference, in November—November 16. And we worked together on the language. And the Chinese are committed to what we agreed to November 16. And they now are saying something they seldom do. The Chinese do not conduct diplomacy the way we do; they do it very quietly. But they're now making public statements, telling the Sudanese they must be, No. 1, flexible, and, No. 2, they must accept and implement the agreement that was reached, as it was reached November 16. In fact, their special envoy for Darfur just returned to Beijing, and he repeated this. We have indications, at this point, that the Chinese are now taking even a more aggressive

role than they have in the past. So, I actually think we need to encourage Chinese involvement in this. I think they may be the crucial actors. I think there's been a lot of China-bashing in the West, and I'm not sure, to be very frank with you, right now it's very helpful. I think the Chinese actually may be the critical factor that led to the Sudanese reversing their position in Addis, 2 days ago, on the second phase of the "heavy support package" of the Kofi Annan plan. We have evidence that they put very heavy pressure on them.

So, I don't want to violate confidences, Senator, publicly, but I believe, actually, other members of the Security Council are working on this. We talk constantly, every week, with the Chinese—at the Presidential level, at the—Deputy Secretary Negroponte just spoke to the Deputy Secretary of the Chinese Foreign Ministry, I think yesterday or day before yesterday. I met with Ambassador Wong last week in New York. I've met with the Chinese Ambassador to the United States, and I think we've had very good conversations of that. So, I think Ban Ki-moon has the support of member states. I even think, now, many of the Arab States are fed up with the way in which the Sudanese Government is conducting itself, and they are beginning to put pressure on—in their own way, quietly, on the Sudanese Government to resolve this.

Senator VOINOVICH. Well, it's comforting to know that U.N. members are substantively working on progress in Darfur, because there are so many of us that have wondered just how conscientious the United Nations really was about this issue. And it's comforting to know that the Chinese, who have always been held out as the obstructionists, now seem to be onboard to use their influence to be successful there.

When you met with the Secretary General, did he raise the issue about the peacekeeping funds in the budget? We're asking the United Nations to do all kinds of things in the area of peacekeeping, but the fact of the matter is that the budget that we have provided, Mr. Chairman, is inadequate. We are not providing the money that we need for peacekeeping, our dues and our arrears. And this organization, which is really carrying a lot of water for the United States in so many areas, needs the support of this administration and of Congress. And I wonder if he raised that issue with you.

Ambassador NATSIOS. He did not raise it with me, Senator, but, let me just mention, in the supplemental budget that is before you—I know other issues are sort of clouding this, or are pushing this aside, but in that budget that you have before—there's quite a lot of money for Sudan. And there's $150 million in that budget request, the supplemental, for the AMIS force, supporting the AMIS force in Darfur. And there's $99.8 million for the international peacekeeping activities for the United Nations under that. So, there's about $250 million—I'm sorry—the $100 million—the $99 million is in the 2008 request.

We have a lot more money in the account for peacekeeping operations, but we have to get agreement, first, to transfer the cost of this operation in Darfur, which is one of the critical issues—we do not want to come—keep coming back to Congress for special appropriations; it doesn't work, and it's not working for the European

Union either—we want the United Nations to fund this under the regular appropriation so we can go through a normalized process to do this. In order to do that, we have to have U.N. command and control.

So, U.N. command and control is not just a matter of military operations, it's a matter of—the member states are not going to agree to have the United Nations fund this unless they have control over the operation. I've told that repeatedly to President Bashir and to his ministers. It's not just a function of United States wanting the United Nations to be in control, it's a function of member states not willing to vote for a resolution that would allow this to be funded by the United Nations.

Right now, phase 1 and phase 2 of the "light support package" and the "heavy support package" under the Addis agreement of November 16 can be funded out of existing funds and the funds we have in the supplemental appropriations. So, we're taking care of it, in terms of that.

We will have discussions with the Congress, later on, should there be a transfer of this funding from the episodic funding to regular U.N. appropriations. Right now, we've put in the current state of affairs—what's in the budget will support the current state of affairs, and what we believe—the startup money needed to fund the U.N. operation.

The CHAIRMAN. Senator Casey.

Senator CASEY. Thank you, Mr. Chairman.

Sir, I want to thank you for your testimony and, obviously, for your service.

I wanted to ask you, in particular, about legislation which you may have already spoken to this morning, and I apologize for coming in when I did. But we have—among many things that are being proposed here on Capitol Hill and in the Senate, there's legislation, introduced by Senator Durbin, Senate bill S. 831, the Sudan Disinvestment Authorization Act of this year; of 2007. I wanted to get your perspective on that, and also to ask you, in particular, about the administration, whether or not the administration has taken a formal position on that legislation.

Ambassador NATSIOS. Senator, I'm aware of many different pieces of legislation on this issue, and I—prior to my taking this job, when I was a—I'm still a professor at Georgetown; this is—I have another job; I have my students—I stated my position on this issue. But I am a member of the administration, I suppose the administration's position—I don't know if it's been made public—but there is a great deal of concern about this legislation in the administration. I do not think the administration supports the notion of divestiture, and there are several reasons for it.

My concern about it, personally, is, from our past experience with divestiture legislation it would take a couple of years before it had an effect, and we don't have a couple of years. Divestiture legislation is not going to have an affect on the Sudanese economy in the next year, even if it passed immediately, was immediately enforced. It will take a while. We don't have a while.

No. 2, I remember, when I was a State legislator in Massachusetts, 22 years ago, I voted for sanctions on South Africa to purge the State pension fund of any investments of companies in South

Africa. And I remember that. What people don't realize is, many States still have statutes on the books from 20 years ago; they never rescinded them. So, there is a reluctance in the administration to support legislation that would have the States—and there's been, by the way, a Supreme Court ruling that actually had my name on it, at one point, because I was the chief operating officer for State government; I was being sued by the Board of Trade. And, when I was the secretary of administration in Boston, I had a staff in Boston on this issue, so I'm very familiar with it, in the legal sense, since I was being sued as a representative of the Commonwealth of Massachusetts.

There is now a Supreme Court ruling that has three conditions for any State or municipality to do divestiture. And it's a harsh standard. And I think one statute in Illinois has already been ruled unconstitutional. There is a reluctance to support this, because the fear is to have each State and municipality conducting their own foreign policy could create chaotic conditions. And once the legislation—or the crisis is over, and we want to change the sanctions, some States may not do it. That's still the case. There are still sanctions against South Africa in some State pension funds because of something that happened 20 years ago that is no longer the case. That's the reason there is concern about the legislation.

Senator CASEY. Well, do you see it as an either/or, or do you think there's a middle ground? I mean, I support this legislation, but let's talk academically for a second. Don't you think we should create some pressure on companies who are making investment decisions, or decisions about capital? Isn't there a way to balance that against the concerns that you raise?

Ambassador NATSIOS. There is already a lot of pressure. In fact, many companies in Europe, where there are no sanctions, have announced they're not going to do any more investments in Darfur—or in Sudan, because of what's happened. And I, frankly, think that's because of political realities, people are getting so upset over what's happening. So, there already is that kind of pressure.

The sanctions regimes that we are considering now, and the President has before him, in fact, I think, would have a much more immediate impact than divestiture legislation, because there's a way of enforcing them very quickly. The problem with this—it has a symbolic value, the divestiture legislation, but it is actually not going to have a real effect on the Sudanese. It would take 2 to 3 years, in my view, based on past experience, for it to have any kind of real experience.

Senator CASEY. The last question I have is in connection with the approach we take. There are obviously a lot of proposals about a multipronged deployment of peacekeeping troops and using all kinds of other pressure, in addition to any kind of use of force, but what's your sense of the right balance of that, in terms of a hybrid approach? And how do you think the administration views this? Because when you talk to people—and I think this is a sentiment we all feel; it's not just people who are outside of Washington, it's all of us—all of us want to do something, and people are getting——

Ambassador NATSIOS. Frustrated.

Senator CASEY [continuing]. Frustrated, because they don't get a sense that there's any movement, that there's any progress, that there's any consensus. And I guess it's also a frustration because we feel—and I think—I don't think it's any one party or institution to blame, but there's a sense that there's—we try—we talk about things—this Government talks about strategies, we talk about approaches, and they receive attention for a couple of days—and I'm really honored to be part of this hearing that Senator Biden called—but that there's no sustained effort to do something that has real impact. Just from your own experience——

Ambassador NATSIOS. Well, Senator, I think a lot of things we do, we're not going to put in the newspaper. In fact, I actually had a ban on talking to the press. I haven't taken any reporters with me on my trips. When I went to Chad, I had a press conference for a Chadian newspaper. I went to Libya, a month ago—I didn't have any conversations publicly about what those discussions were, because, frankly, I would not be—people won't talk to me if they think I'm going to talk to the press. So, a lot of the things we do, we cannot discuss publicly, or my ability, as a diplomat, to influence other countries is going to be diminished. The Chinese were not happy that I had a press conference in Beijing before I left China, in January. I told them I had to say something. I didn't talk about what they said. I just discussed what our position was.

And so, I'm balancing the need for some confidentiality in these conversations with your need to know what we're doing. You have a right to know. I'm frustrated. I mean, I have a lot of friends in Sudan. I've been going to Sudan for 18 years, Senator, and I have to tell you, I've seen an awful lot of suffering. I've seen famines go on. I've been in charge of trying to save people's lives, not just in the south, but in Darfur. Two and a half million people died in the war between the north and the south. Two and a half million. Almost all of them southerners. I went through famines where there are mass graves. So, I know what people are going through. I've seen the horror of it. And I know what happened in Darfur. I was in Darfur in October 2003, when these atrocities really started in earnest, and I think I was one of the first Westerners to have a press conference in Nairobi and explain that it appears a new civil war is starting. I mean, it's in a couple of books that I had this press conference. It wasn't widely reported. So, I am deeply concerned about this.

We do have a comprehensive plan. We're pursuing the plan. We've been having meetings with the Europeans on what we are doing to enforce these sanctions. Chancellor Merkel said something quite remarkable 2 weeks ago, publicly, and so did the German Defense Minister. And, of course, the Germans are now in the Presidency of the European Union. Both of them said, so I don't think it was a mistake or a misunderstanding or mistranslation; they both said, "We may have to impose sanctions—European sanctions—against Sudan." And Chancellor Merkel said something very unusual. And the Europeans are always saying we need a Security Council resolution. She said, "Even if we have no Security Council resolution, the Europeans may impose bilateral sanctions on Sudan." That is quite significant. We have been in discussion with them. I met Dr. Solana, the equivalent of Secretary Rice in the Eu-

ropean Union, in December; his views on what needed to be done were the same as our views. And he has been taking leadership there, quietly. We've been meeting regularly with European diplomats. There have been working-level meetings in Washington on how sanctions work, in the American context, how these enforcement mechanisms—how powerful they are. So, we've been doing a lot of work very quietly to set the stage for this. And I think we've made a lot of progress.

There is a plan. We're implementing the plan. We can't always make all of it public, because it makes it much harder to get people to talk to us, then.

Senator CASEY. Thank you for your work.

Ambassador NATSIOS. There is something you can do. The sanctions that exist in law that allow us to do what is on the President's desk have very weak civil penalties for corporations that violate them. If we could get legislation through Congress to dramatically increase the level of those financial penalties, it would be very helpful to the Treasury Department, and it would be very powerful, in terms of sending a message to countries that were—or companies that were considering trying to get around the sanctions. So, if we could work with you on that, that is something we would agree, not only—enthusiastically agree to.

Senator CASEY. Thank you, sir.

The CHAIRMAN. Mr. Chairman. Senator Lugar.

Senator LUGAR. Thank you very much, Mr. Chairman.

I think that Senator Casey expresses, probably, the feeling each one of us have as we visit with our constituents, who are seized with this issue in the same way that we are, and want to know what they can do, as groups, as church groups or civil groups in our society. And you've been a very good interpreter, for many months, given your own trips. So, I appreciate, especially, your testimony, because it's founded, really, upon being there.

Let me just ask you to trace potential solutions. If, finally, things began to move, physically what would happen to those who are now being persecuted or who are in the camps and in danger of being persecuted by the Janjaweed, or whoever else might attack them? Would you also try to describe the scene as to so-called rebels who are in the territory who have a more civil governmental function namely, upsetting the government itself—perhaps leaving aside the agriculture people who have lost their animals, lost their lands. Can you give some scenario or sort of business plan of how life might become, potentially, normal for each of these groups? Who would need to do what?

Ambassador NATSIOS. Let me—actually, I think, Senator, that is "the" question. We talk a lot in vague, abstract terms about this. The reality is, there are 2½ million people in those camps who cannot support themselves. That's why we're spending $2.3 billion, along with the Europeans and the Canadians and the Japanese, to support those people in those camps. They need to go back to their villages. They need to get their land back and their animals back.

I would estimate, myself, that 2 to 3 million animals were looted from the farmers. People talk about the farmers versus the herders. Most of the farmers had small herds of animals. They didn't—they weren't—they were not nomadic. But the investment account

for these farmers is the animal herds that keep them alive during a drought, for example. And we need to recreate their livelihoods through a reconstruction program.

One of the things I've told the Arabs in Darfur, through press conferences and meeting—I've met with some of them—is, if we do a reconstruction program, it's going to be for everybody. It can't be just for the people in the camps, because, if it is, we will never have peace. We'll never have peace. We can't argue that all of the Arabs are committing all of this violence, because that is not true. And we, in some ways, have villainized the Arabs in a way that's not very helpful. I have told them, if they sign a peace agreement, there will be projects for the herders, as well as for the farmers, that will restore livelihoods and bring the economy back.

They actually have a symbiotic relationship. When the thing was functioning—the economy was functioning—you know, the herders don't eat their animals, most of the time; they sell their animals and buy grown food from the farmers in the markets. And so, the two—that whole symbiotic relationship's been destroyed by this war. If we do not deal with the property issues in a peace agreement, we're not going to have peace.

I think the way this would play out, just in terms of sequencing, is, hopefully, in the near future, Jan Eliasson and Salim Salim will get the rebels to consolidate—not completely—behind one leader. We're not going to have a John Garang. Don't expect a John Garang. There isn't one for Darfur. But if we consolidate those 15 movements into three or four movements, and one negotiating position, the government will sit down with them, and they will begin to negotiate amendments to the Darfur Peace Agreement.

The rebels have told me they just—they want several issues that have to be dealt with. One is compensation for the damage done to their livelihoods. The amount in the DPA is $30 million. They said it was an insult. The Sudanese have told me they're willing to substantially increase that. They've used very high figures. I think they're serious about that.

Two, there has to be a disarmament of both the rebels and the Janjaweed and all the militias, the border patrol, all of the public defense force. There are too many people with heavy weapons. The place is awash in weapons. And unless they are confiscated, we're not going to have an end to the war.

I would add, the only institution in the world that has significant experience in demobilizing rebel forces and government forces in a war is the United Nations. I watched them do a lousy job at this, 18 years ago in Somalia; they are doing excellent jobs now in many countries all over the world. They've developed expertise, which is critically important here. I told President Bashir, "The rebels are never going to give their heavy weapons to you or your army under any peace agreement. I don't care what's written in it. They don't trust you. They're not going to give you the weapons." They told me, "If the United Nations comes in, and the U.N. troops, we will surrender our weapons to them if the Janjaweed do." So, we need the United Nations there, not just for peace and stability now; to enforce a peace agreement, or there's not going to be an end to this violence, because if those weapons are not confiscated, Senator, people are not going to go back to their villages. People in the

camps have told me, "We're not going back until we feel safe." And that means disarmament.

Once they go back, then we will start the reconstruction program, which will involve livelihoods, agriculture programs, nomad programs, and, I might add, health and education programs. These—I was in Darfur 17 years ago. There's no difference in Darfur now, versus 17 years ago, except that one of the roads was paved in the capital city, the governor's mansion was rebuilt, the governor's offices were rebuilt, and the airport was rebuilt. There are no more health clinics, no more agriculture programs, no more water projects. And people in the rural areas are saying, "Where is all this oil revenue going? It's not going to us." And that's a legitimate question.

Senator LUGAR. How will the oil revenue figure into this? Is this a part of the agreement, in broad terms, that comes with peace, that the government makes a commitment of this sort? What sort of commitment would we need to make?

Ambassador NATSIOS. There is a commitment in the DPA now. I believe—I don't remember the exact sequencing, but in 1 year it's $200 million for reconstruction, in the next year it's $300 million, that would go to Darfur from oil revenues from the central government.

Now, there's another interesting provision of the CPA, the Comprehensive—between the north and the south—it says in it—and it's being—hopefully, going to be in force this year; we're waiting to see if the actual action is taken by the Sudanese Government—to take oil revenues and increase the provincial budgets of all the provinces. Most of the oil revenues are spent in Khartoum now. They never see it in the provinces. The provinces, there's a—all of them are as impoverished in the north as the south.

Under the CPA, this year, this calendar year, they are supposed to dramatically increase the revenues going to the provinces. The Parliament has—Sudanese Parliament—has approved a new budget with dramatically increased spending. The problem is, the Ministry of Finance has not yet disbursed that money. We're waiting to have it disbursed. I put it in my written testimony. We're watching that. If they disburse it, it will be a sign to me that they're serious about sharing oil revenues with the periphery of the country that has been discriminated against for decades in Sudan.

Senator LUGAR. Thank you very much.

Thank you, Mr. Chairman.

The CHAIRMAN. Senator Webb—we understand you have another engagement. They've been kind enough to suggest that I yield to you.

Senator WEBB. Thank you very much, Mr. Chairman. I appreciate that. And I also appreciate the fact that my colleagues would allow me to speak, at this time.

Mr. Ambassador, first I would like to thank you for the years that you've put into this issue. I have done a few of these in East Asia, pretty much in the same way, and I know how vital it is to really give it a comprehensive look at what's going on. I first started going back to Vietnam in 1991, when it was pretty much still a Stalinist state, and it's really valuable, when you're looking at issues of the moment, to, sort of, understand how this thing has

played out on the ground. And I would, again, express my appreciation to you for having spent so much of your life on this particular issue.

I also would like to say that I would agree with you on your comment about sanctions. We can look pretty clearly, I think, at Iran right now, the evidence that has come out, even with the limited sanctions that were put on Iran the first time around, to see that they're having to make some very hard decisions about whether they want to be isolated from their own people, on the one hand, and also from the international community. And there are areas where sanctions are valuable and can work.

I wanted to get your—a little bit more of your thoughts on the situation with China. You may know, I have written and spoken for more than 20 years about what I saw, even back in the late 1980s, as China's conscious strategic axis with the Muslim world. And we can see it particularly in South Asia, to a certain extent in the Middle East, and you can see it, to an extent, also in Africa. Chinese investment in Africa, just over the past 5 years, has quadrupled. And a big part of that is in Sudan. On the one hand, we have—from your testimony, you were saying that we look to Beijing to join with the international community in applying more forceful measures, should Khartoum become intransigent, and then, on the other, your comments orally today, which I think have a validity, that the Chinese are playing a constructive role—I'd like to see more of that—and that they are a critical factor.

There's a Reuters article from today talking about the Chinese Assistant Foreign Minister just returning from a 3-day trip to Sudan. And, in that, he is saying that basically the international community should pay more attention to the way that China has been conducting its diplomacy in Sudan, you know, saying that Beijing was using its influence in its own way, rejected suggestions that there should be further threats, that the international community should pay attention to the way that the Chinese have been doing this, in order to get better results.

So, basically, my question is: Should we be more aligned with the way that China is doing this, or is this a tandem approach?

Ambassador NATSIOS. I——

Senator WEBB. Or is it something else, by the way?

Ambassador NATSIOS. Yes, Senator. I am aware, Senator, of your work in Vietnam. I ran USAID for 5 years, and there's an AID office there, and it has substantial programs. So, I'm aware of the progress the country has made, and your interest in that, and your interest in China, as well.

I've learned, over the years doing this sort of work on the development side, that different countries act differently. I mean, United States—Americans are more confrontational, more direct, more blunt, more black-and-white than even our European friends are. I actually think that our leadership is critically important around the world, not just in Sudan, but in many other countries. If every country behaved the way we did, I'm not sure we could always get done what we need to get done. Sometimes, more subtle approaches need to supplement what we're doing. And my sense from the Chinese, from 3 days of meetings in Beijing, is the Chinese are taking

a more subtle approach that is really affecting the behavior of the Sudanese Government.

As I said before, I believe the reversal of phase 2, the "heavy support package," where the Sudanese Government basically trashed the whole thing in a 14-page letter President Bashir sent to Ban Ki-moon a month ago. And I was with him in his office. He said, "I—Mr. Natsios, I just signed the letter." He didn't give us a copy of it. If I had known it was 14 pages long, I would have been a little distraught, because long letters mean bad things, usually, under these circumstances.

They reversed their positions 2 days ago in Addis. They've endorsed—they said, "With the exception of the attack tactical—attack tactical helicopters, they've accepted everything else." Now, it remains to be seen whether they actually cooperate with us in bringing those 3,000 troops in. That's a different matter. We have to test this. But I think the Chinese played a role in that. I don't want to discuss, publicly, what that is, but there's a shift going on, and I don't want to start making statements that are going to discourage the Chinese from using their own influence to help us in this, because I think they can be critically important. And I think they are being helpful.

Senator WEBB. Good. Thank you very much.

The CHAIRMAN. No, you're up, Senator. He's already gone. Thank you.

Senator COLEMAN. Thank you. Thank you, Mr. Chairman.

I apologize. I've been on the floor with another debate, Mr. Natsios, but I'm—I want to—I'm glad that you're here.

And this is an issue that is—been very, very frustrating. We continually hear the reaction that, "Our commitment is firm," that, "We're going to do everything we can," and then we continue to receive reports of violence, and it—almost as if the international community appears to be unable to do the things that have to be done. I know, your testimony, you say that we continue to monitor the security situation very, very closely.

Is it—can you that—we've talked about Darfur—in the past, used the word "genocide"—is it fair to say that the genocide has stopped?

Ambassador NATSIOS. There is a lull in fighting since the 11th of February—in Darfur, not in Chad; there is increased violence in Chad. We are trying to find out what exactly caused the incident in eastern Chad that resulted in 400 people dying in the last week. There was an incident, where the Chadian Army was chasing some Chadian rebels into Sudan, who then were intermingled with Sudanese troops, and the Chadian military killed 17 Sudanese troops 2 days ago. And that was extremely disturbing, because the ceasefire between Chad and Sudan is one of the reasons why the United Nations and the NGOs and diplomats and our embassies believe there's been a substantial reduction in civilian casualties in the last 2 months. There was a negotiated truce by the Libyans between Chad and the United—and Sudan—which have been at virtual war the last 2 years. That has exacerbated the violence against civilians. Whenever you have two countries fighting, civilians get caught in the crossfire. So, it is very, very disturbing to me that this happened.

Now, the report we have, from reliable field people who said they investigated it, is that this was a mistake on the part of the—the Chadians did not know they were firing at Sudanese troops, the 17 they killed; they thought they were just firing at Chadian rebels who were trying to unseat President Deby.

I'm hoping—and I want to say this today, because the Sudanese will listen to what I'm saying—please act with restraint in responding to this incident. If we have a renewal of the Chad-Sudan war, more civilians are going to get killed, and we don't want that to happen.

Two, the rebel leaders have been meeting in northern Darfur, for the last month and a half, to try to come together to unify. The fact that they're not leading their troops means they're not fighting as much.

Now, this lull may well dissolve, in the next few weeks, because, before the rains start, there's typically military offenses by both the rebels and the government. I hope and pray that, in the next 9 weeks, both sides will restrain themselves sufficiently, and we can minimize civilian casualties. And then, the 10 weeks of the rainy season, there's very little military activity, it can't move around because the rains are so heavy. So, we could have 5 months of relatively stable conditions, which would be an excellent platform to begin peace negotiations between the rebels and the government.

Senator COLEMAN. Let's talk—I'd like to, then, explore what our role can be in order to have the structure for a successful negotiation. Do the rebels have a unified political front? And if they don't, is there a role that we're playing to establish the structure that would make a negotiation possibly successful?

Ambassador NATSIOS. Yes. There is—the lead for this—and we have to be very careful we do not create a separate mechanism for talking to the rebels, that goes around the United Nations or the African Union, because we want one track, we don't want multiple tracks where they're playing off against each other—on either the rebel side or the government side, because that happens, too, all the time. We believe that the rebel movements must be consolidated. We can't have 15 different movements. And that's what we have right now, according to our latest analysis of the situation.

When I met with the rebels in January, I asked the American Ambassador Marc Wall, who is a very able career diplomat. I said, "Marc, what can I do to help consolidate this?" He said, "Your trip helped consolidate it. They've been meeting for 6 weeks, because they don't want to be embarrassed in front of you. And they're going to prevent—present a unified position for a large part of the movement." And they did that. We spent, like, the entire afternoon. We ate a goat together. The U.S. Government paid for a stuffed goat. And we talked—there were 50 of them there, and we spent a long time—I told them, "You must give up your public statements that you want to violently overthrow the government. You can't be advocating that and expect to negotiate with them. Two, you have to unify. Three, you can't make ridiculous demands. I've read some of your demands. No one will agree to that stuff. If you plan to give up some of what you're demanding in a negotiation, then that's fine, I understand that." But some of them think, unless they get 95 percent or 99 percent of what they're asking for, they're not

going to sign the peace agreement. I said, "That is not way—the way negotiating works." Some of them have never negotiated before.

We have gotten involved, some conflict-prevention institutions in Europe—I personally asked them to get involved—in helping to prepare the way for these negotiations. That is ongoing. We did not want the U.S. Government to do the training. We wanted someone else, without connection to the U.S. Government, that are competent at doing this. And they are engaging in that now.

The third thing we do is, we have U.S. Government, State Department, and AID officers on the ground in Darfur around the clock; they live there. And they have been in constant contact, meeting with the rebel leaders, urging them, trying to negotiate with different ones to consolidate this. So, there is an ongoing U.S. Government effort on the ground with career Foreign Service officers from the State Department. I met with them. I spent several days out in Darfur, in March, and then in October of last year; and I think they're very capable, they're making those connections. Our Chargé has been out there to talk to people, as well, Cameron Hume, one of our most senior diplomats in the Foreign Service. And I think it's having an effect, because the message is clear, "You can't—we can't wait forever to have these negotiations start."

Once the negotiations start, it'll be much easier for us to get President Bashir to agree to a cease-—a formal cease-fire that's enforceable, which is what happened in the south. Once we got the negotiations going, then there was a—they called—they didn't call it a "cease-fire," they called it a "cessation of hostilities." And that allowed them to negotiate without fighting going on, on a large scale in the south, and I think that was one of the contributing factors to success of the north-south peace agreement.

Senator COLEMAN. I see my time is expired. If I can just—one last question.

In addition to our—are the other Arab nations, the Saudis or others, involved? Are we doing this alone, or have we got some folks standing by our side?

Ambassador NATSIOS. There are other countries involved in this. Let me just say—be a diplomat now—there are neighboring powers on the periphery of Sudan. Some of them are playing a constructive role, and some of them are not. Some of them are working at cross-purposes with each other. I don't want to start making accusations, because the Ambassadors will be in to see me tomorrow, and I don't want to do that. OK?

It's not helpful for some of these tracks of negotiation to go on outside the UN–AU process. The reason it isn't is, the rebels simply will say, "Well, I'm not getting what I want from Jan Eliasson," and saying, "So, I'm going to go to the—this neighboring country." We don't want that to happen. And so, when I've met with all of the neighboring countries, except for one, I've urged them to unify their position, the way we did in the north-south agreement, together, to have one negotiating track. I think, Senator, that's a very good question and a critical issue, actually.

Senator COLEMAN. Thank you. Thank you, Ambassador.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Feingold.

Senator FEINGOLD. Thank you very much, Mr. Chairman. I'd like to begin by thanking you for holding this important hearing. Previous Senate Foreign Relations Committee hearings, to consider responses to the horrendous violence in the Darfur region of Sudan in April 2005 and September 2006, were canceled, so I'm glad that this committee is making this crisis a priority. However, I am dismayed by how little has changed since that first hearing was scheduled, a couple of years ago. I'm hoping this will mark the start of a different trend.

Mr. Natsios, while playing an important role in trying to bring peace to Darfur and smooth the relations between Chad and Sudan, Libyan President Gaddafi's involvement has seemingly been unhelpful of late. Do you believe that Libya's involvement so far in Sudan has done more good than harm? And what role do you foresee for Libya in facilitating a sustainable political settlement in Darfur and the region?

Ambassador NATSIOS. I should have left before you started asking these——

Senator FEINGOLD. Well——

Ambassador NATSIOS [continuing]. Hard questions, Senator. [Laughter.]

Senator FEINGOLD [continuing]. That's not how it works.

Ambassador NATSIOS. I know it. [Laughter.]

Unfortunately, you're right.

Let me say, I spent a couple of days in Libya in March. I won't go through who I met with and what we discussed, because it was—again, it was sensitive information. I think there are some things the Libyans have done that have been constructive. And I want to compliment President Gaddafi—or the leader, General Gaddafi—on the effort to get a cease-fire between Sudan and Chad. That effort, which he tried last year, was—the next day, they started fighting again. OK? And that was a failure. This time, he tried it—and I don't remember the exact date of the negotiation, I think it was in February—it's been successful, until yesterday, or 2 days ago, when there was an incident in which—before you walked in, I mentioned there was an incident where Chadian troops, from what our information is, by mistake killed 17 Sudanese troops, according to the Sudanese Government. We do not want this incident to start up the fighting again. And I would ask the good offices, if the Libyans are here listening, to use their good offices to restrain both sides to prevent this cease-fire from collapsing. We do not need another renewal of this conflict, because it is making things much worse for civilians, who are getting killed, and they get caught in the crossfire, for the stability of the region, and for the NGOs and U.N. agencies trying to save people's lives, and for peace. For peace. So, that has been helpful.

Those are the helpful things, Senator. If you want me to discuss other things, I'd rather do it privately; I don't want to go into it in public session.

Senator FEINGOLD. Well you know, I don't want to force you to do that, at this point. We can talk at greater length in some other setting. But does Deputy Secretary of State Negroponte's upcoming visit to Libya—as the highest ranking government official to visit

that country since diplomatic relations were renewed, last May—does that symbolize an intent for greater and more regularized U.S. coordination with the Libyans?

Ambassador NATSIOS. It is not just Darfur, as I understand it, that will be on John's agenda. There are other issues, as well. We have raised—Jendayi Frazer visited Mr. Gaddafi last year, and had a very long discussion with him. I followed that up this year. But our Ambassador, our Chargé there, is a very experienced diplomat. He's a retired ambassador, and he has been raising these issues with the Libyan Government on a regular basis. And so, we work through the Embassy there on these issues, and he sat through all of the conversations I had. I think he knows where we are and what we're trying to accomplish.

Let me just say, the Libyans have invited me back at the end of this month, in 2 weeks, just as, actually, school gets out at Georgetown. And I intend to accept the invitation and go back.

Senator FEINGOLD. But does it—does the visit of Mr. Negroponte to Libya have any significance, vis-a-vis the Darfur situation——

Ambassador NATSIOS. Yes, it——

Senator FEINGOLD [continuing]. Or not?

Ambassador NATSIOS [continuing]. Does.

Senator FEINGOLD. OK.

Ambassador NATSIOS. Yes.

Senator FEINGOLD. Last month, I chaired a hearing on the regional impact of the conflict in Darfur to highlight the destabilizing impact that this crisis is having on the neighboring countries of Chad and the Central African Republic. And your comments here have already highlighted these spillover effects. How have you sought to address the regional dimensions of the Darfur conflict? And what contingencies does the United States have in place to address this spillover aspect of the problem?

Ambassador NATSIOS. In December, I met with the leadership of the French Government, on Chad and on the Central African Republic, and we talked about a coordinated approach to how we would stabilize the situation.

Two, in January I visited Chad, not just to meet with the rebels, which I did, but I also met with President Deby, his Foreign Minister, and his senior advisors, at length, and we talked over the issues. I offered, in December, with President Bashir, to send messages. I said, "Mr. President, I know you're having a problem, which is this problem between Chad and Sudan. If you wish me to, I will send a message to President Deby when I go visit him. Would you like me to do that?" At that point, he did not want me to do it. Since then, there have been extra—additional diplomatic moves that have led to this cease-fire. And we've encouraged that, and we support that.

So, the cease-fire that existed until 2 days ago, which we hope will continue, in fact is evidence that some of this is bearing fruit.

Senator FEINGOLD. OK. What impact do you think a U.N. peacekeeping force for eastern Chad and the northern Central African Republic would have for Darfur? And is the United—is the administration still actively supporting——

Ambassador NATSIOS. Yes.

Senator FEINGOLD [continuing]. A strong U.S.——

Ambassador NATSIOS. Yes.

Senator FEINGOLD [continuing]. Peacekeeping force? And how are you then, if that's the case, going to gain Chadian President Deby's consent for the peacekeeping operation?

Ambassador NATSIOS. One, we believe that a peacekeeping operation of the United Nations will stabilize the situation for civilians, who are at risk now. Some of the worst atrocities are being committed in Chad now, not in Darfur.

Senator FEINGOLD. Right.

Ambassador NATSIOS. And, two, we believe it will stabilize the security situation, in terms of the two sides. It is not large enough. There are—I think there are three different options that have been presented to the Secretary General on how large that force would be. That's a huge border. I mean, this is—Darfur is the size of Texas, it's not a tiny little area. It's not like Rwanda, you know, where we had the genocide; it was a very small area. This is huge area. And I've flown over it for years, and it's a vast, vast area.

And so, patrolling a—making a commitment that we're going to patrol the entire border between Chad and Darfur, I think we should be careful not to overpromise. But we think that that force would have a substantial effect on the security situation, would stabilize things. We strongly support it, still. And there are efforts being made now to advance it.

Senator FEINGOLD. Thank you very much, Mr. Chairman.

Thank you.

The CHAIRMAN. Senator Menendez.

Senator MENENDEZ. Thank you, Mr. Chairman.

Mr. Ambassador, I appreciate your work, but I must tell you, it seems to me that we are being waltzed by—while people die. And the reality is, looking at this latest report, the United Nations Refugee Agency said that militiamen had killed up to 400 people in the volatile eastern border region near Sudan, leaving, "an apocalyptic scene of mass graves and destruction." The attacks by the Janjaweed took place in that border area. And it goes on to say "Estimates of the number of dead have increased substantially, and now range between 2 and 400," a report by the U.N. High Commissioner for Refugees said. The report added that many of the dead were buried in common graves, and it says, "We may never know their exact number. The attackers encircled the villages, opened fire, pursuing fleeing villagers, robbing women, shooting the men." The agency said, "Many who survived the attack died from exhaustion and dehydration."

You know, I want to ask you a question. Do you still stand by what you were quoted in the Georgetown Voice, saying that the ongoing crisis in Darfur is no longer a genocide situation?

Ambassador NATSIOS. Senator, I actually—there was a retraction of that by the newspaper, the following week. I actually looked at my statement. Very clearly, I did not say that at the—there were three mistakes, and the Georgetown Voice, which is an——

Senator MENENDEZ. So——

Ambassador NATSIOS [continuing]. Alternative student newspaper——

Senator MENENDEZ. So, would you now tell the committee: What is the situation in Darfur? Is it a——

Ambassador NATSIOS. Darfur——
Senator MENENDEZ [continuing]. Genocide?
Ambassador NATSIOS. Senator, right now, there is very little fighting in Darfur——
Senator MENENDEZ. That does——
Ambassador NATSIOS [continuing]. Itself.
Senator MENENDEZ [continuing]. Not mean that we do not——
Ambassador NATSIOS. Senator, could I——
Senator MENENDEZ [continuing]. Have an ongoing——
Ambassador NATSIOS [continuing]. Finish——
Senator MENENDEZ [continuing]. Circumstance——
Ambassador NATSIOS. Could I——
Senator MENENDEZ [continuing]. Of genocide. The question is: Do you——
Ambassador NATSIOS. Senator.
Senator MENENDEZ [continuing]. Consider——
Ambassador NATSIOS. Let me——
Senator MENENDEZ. Answer my question.
Ambassador NATSIOS. I am——
Senator MENENDEZ. I have a limited——
Ambassador NATSIOS [continuing]. Answering you——
Senator MENENDEZ [continuing]. Amount of time——
Ambassador NATSIOS [continuing]. Answering your question.
Senator MENENDEZ [continuing]. Ambassador.
Ambassador NATSIOS. Yes.
Senator MENENDEZ. So, I ask you to be specific and answer my question.
Ambassador NATSIOS. I'm answering your question.
Senator MENENDEZ. You can't answer it if you haven't heard it. Do you consider the ongoing situation in Darfur genocide?
Ambassador NATSIOS. The——
Senator MENENDEZ. Yes or no?
Ambassador NATSIOS. What you just——
Senator MENENDEZ. Yes or no?
Ambassador NATSIOS. Senator, please. What you just read did not take place in Darfur. It——
Senator MENENDEZ. I didn't——
Ambassador NATSIOS [continuing]. Took place in——
Senator MENENDEZ. I didn't——
Ambassador NATSIOS [continuing]. Chad.
Senator MENENDEZ. I didn't refer to that.
Ambassador NATSIOS. There is very little——
Senator MENENDEZ. I'm asking you——
Ambassador NATSIOS. There is——
Senator MENENDEZ [continuing]. Yes or no——
Ambassador NATSIOS [continuing]. Very little violence in——
Senator MENENDEZ. Ambassador——
Ambassador NATSIOS [continuing]. Darfur——
Senator MENENDEZ [continuing]. What is the difficulty——
Ambassador NATSIOS [continuing]. Right now.
Senator MENENDEZ [continuing]. In my question?
Ambassador NATSIOS. Senator——
Senator MENENDEZ. Give me an honest——
Ambassador NATSIOS [continuing]. I just answered your——

Senator MENENDEZ [continuing]. Answer.

Ambassador NATSIOS [continuing]. Question.

Senator MENENDEZ. Is the circumstances in Darfur today a continuing genocide; yes or no?

Ambassador NATSIOS. Senator, there is very little fighting between the rebels and the government, and very few civilian casualties going on——

Senator MENENDEZ. Ambassador——

Ambassador NATSIOS [continuing]. In Darfur right now. I just told you——

Senator MENENDEZ. Ambassador——

Ambassador NATSIOS [continuing]. The answer.

Senator MENENDEZ. Ambassador, I'm not asking whether diminished fighting, I'm asking whether the situation in Darfur today is a genocide; yes or no?

Ambassador NATSIOS. Senator, there——

Senator MENENDEZ. Yes or no?

Ambassador NATSIOS. The situation is very volatile.

Senator MENENDEZ. All right.

Ambassador NATSIOS. There are periods of killings, which could be construed as genocide, that took place——

Senator MENENDEZ. You know, in the——

Ambassador NATSIOS [continuing]. Last fall and——

Senator MENENDEZ [continuing]. In the present——

Ambassador NATSIOS [continuing]. Earlier this year——

Senator MENENDEZ [continuing]. In the present convention that the United Nations has on the prevention and punishment of the crime of genocide, it says "genocide" means "any of the following acts committed with the intent to destroy, in whole or in part, a national ethnic, racial, or religious group, such as killing members of the group, causing seriously bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction, in whole or in part; imposing measures intended to prevent births within the group; and false—and forcibly transferring the children of the group to another group." It seems to me that those clearly are elements of what is taking place——

Ambassador NATSIOS. That is correct.

Senator MENENDEZ [continuing]. In Darfur. Let me ask you—because you don't want to answer the question yes or no, so let——

Ambassador NATSIOS. I did answer——

Senator MENENDEZ [continuing]. Go on——

Ambassador NATSIOS [continuing]. The question, sir.

Senator MENENDEZ. Let me go on to the following question. What are we willing to accept from the Secretary General? Anything less than the agreements that we have had to date that we expect to be enforced? Do we expect——

Ambassador NATSIOS. Well——

Senator MENENDEZ [continuing]. Anything less than that?

Ambassador NATSIOS. Let me just say, very clearly, sir, I follow what's going on, on the ground every day, from cables, from reports; and there are acts of barbarity against people. Some of them are now being committed by rebels in one of the camps. The rebels have begun to rape women. Rebels. OK? There are—there is anar-

chy in much of Darfur now. And there is—300 Arabs were killed in southern Darfur——

Senator MENENDEZ. Ambassador, I appreciate your——

Ambassador NATSIOS [continuing]. By one Arab——

Senator MENENDEZ [continuing]. Your lengthy——

Ambassador NATSIOS [continuing]. Tribe against another——

Senator MENENDEZ [continuing]. Anecdotal——

Ambassador NATSIOS [continuing]. Arab tribe.

Senator MENENDEZ [continuing]. Responses, but please just answer my question.

Ambassador NATSIOS. I am answering the——

Senator MENENDEZ. The question——

Ambassador NATSIOS [continuing]. Question, sir.

Senator MENENDEZ [continuing]. Is: What are we willing to accept from the Secretary General's negotiations? Is it anything less than the agreements that we previously thought we had?

Ambassador NATSIOS. No. We are not willing to——

Senator MENENDEZ. OK.

Ambassador NATSIOS [continuing]. Accept anything less.

Senator MENENDEZ. Are we ready to implement plan B if the Secretary General fails? Yes or no?

Ambassador NATSIOS. We were asked—as I said earlier, before you arrived, Senator—Secretary General Ban asked Dr. Rice, and asked me last week when I met with him, for 2 to 4 weeks, before we go to plan B. We had actually intended to go to it, and there was a congressional delegation going there, and we decided not to announce it—or, the President decided not to announce it——

Senator MENENDEZ. I——

Ambassador NATSIOS [continuing]. During the visit.

Senator MENENDEZ. I understand all that. The question is——

Ambassador NATSIOS. The plan is prepared——

Senator MENENDEZ [continuing]. If the Secretary General fails in his efforts—I hope——

Ambassador NATSIOS. Yes.

Senator MENENDEZ [continuing]. He succeeds——

Ambassador NATSIOS. The answer to——

Senator MENENDEZ [continuing]. Are we ready——

Ambassador NATSIOS. Yes——

Senator MENENDEZ [continuing]. To go to plan B?

Ambassador NATSIOS [continuing]. We are.

Senator MENENDEZ. And then, are we ready to immediately move to plan B, and implement it——

Ambassador NATSIOS. Well, once——

Senator MENENDEZ [continuing]. In that case?

Ambassador NATSIOS [continuing]. It's signed, it will be immediately implemented.

Senator MENENDEZ. Once it's signed.

Ambassador NATSIOS. Well, the President has to sign the orders.

Senator MENENDEZ. Well, my point is: Are we at the point where, if the Secretary General fails, the administration is ready to move forward?

Ambassador NATSIOS. I just said, Senator, if—at the end of the 2 to 4 weeks he requested, if we haven't made the progress that we believe needs to be made, I believe the President will make the

decision. I'm not going to presume what the President's going to decide and the announcement that he's going to make. That's not for my—my place to do that. But I know how angry he is, and impatient he is, over this, as I am, as Dr. Rice is.

Senator MENENDEZ. Well, I think part of our problem is, is that we are quickly losing credibility in this process with Mr. al-Bashir and others. It's like a child when you're continuously telling him, "Don't do that. Don't do that." I mean, you use your public opportunities to say, "Don't do that. Don't do that." And they continue to do it, and they continue to do it, and you say, "Don't do that," guess what? That child never believes that, in fact, you are going to exact——

Ambassador NATSIOS. I agree——

Senator MENENDEZ [continuing]. A punishment.

Ambassador NATSIOS [continuing]. With you, Senator.

Senator MENENDEZ. And so, ultimately it seems to me we're at that point. Let me just say—I've got the corrected Georgetown version here. And you are quoted, in the corrected version, in saying "the term 'genocide' is counter to the facts of what is really occurring——

Ambassador NATSIOS. No.

Senator MENENDEZ [continuing]. "in Darfur."

Ambassador NATSIOS. Senator, I did not say that. But that—look, that's——

Senator MENENDEZ. That's the corrected version.

Ambassador NATSIOS [continuing]. That's not the point.

Senator MENENDEZ. Well, I hope that——

Ambassador NATSIOS. The fact——

Senator MENENDEZ [continuing]. This administration——

Ambassador NATSIOS. The fact of the matter is——

Senator MENENDEZ [continuing]. Views what is happening——

Ambassador NATSIOS [continuing]. There is terrible——

Senator MENENDEZ [continuing]. In Darfur as genocide——

Ambassador NATSIOS. There is terrible——

Senator MENENDEZ [continuing]. I hope——

Ambassador NATSIOS [continuing]. Violence——

Senator MENENDEZ [continuing]. The words "never again" are meaningful, and those words can only be meaningful if we act. And I hope that we will not permit this to continue to happen on our watch. I hope you take that back to the administration. It is time to get past the talk about plan B, and it is time to begin to enforce plan B.

Ambassador NATSIOS. If we want to get the international community to support our efforts under plan B, and other countries to implement unilateral sanctions—or bilateral sanctions against the Sudanese Government, we have to cooperate with them, we have to talk with them. We cannot simply ignore what everybody else is doing. As I said before, Senator, before you came in, we've had extensive meetings with the Europeans, over the last 3 months, over how they might unilaterally, without a U.N. resolution, impose their own sanctions, which would be similar to ours. They would be much more powerful—much more powerful—if a new set of sanctions is both—uses the dollar and the euro to enforce. We

know that from experiences in Iraq, Iran, and Northern—and North Korea.

We are now engaged in diplomacy to get the Europeans onboard. Chancellor Merkel, I believe it was 2 weeks—and the German Defense Minister—they're in the Presidency of the European Union—have now said, even with the absence of a U.N. resolution, the European Union may consider, seriously, imposing sanctions, which they never do, they always want a Security Council resolution. This was a big change of position. If we want to affect the behavior of the Sudanese Government, we have to have a coordinated international approach. That's what we have right now. It takes a little bit more time to do that, because you have to talk to other people, as I'm sure you're aware, Senator. If we simply do what we want to do, I would have done it a long time ago, but Ban Ki-moon—we need Ban Ki-moon's support on this. He asked for 2 to 4 weeks; we're going to give him 2 to 4 weeks.

The Europeans asked us to work with them on how this could be done in a way that would effectively paralyze the Sudanese economy. They've asked us how it is that we're going to do this, from an enforcement mechanism. We're working with them. We've had a meeting in Washington, 3 weeks ago, on this, on a technical level, to go through the steps needed for them to impose parallel sanctions to what we're doing.

So, if we're going to do this, whether it's 2 weeks or 4 weeks, Senator, what's—the important thing is, it has the necessary effect on the behavior of the Sudanese Government. That's the purpose of this.

Senator MENENDEZ. Mr. Chairman, I know my time is over, but I just——

The CHAIRMAN. Go ahead. Take your time.

Senator MENENDEZ. I listened to you carefully. A hundred and one days ago, you, on behalf of the administration, announced plan B. Now, 2 to 3 weeks more. What does it matter if it takes a little time? If I was sitting in those camps, I could not stand the counsels of patience and delay. And I hope we get to the point that we understand that. I understand about multilateral action. But, at some point in time, we must lead.

Ambassador NATSIOS. I agree with you.

Senator MENENDEZ. And it seems to me that we have not gotten to the point where we are truly leading. And I hope that the administration will do that sooner rather than later, because people are dying. That's the reality.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

I must say, Mr. Ambassador, it sounds like the administration is changing its position. And I thought you said to me that the most useful sanctions available to us were unilateral sanctions that we could impose that weren't available to us in the 1990s, that we're now using in Iraq—I mean, excuse me, in Iran, and that——

Ambassador NATSIOS. And in North Korea.

The CHAIRMAN [continuing]. And in North Korea. And so, I'm confused. What are these—what are these multilateral sanctions that are going to be so consequential that you're worried, if we acted on our own, we would lose?

Ambassador NATSIOS. Well, it's not that we would lose it, but obviously our sanctions are going to affect dollarized transactions. They're not going to affect euro transactions.

The CHAIRMAN. I got that.

Ambassador NATSIOS. And if we can get the Europeans to do the same thing we're doing, it would have a much greater impact, because they're the two currencies of the world right now.

The CHAIRMAN. But in the meantime, a lot of people are going to die.

Ambassador NATSIOS. Well——

The CHAIRMAN. I—Senator. Sorry.

Senator CARDIN. Thank you, Mr. Chairman.

Mr. Ambassador, first let me say that I concur in Senator Menendez's questions and frustration and—we've run out of patience.

But I want to, first, thank you for your efforts. You have kept us informed. You have relayed, I think, our message to the players. And, I think, as a result of your efforts, lives have been saved. And that's a record that you can be very proud of. You've been very persistent. And I think the administration has been strong in regards to our position on Darfur. But it lacks a sense of urgency internationally.

This month, we will commemorate the Day of Remembrance for the Holocaust caused by the Nazis. And since I've been in Congress, we've seen genocide in the former Yugoslavia Republics, in Rwanda, and now in Darfur. And we need to take action.

The open violence may have been reduced in the Darfur region or the Sudan, but the circumstances in the villages are very vulnerable. The circumstances in the refugee camps are very vulnerable. And relief workers are at extreme risk. At any day, violence could continue and expand, and there could be additional tragedies. And, as you've pointed out, we do have genocidal conditions every day with people being killed, displaced, and raped.

So, we need to move forward, at least on two fronts. One is the plan B, the sanctions. I understand another delay—I really don't understand another delay. I think we originally said that we were going to impose sanctions several months ago, and that date has passed. We can be very effective in imposing sanctions, with or without the support of other countries.

I heard you mention some of the other—same countries, that we are not getting the type of cooperation we need in regards to Iran, in imposing sanctions against Iran. These are not new issues, and there's a lot of issues on the agendas of these countries. But one thing we can do is act, the United States can. And we need to do that.

I want to mention a second front in which we can act, and that is in the war crimes tribunal. We have not gotten much help internationally on using the International Criminal Courts. But for the action of this Congress in standing up to Serbia and other countries, I doubt if we would have had the type of cooperation in regards to the indictments against those involved in the former Yugoslavia.

I think this Congress is prepared to help in regards to the International Criminal Courts. Clearly, two indictments have been

issued, as I understand. The investigations continue. And I don't think you can compromise these issues. I understand the nervousness of the Sudanese Government. They should be nervous. But this is something that cannot be compromised, because if you compromise now, we're just going to have another problem down the road.

So, I would just ask—we haven't had much discussion here at this hearing on the war crimes issue. I hope that's not being compromised, as far as our position in that regard. Those that are culpable should be held accountable. And that we have lost—we've run out of time on plan B. It's time to move forward with it.

Ambassador NATSIOS. Well, with respect to the ICC, I—there are people who think we should use the ICC investigation and process as a diplomatic tool with respect to the Sudanese Government. I don't think we should. I think we need to separate the diplomacy of this from justice. The ICC is a judicial process to determine whether or not people committed acts of genocide or violations—massive violations of human rights, and they need to prosecute people as they're going to prosecute them.

Senator CARDIN. Let me just point out, the prosecutors, if they don't have the support of the State Department, if they don't have the support of the diplomatic efforts, they will not get access to the material that they need, the witnesses they need, the preservation of the evidence that they need, and they will not be able to do their work. So, they need your help, or it won't happen.

Ambassador NATSIOS. There is a report, that was commissioned by Colin Powell when he was Secretary of State, that I executed for him when I was the Administrator of AID, and we sent a team of—through an NGO associated with the American Bar Association—of police prosecutors, lawyers, and district attorneys, who went to Darfur—I mean, not to Darfur—to Chad and interviewed 1,300 people who had been the victims of these atrocities, and whose family members had been murdered in the massive atrocities of 2003 and 2004. That report is on the State Department Web site. I'm very—we took a lot of risk doing it, because some of the—there are 28 officers from—this is done through, again, a associate organization of the Bar Association. We did it deliberately to have people with legal degrees and prosecutorial backgrounds to do this. That evidence is available.

Senator CARDIN. I guess my frustration is that, having gone through this in the debates with the State Department on the issues of the—in Yugoslavia, unless we are raising these issues directly with the Sudanese Government through whatever sources we can—unless we let them know that the preservation of evidence is going to be required—I understand they're nervous about those things, but it will make it extremely difficult to follow through on this, giving the impression to the Sudanese that this is an issue that can be negotiated away.

Ambassador NATSIOS. Well, I'm—what I—that's what I argued earlier, is, we should disentangle those war crimes tribunals from any diplomacy, because diplomacy is where you compromise. You shouldn't be compromising on justice. I don't think we should have that in the—as part of the negotiation.

Senator CARDIN. I agree with you on that, but you've got to preserve the record, you've got to be—you've got to have access in Sudan. I understand it's important to interview, in Chad, the victims, but you also have to be on the ground in the Sudan——

Ambassador NATSIOS. And you obviously have——

Senator CARDIN [continuing]. In order to gather——

Ambassador NATSIOS. Right. I am aware of that. I've met with people—in fact, when I was in Abeche to meet with the rebels in January, some members of the ICC staff were there, also searching for evidence. And so, we—I know they're there, but, you know, again, I don't want—I don't want to get into a position where the United States—and it's not our business, anyway, to negotiate with the Sudanese Government over whether these war crimes trials should go forward. That's not a negotiable issue, as far as I'm concerned.

Senator CARDIN. It is—should be on our agenda, the cooperation with the ICC.

Ambassador NATSIOS. Different matter.

Senator CARDIN. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Mr. Ambassador, this hearing, to me, sounds eerily like a hearing that took place 14 years ago about Bosnia. And the temporizing, the number of times you've pointed out how the—which is no doubt, it occurs—that the rebels are engaging in atrocities themselves. I heard that for 3 years, the last year of the Bush administration and the first 2 years of the Clinton administration. And yet, there is—and the question I asked then, and I'm going to ask you now: Is the—are the atrocities that are being carried out sanctioned by, cooperated with, or a blind eye being turned by Khartoum, not significantly greater than the atrocities that are occurring at the hands of the rebels?

Ambassador NATSIOS. There is no equivalency whatsoever, Senator.

The CHAIRMAN. Well, I wish you'd stop talking about it——

Ambassador NATSIOS. Well, I'm talking about it, Senator, because the rebels think they can get away with this.

The CHAIRMAN. Well, I'm——

Ambassador NATSIOS. And it's——

The CHAIRMAN. Look, I'm——

Ambassador NATSIOS [continuing]. Getting worse. And what's happening is, no one's saying anything about it, because it's politically sensitive. We can't let any civilian——

The CHAIRMAN. No, no; it's not politically sensitive. I mean, we went through this exercise a couple of years ago, in coaxing out of the administration the word "genocide." Why won't you just say? Is "genocide" still the operative word?

Ambassador NATSIOS. Yes.

The CHAIRMAN. It is. So, genocide is being——

Ambassador NATSIOS. Yes.

The CHAIRMAN [continuing]. Committed in Darfur.

Ambassador NATSIOS. Yes.

The CHAIRMAN. All right. All right, now——

Ambassador NATSIOS. Let me just add something—not a qualification, but just the reality of what I'm trying to get to here. We

want the current lull in fighting—because there are peaks and—you can see the casualty rates, from month to month; they're higher; they're lower—we want "no casualties." And if you don't make a distinction between "no casualties" and "a lot of casualties," if everything's the same all the time, then how do you tell people that they're supposed to, you know, extend a period of relative stability? We don't want, between now and the beginning of the rainy season, any more civilian casualties on either side of the border, both for humanitarian and human rights reasons, but also because we believe a absence of hostilities could facilitate the peace process between the rebels and the government. We had that happen in the south. We want it to happen again.

The CHAIRMAN. Well, it seems to me that the need for an agreement between the rebels and the government gets trumped by the attitude of Khartoum, that has virtually nothing to do with the rebels, by Khartoum's supporting and engaging in a systematic effort to engage in genocide. Notwithstanding the fact you may not be able to get an agreement between the rebels and the government, there are things we could do now that could significantly——

Ambassador NATSIOS. Yes.

The CHAIRMAN [continuing]. Reduce the number of casualties that are occasioned by the Janjaweed receiving support from Khartoum. They are distinguishable. And I am at a loss as to why we aren't engaging in everything, including the use of military force, to stop it. I met with the NATO commanders in Europe. I then spent time with the Supreme Allied Commander of Europe, prior to General Jones leaving. I was told that we had the physical capability of essentially shutting down the Janjaweed now, that it would take somewhere around 2,500 troops, that if we were to argue strenuously, within the confines of NATO, for such a force and the imposition of a no-fly zone, we could radically change the situation on the ground. That does not get you a settlement, but it does have the ancillary benefit of stopping thousands upon thousands of people of being slaughtered and/or left to be slaughtered.

So, I find the desire to have a comprehensive settlement—or, it kind of reminds me, if I can use a terrible metaphor—it's kind of like someone is on the table, bleeding to death, and they have incurable cancer, and the doctors stand there and say, "Now, unless we can come up with a holistic approach to this and figure out how to not only stop the bleeding, but cure this patient of cancer, we should hang on and wait until we get an overall plan here."

People are bleeding to death now. There are—the camps that I visited, you could see it. When I walked into the camp in Chad on the Darfur border of the northernmost camp at the time, I stunned, I later learned—I didn't realize I stunned anybody—but I stunned the U.N. personnel there by insisting I meet with only the women. And the men did not like that at all. And I insisted that happen. And once I got a group of, I don't know how many, women in one of the tents, it took a while, but then they started talking about what was happening to them. It's happening as we speak right now. Nothing has fundamentally changed.

And so, you know, it's kind of like—the analogy I'd make is, the patient's bleeding on the table, and we talk about making sure that everything's going to be OK, not just—let's stop the bleeding. Let's

stop the bleeding, or do everything in our power to stop the bleeding unilaterally.

And I must tell you—well, I won't tell you. I think it's a moral imperative to do that. But I got the same arguments. You know, it's interesting, when we acted—finally acted in Bosnia, and we finally acted in Kosovo, we did it unilaterally first. Everybody talks about how this is—well, that's a bunch of malarkey. It was finally unilaterally we did it. We acted responsibly and morally, and the rest of the civilized world had to respond. I would argue the same thing would happen here. I think we could embarrass our European allies into acting more responsibly. And I think it's not only time not to take force off the table, I think it's time to put force on the table and use it, and use it now.

But—and I acknowledge, that will not solve the situation, but it will mean there will be 10, 100, 500, 1,000, 2,000, 5,000, 15,000 women who will not be raped, children who will not die, and people who will not be just murdered, just indiscriminately.

But you don't need to hear that—I think you do need to hear that from me, but I don't expect that it will have much impact. But I just want to be clear. I think it is genocide, we can act now, and we should act now. If the President were asking me, if I were Secretary of State, I would use American force now. But that's me.

Anyone have anything they'd like to say before—or would you? I'd invite you, if you want to make any—I don't expect you to make a closing comment, but you're welcome to, if you'd like.

Ambassador NATSIOS. Well, I would just comment on what you just said, Senator.

I went through Bosnia, myself, because, at the beginning of it, I ran the relief effort there for the U.S. Government, and then I worked in the NGO community there.

The CHAIRMAN. Remember the arguments—if I—don't mind me interrupting—I remember sitting with Lord Owen, saying, "You know, we can't use force, because—guess what? We may jeopardize the British forces on the ground. We may jeopardize those forces on the ground." We were talking about jeopardizing military force by using force. And now, we're using an adjunct to that. It is true, the use of force will jeopardize the NGOs on the ground. But the NGOs are already jeopardized. They're in tough shape right now. And I'm anxious to hear the other witnesses, but I don't get as—I won't say "rosy," that wouldn't be fair—as optimistic a picture of what's happening on the ground today, and the last month, and hopefully the next month, as you seem to think exists. But—you have more access to information than I do, but it's not my impression.

But, anyway, go—I'm sorry to interrupt you, but——

Ambassador NATSIOS. The atrocities stopped in Bosnia when we had Dayton. We need a Dayton Accord for Darfur and——

The CHAIRMAN. You know how we got Dayton? We got Dayton because we used force.

Ambassador NATSIOS. Yes.

The CHAIRMAN. That's why we got Dayton. This malarkey of—this whole notion about how we're rewriting history—we got Dayton because we used force and we killed bad guys. That's what we

did. And we got Kosovo because we were prepared and made it clear to Milosevic we were ready to kill him. That's how we got it.

I'm not big on killing people, but, I tell you what, this is incredible, what's happening. And I promise you—I promise you, we're all going to sit here, 5 and 10 years from now, and we're going to be saying, "Why didn't we do the things that we can do?" There's risk involved, but the risk is relatively low compared to the absolute devastation that's taking place, and continuing to.

Anyway, I apologize. I just think we're temporizing everything much too much.

I thank you, Mr. Ambassador. Thank you very much.

Ambassador NATSIOS. Thank you.

The CHAIRMAN. Our next witnesses will come, as a panel, please. The Honorable Susan E. Rice, senior fellow in the Foreign Policy Studies and Global Economy and Development Programs, at the Brookings Institution—it's good to see Susan again, I've worked with her in another incarnation; and the Honorable Lawrence G. Rossin, senior international coordinator, Save Darfur Coalition. I thank you both for being here. And—oh, I'm sorry, it's not—where's my list here? I'm about to leave off the third witness. Sorry. I beg your pardon, Doctor. Dr. J. Stephen Morrison, director of the Africa Program, Center for Strategic International Studies, Washington, DC. I thank you all. I apologize, Doctor. I didn't—couldn't find my second page here.

If the witnesses will make their statements in the order in which they were called, we'd appreciate it.

STATEMENT OF HON. SUSAN E. RICE, SENIOR FELLOW, FOREIGN POLICY STUDIES AND GLOBAL ECONOMY AND DEVELOPMENT PROGRAMS, THE BROOKINGS INSTITUTION, WASHINGTON, DC

Dr. RICE. Thank you, Mr. Chairman. It's a pleasure to be back before this committee.

And I want to begin by thanking you and your colleagues for the opportunity to testify, but also, more importantly, for your leadership, on a bipartisan and bicameral basis, to call attention to the genocide in Darfur and to make your leadership felt in the effort to try to end this.

I would like to submit my entire testimony for the record and summarize it here.

The CHAIRMAN. Without objection, the entire statement will be made part of the record.

Dr. RICE. In spite of repeated threats, the so-called plan B, the Government of Sudan, as you pointed out, and as your colleagues pointed out, continues to kill with impunity. Khartoum still has not accepted U.N. troops as part of a hybrid force. The sad truth is, the United States continues to be taunted, and our conditions continue to be flaunted, by the Sudanese Government. Plan B is long past its sell-by date, and it's getting staler by the day.

Why do you suppose, as you asked, that the administration is equivocating, it is temporizing? Why would it, yet again, issue threats to the Sudanese regime, and then fail to follow through on them? Well, I think we got a clue here this morning. I think there's real equivocation inside the administration as to whether or not we

are witnessing a continuing genocide. It took nearly 2 hours for Mr. Natsios to acknowledge, under pressure, that, in fact, genocide continues to occur in Darfur. If you go back and look at the President's State of the Union Address when he mentioned Darfur, the word "genocide" was conspicuously absent.

A related explanation is that the administration views what's going on in Darfur primarily as another civil conflict in Africa, and one that requires, principally, a political solution. As you pointed out, it's obvious that there are rebel groups operating in Darfur, that these groups have attacked civilians and peacekeepers, and that the splintering and disunity among these groups hampers political negotiations. It's also obvious that a long-term solution in Darfur will require political accommodation and reconciliation.

But negotiations cannot end a genocide. Genocide is not a mere counterinsurgency tactic. Genocide results from the conscious decision of one party to a conflict to seek to eliminate, in whole or part, another group. This is the choice that the Sudanese Government has made in the context of Darfur, and there are only two ways to end a genocide, either to apply powerful enough pressures or incentives to persuade the perpetrators of genocide to stop, which we have not done, or to protect those who are the potential victims of genocide, physically protect them. A negotiated solution would do neither, though it's necessary, ultimately, to resolve the underlying conflict.

Another explanation is that the administration simply does not have a coherent Darfur policy. In fact, the U.S. approach to the genocide in Darfur can be characterized as simultaneously anemic and constipated. The coming and going of deadlines, the shifting of personnel assignments, are all indicative of the fact that we have no comprehensive strategy for stopping the killing.

This week, Deputy Secretary Negroponte is traveling to Khartoum and Libya and Chad to take yet another stab at negotiations with the Sudanese junta. Undoubtedly, Ambassador Negroponte will discover what Secretary Rice and Bob Zoellick and Jendayi Frazer and Andrew Natsios and Kofi Annan and Governor Richardson have all discovered before him, Khartoum's word means little or nothing. The Sudanese Government cannot be trusted to keep its promises, nor to take concrete action to stop the killing. And yet, while U.S. officials relearn old lessons, Khartoum is using diplomacy as a foil to continue the genocide.

One has to wonder how the administration can explain to the dead, the nearly dead, and the soon-to-be dead people of Darfur that, at the end of the day, even after we declare that genocide is occurring, even after we repeatedly insist that we're committed to stopping it, the United States continues to stand by while the killing persists. This genocide has endured not for 100 days, not for 1,000 days, but for 4 long years, and, as has been pointed out, it's destabilizing Chad and the Central African Republic. The whole region is being enveloped.

What we are witnessing, Mr. Chairman, is, in fact, part of a 3-year pattern. The administration talks tough, and then does little more than provide generous humanitarian assistance. It blusters, and then, in the face of Sudanese intransigence or empty promises, the administration retreats.

Last August, the United States got U.N. authorization for a robust chapter 7 force, 22,000 peacekeepers with a mandate to protect civilians. In September, the President appointed Mr. Natsios and promised tough consequences if Khartoum didn't accept the U.N. force mandated by the Security Council. But then, in November, Mr. Natsios joined the United Nations, the African Union, and European leaders in preemptively capitulating to Khartoum. To win Sudan's acquiescence, the United States and others jettisoned the robust U.N. force and embraced a fallback, a smaller, weaker Africa Union/United Nations hybrid force. And then, in December, with us leading the way, the Security Council backed down and embraced the hybrid.

Let's be plain about what we have lost in the process. The hybrid would be 17,000 troops, as opposed to the 22,000 that the United Nations proposed. The mandate would come from the African Union, which Khartoum readily manipulates. It would draw its troops primarily from Africa, but, overstretched by deployments to hotspots all over the continent, Africa has very little peacekeeping capacity to spare. The hybrid would have U.N. funding, but it would suffer from many of the same dual key problems that plagued the United Nations and NATO in the Balkans in the 1990s. Unfortunately, this hybrid is an ill-conceived, shortsighted, and, in fact, failed expedient to appease, yet again, the perpetrators of genocide.

This is, by any measure, a collective shame, and it's interesting that the American people know it, and Congress knows it. By all accounts, nobody likes it.

A December Newsweek poll, as well as a poll released last week by the Program on International Policy Attitudes at the University of Maryland, found that 65 percent of Americans—65 percent of Americans—support sending U.S. troops as part of an international force to Darfur.

Mr. Chairman, the time for fruitless negotiations has long since passed. They're simply buying time for Khartoum to continue the killing. If the administration were serious about halting this 4-year-old genocide and protecting civilians in Darfur, it would act now to show Khartoum that we're done talking and we're ready to turn the screws.

We should take four steps:

Step one: The President should issue an executive order now, implementing all of the financial measures in plan B. The administration should couple these unilateral sanctions with a sustained push for tough U.N. sanctions, including those that target Sudan's oil sector. And we should dare China, or any other permanent member of the Security Council, to accept the blame for vetoing effective action to halt a genocide.

Step two: The Bush administration should state clearly that these financial penalties will not be lifted unless, and until, the Sudanese Government permanently and verifiably stops all air and ground attacks, and allows the full and unfettered deployment of the U.N. force authorized in U.N. Security Council Resolution 1706. It's time to tell Khartoum that it has a simple choice: Accept the U.N. force, as mandated in that resolution, or face escalating U.S. pressure.

Step three: This Congress should swiftly adopt new legislation on Darfur. That legislation should authorize the President to stop the genocide in Darfur, including by imposing a no-fly zone, bombing aircraft, airfields, and the regime's military and intelligence assets. It should authorize funds to upgrade the airfield in Abeche, in Chad, with the agreement of the Chadian Government, in order to support potential NATO air operations, facilitate a U.N. deployment to Chad and Darfur, and for humanitarian relief purposes. The legislation should urge the administration to press for the deployment of U.N. peacekeepers to Chad and Central African Republic and their borders. It should impose capital market sanctions on companies investing in Sudan. It should freeze Sudanese Government assets and those of key military, government, and Janjaweed leaders and their families, and prohibit their travel to the United States. And the legislation, importantly, should require the administration to report, every 30 days, in classified and unclassified form, on the military, financial, and covert steps it's prepared to take to compel the Government of Sudan to accept, unconditionally, a robust force.

Step four: If within 15 days of the issuance of the plan B executive order, the Government of Sudan has failed to meet these basic conditions, the Bush administration should be prepared to use force. The purpose of the use of force would be to compel Khartoum to accept the robust U.N. force and stop killing civilians.

What I wrote 6 months ago with Anthony Lake and Congressman Donald Payne in the Washington Post, I'm afraid still applies today, many lives later. We said it's time, again, to get tough with Sudan. The United States should press for a chapter 7 U.N. resolution that issues Sudan an ultimatum: Accept the unconditional deployment of the U.N. force or face military consequences. The resolution would authorize enforcement by U.N. member states, collectively or individually. The United States, preferably with NATO involvement and African political support, would strike Sudanese airfields, aircraft, and other military assets. International military pressure would continue until Sudan relents. And then the U.N. force would deploy. If the United States fails to gain U.N. support, we should act without it, as we did in 1999 in the case of Kosovo, to confront a far lesser humanitarian crisis, when perhaps about 10,000 people had already died, as opposed to the estimated 450,000 who have died in Darfur.

So, the real question—the moral question—is this: Will we use force to save Africans in Darfur, as we did to save Europeans in Kosovo?

Now, I know, Mr. Chairman, that this is a controversial proposal. There are many good reasons that people have offered to shy away from the use of force.

Some argue that using force in the current political context is untenable, particularly against another Islamic government. Some will reject it, even if the objective of the use of force is to save innocent Muslim lives.

Others say, "We can't possibly take on another military mission, we're overstretched." True. But what we're proposing would involve primarily the Air Force, which has relatively more capacity than other branches of our services.

Others say that, without the consent of the United Nations or a relevant regional body, we'd be breaking international law. But recall that the Security Council, last year, codified a new international norm on the responsibility to protect, which committed member states to decisive action, including enforcement, when peaceful measures fail to halt genocide or crimes against humanity.

Now, some advocates prefer the imposition of a no-fly zone. And I want to say that that is a very viable and legitimate option. Some seem to view it as a less aggressive option than bombing Sudanese assets. But let's be clear what a no-fly zone entails. Maintaining a no-fly zone would require an asset-intensive, 24-hour-a-day, 7-day-a-week, open-ended military commitment in a logistically difficult context. To protect the no-fly area, the air CAP would have to disable or shoot down any aircraft that took off in the zone. It would mean shutting down Sudanese airfields in and near Darfur to all but humanitarian traffic. In short, it would require, very soon, many of the same steps that are necessary to conduct the air strikes we recommend, and then some. So, while I think it's a fine option, I'm not sure it's a lesser option.

And, finally, humanitarian organizations have expressed the concern that air strikes could disrupt humanitarian operations or cause the Sudanese Government to intensify attacks on the ground against civilians in camps. Now, this is a very legitimate concern. But there are ways to mitigate these risks. The targets could be selected to avoid airfields used by humanitarian agencies in Darfur. To protect civilians at risk, the United States and other NATO countries could position a light quick-reaction force in Chad to deter and respond to any increased attacks on camps in Darfur or Chad. And, while the risks may be mitigated, we have to acknowledge that they can't be eliminated.

Yet, we also have to acknowledge the daily cost of the status quo, of a feckless policy characterized by bluster and retreat. That cost has been, and will continue to be, thousands and thousands and thousands more lives each month, and other thousands more as we wait for 2 to 4 more weeks for Ban Ki-moon to exhaust his diplomacy. That is a cost—the other cost is a regime—the Khartoum regime—that has literally gotten away with murder while the United States merely remonstrates.

I would submit, Mr. Chairman, Senator Lugar, that that cost is too high. Too many people have already died. Too many more are soon to die. It leaves one wondering when, if ever, the Bush administration will decide that enough is finally enough.

Thank you.

[The prepared statement of Dr. Rice follows:]

PREPARED STATEMENT OF HON. SUSAN E. RICE, SENIOR FELLOW, FOREIGN POLICY STUDIES AND GLOBAL ECONOMY AND DEVELOPMENT PROGRAMS, THE BROOKINGS INSTITUTION, WASHINGTON, DC

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

WHERE'S PLAN B?

I feel compelled to begin with a simple observation: Today is the 11th of April, 2007. The genocide in Darfur has lasted 4 years and counting. An estimated 450,000 people are dead. More than 2.5 million have been displaced or rendered refugees. Every day, the situation worsens. One hundred and one days have come and gone since the expiration of the very public deadline the President's Special Envoy Andrew Natsios set at my very own Brookings Institution. Last year, on November 20, Natsios promised that harsh consequences would befall the Government of Sudan, if by January 1, 2007, it failed to meet two very clear conditions. First, Khartoum must accept unequivocally the full deployment of a 17,000 person United Nations-African Union "hybrid" force. And, second, it must stop killing innocent civilians.

In spite of this threat—the so-called "plan B"—the Government of Sudan continues to kill with impunity. Khartoum still has not accepted U.N. troops as part of a hybrid force. Bashir sent a letter late last December to Kofi Annan implying his acquiescence to U.N. troops—but offering no explicit acceptance. The next day Sudan's Ambassador to the United Nations ruled out any U.N. forces. Sudan keeps playing this bait and switch game to its advantage, and the United States keeps being played. And, still, no plan B.

In early February, the Washington Post reported, and Natsios confirmed, a leaked story that the President had finally approved "plan B"—a three-stage punitive package that could begin with the United States blocking Sudan's oil revenue. This "plan B" should have been implemented swiftly, not leaked. This kind of leak gives Sudan advance warning, enabling it to try to evade sanctions.

Still, it remains unclear what the "three tiers" of the administration's plan B are. In testimony in February before the House Committee on Foreign Affairs, Special Envoy Natsios revealed nothing of the substance or timing of plan B. One cannot help but wonder: Is there any beef behind the administration's repeated threats? We have no idea if the promised penalties will ever be implemented and, if so, whether they would be powerful enough to change Khartoum's calculus.

The sad truth is: The United States continues to be taunted, and our conditions continue to be flaunted by the Sudanese Government. Plan B is long past its sell-by date and getting staler by the day.

In January, a bipartisan group of 26 U.S. Senators wrote to President Bush saying "We appreciate your administration's efforts at aggressive diplomacy and negotiation, but it seems clear that the Sudanese are not responding to such tactics." The Senators insisted ". . . the time has come to begin implementing more assertive measures."

In March, a bipartisan group of 31 Senators reiterated the call for action in another letter to President Bush urging that the administration ask the U.N. Security Council to impose sanctions on the Sudanese Government. Many members of this committee correctly argued that "a threatened veto should not silence us" and that we should "let a country stand before the community of nations and announce that it is vetoing the best effort we can muster to build the leverage necessary to end ongoing mass murder." Yet, to date, the Bush administration has failed to press for tough action against the Sudanese Government at the U.N. Security Council.

Worse still are this administration's diversionary tactics—recently asserting that Sudan had accepted, in principle, so-called Phase III—the full deployment of the hybrid force, including its U.N. elements. In fact, the Sudanese made no such clear commitment, not even in principle. The State Department's spokesman said some weeks ago that the administration will defer further consideration of any punitive measures until after the United Nations is ready to deploy all its forces for the hybrid mission. In other words, the new due date for consideration of plan B, may be months away at the earliest, and may occur only if the Sudanese block deployment of U.N. forces once they are fully ready to go.

In testimony before the Senate in February, Secretary Rice went even further in ratcheting down the pressure on Khartoum. In response to you, Mr, Chairman, when you said "I think we should use force now and we should impose [a no-fly zone]," Secretary Rice took the option of unilateral U.S. military action off the table, noting its "considerable downsides." She made no mention of the "considerable downsides" of allowing genocide to continue unabated.

Perhaps that is because the administration appears to have reversed itself and decided that genocide is not happening in Darfur. Quoted in the Georgetown Voice, Natsios told a student group that: "The ongoing crisis in Darfur is no longer a genocide situation" but that "genocide had previously occurred in Darfur." President Bush conspicuously failed to use the term "genocide" when speaking of Darfur in his latest State of the Union Address. Such language games shock the conscience, especially given recent escalating attacks on civilians and aid workers.

Reflect on what's at stake. If any progress at all has been made on the subject of Darfur, it is that we in the United States have gotten past the debate about whether this is, or is not, a genocide. To regress, to reopen this issue, is to further slow-roll any action, to reduce any sense of urgency, and to allow more and more people to continue dying. Make no mistake: Darfur has been a genocide. It continues to be a genocide. And unless the United States leads the world in halting the killing, it will remain a genocide.

Why do you suppose the administration is equivocating and temporizing? Why would it reopen old debates? Why would it, yet again, issue threats to the Sudanese regime and fail to follow through on them? What damage is done to our interests, to our credibility, to our already diminished international standing by the administration's seemingly empty threats?

One possible explanation is that the administration accepts Khartoum's line that what is occurring in Darfur is a complex civil conflict that requires primarily a political solution. It is obvious that there are rebel groups operating in Darfur, that these groups have attacked civilians and peacekeepers, and that the splintering and disunity amongst these groups hampers political negotiations. It is also obvious that a long-term solution in Darfur will require political accommodation and reconciliation.

However, negotiations cannot end a genocide: Genocide is not a mere counterinsurgency tactic. Genocide results from the conscious decision of one party to a conflict to seek to eliminate another distinct group in whole or in part. This is the choice the Sudanese Government made in the case of Darfur. There are only two ways to end a genocide: To apply powerful enough pressures or inducements to persuade the perpetrators of genocide to stop; or to protect those who are the potential victims of genocide. A negotiated solution would do neither, though it is necessary, ultimately, to resolve the underlying conflict.

Yet, diplomacy takes time. Political negotiations require patience, coordinated pressure and energetic diplomacy married with the credible threat of powerful sanctions and the use of force. While the administration negotiates without credibly threatening more powerful action, Khartoum continues the killing at an alarming pace. America's principal priority in Darfur must be to stop the suffering and killing, and to do so quickly.

Another explanation for the administration's dithering is that they simply do not have a coherent Darfur policy. In fact, the U.S. approach to the genocide in Darfur has been simultaneously anemic and constipated. The coming and going of deadlines and the shifting personnel assignments are indicative of the fact that we have no comprehensive strategy for stopping the killing.

This week, Deputy Secretary Negroponte is traveling to Khartoum to take yet another stab at negotiations with the Sudanese junta. Undoubtedly, Ambassador Negroponte will learn for himself what Condi Rice, Robert Zoellick, Jendayi Frazer, Andrew Natsios, Kofi Annan, and Bill Richardson have discovered all before him: Khartoum's word means nothing. The Sudanese Government cannot be trusted to keep its promises nor to take concrete steps to end the killing. Yet, while U.S. officials relearn old lessons, Khartoum is using diplomacy as a foil to continue the genocide.

How can the administration explain to the dead, the nearly dead, and the soon to be dead people of Darfur that, at the end of the day—even after we declare that genocide is occurring, even after we insist repeatedly that we are committed to stopping it—the United States continues to stand by while killing persists. This genocide has endured now, not for 100 days, not for 1,000 days, but for 4 long years.

In January, the United Nations reported that the situation in Darfur was deteriorating rapidly. December 2006 was the worst month in Darfur in over 2 years. This nadir followed 6 months of escalating violence—a period which coincided with Khartoum's bid to expel the African Union force, to block the U.N. deployment and to throw its killing machine into high gear. Rebel activity has also increased, and their violence is harming civilians and humanitarian agents. In those 6 months: 30 humanitarian compounds suffered attacks; 12 aid workers were killed, and over 400 were forced to relocate. On December 18, four aid organizations were attacked at a massive refugee camp housing 130,000 at Gereida in South Darfur. All humanitarian operations there ceased, and innocent people went weeks without food shipments. Sudanese aircraft have attacked rebel-held areas and killed many innocent civilians.

At the same time, the fighting in Darfur is destabilizing neighboring Chad and Central African Republic. Khartoum has backed rebels that seek to overthrow these governments. Indeed, this past week, 65 people were killed and 70 wounded by Janjaweed militias in Chad. U.N. Under Secretary General for Humanitarian Affairs John Holmes reported last week that, since the fall of 2006, the number of dis-

placed persons in eastern Chad has risen from 50,000 to 140,000; the number of displaced people in the northeast of the Central African Republic has grown from 50,000 to 212,000. The UNHCR is now reporting that refugees from Chad are actually spilling into Darfur. The security situation along these borders is so bad that the United Nations is reluctant to deploy forces there without an effective cease-fire.

The administration has been slow to recognize the impending collapse in Chad and CAR. The administration's FY 2008 budget request includes a scant $100,000 of assistance for the Central African Republic, this is a decrease from FY 2006's meager $670,000 appropriation. The requests for Chad are somewhat more robust—totaling $5.3 million, most of which is food aid; however neither country is likely to receive the money to avert worsening political, security, and humanitarian conditions. The U.N.'s John Holmes estimates that the United Nations will require $174 million for humanitarian assistance in Chad and $54 million in the Central African Republic. While this will require a global effort, the United States should be leading efforts to provide this money.

As the humanitarian situation in these countries worsens, I begin to worry that, in the absence of swift action to stop the genocide in Darfur and stabilize the region, we may be forced to change the advocacy campaigns from "Save Darfur" to "Save Central Africa." I commend Senator Feingold and others who introduced Senate Resolution 76, which calls on the administration to press for a U.N. force on the Chadian side of the border and to "develop, fund, and implement a comprehensive regional strategy in Africa to protect civilians, facilitate humanitarian operations, contain and reduce violence, and contribute to conditions for sustainable peace in eastern Chad, the Central African republic, and Darfur." As you recognize, the disastrous implications of another round of cancerous violence spilling from one country to another are too numerous to catalog here. At the same time, we cannot allow the search for a comprehensive political solution to a complex regional crisis to slow us from stopping the ongoing genocide in Darfur. Both efforts must proceed in tandem, but the stopping of mass murder must be the most urgent task.

BLUSTER AND RETREAT

Instead, what we are witnessing is part of a 3-year pattern: The administration talks tough and then does little more than provide generous humanitarian assistance. It blusters and, then, in the face of Sudanese intransigence or empty promises, the administration retreats.

When the rebels started fighting in Darfur in February 2003, the administration at first chose to ignore it. Despite the rampaging reprisals of Janjaweed killers and rapists, the torching of whole villages, the wanton bombing of innocent civilians and massive humanitarian suffering, the administration was slow to act. It seems to have calculated that pressing the Government of Sudan to halt its customary scorched earth tactics in Darfur ran counter to our interests in getting Khartoum's cooperation on counterterrorism, which began abruptly after September 11, 2001. Confronting the genocide, the administration calculated, might also jeopardize U.S. efforts to cajole the regime to sign a north-south peace agreement with the SPLM.

But by 2004, the human toll was mounting. On the 10th anniversary of the Rwandan genocide, many noted the contrast between the hollow pledges in many capitals of "never again" and the dying in Darfur. With, a Presidential campaign underway, Congress and Democratic candidates went on the record characterizing the atrocities as genocide. This prompted the administration to decide, belatedly, that its comparative silence was deafening. Secretary Powell and Kofi Annan visited Darfur and obtained hollow promises from Bashir that his Government would disarm the Janjaweed, allow unfettered humanitarian access and permit an African Union force to deploy.

Yet, predictably, the killing and dying continued. Over the summer of 2004, Secretary Powell ordered a comprehensive investigation of the atrocities, drawing upon hundreds of firsthand accounts from victims and witnesses. Faced with the evidence, Secretary Powell embraced the investigators conclusions: Genocide was taking place. To his credit, he testified that effect, and the President in September powerfully repeated that judgment before the U.N. General Assembly. But then, again, the administration did nothing effective to stop the killing.

With Western encouragement, the African Union mounted its first ever peacekeeping mission—in Darfur. To seasoned analysts, this approach was clearly flawed from the start: The nascent AU could not hope to secure millions of people at risk in an area the size of France. Hobbled by a weak mandate, perpetual troop shortages, an uncertain funding stream, and little institutional backup at a brand new regional organization, the AU was bound to fall short, despite its best intentions.

It was slow to deploy, but deploy it did—with U.S. and NATO logistical and financial support.

The African Union has been the target of a lot of criticism for its shortcomings in Darfur. I think unfairly so. While the United States blusters, the African Union forces have been the only ones willing to take bullets to save Darfurians. Just this past month 5 Senegalese soldiers died guarding a water point in Darfur, this brought the total number of AU soldiers killed in Darfur since 2004 to 15. These courageous soldiers are part of a force that has deployed without adequate international support and under constant restrictions imposed by Khartoum. They have saved thousands of lives and we owe them our honor and gratitude. Their presence also provided the United States with a ready, if cynical, foil for declaring the genocide under control. It wasn't.

By 2005, the AU finally fielded almost 7,000 troops. It pledged to add another 6,000 within a year. It couldn't. By then, it was obvious to all: The African Union was in over its head. Many experts, I among them, pled for NATO to step in, with U.S. support, to augment the AU force. Those calls went unheeded. Certain African leaders continued to insist on "African solutions to African problems." It was a convenient conspiracy of absolution, which enabled Washington to claim that further U.S. action was not desired. The Africans were responsible. But genocide is not and never will be an African responsibility. It is a human responsibility, requiring the concerted efforts of all humanity to halt decisively. To date, we have not.

In 2005, Secretary Rice visited Darfur, and Deputy Secretary Zoellick began took over the U.S. negotiating effort. In early 2006, the AU itself accepted reality and recommended that the U.N. subsume its force and take over its mission. In parallel, Mr. Zoellick was trying to nail a peace agreement before he left the State Department. His efforts culminated in May 2006, in the signing of the Darfur Peace Agreement (DPA).

This deal was doomed before the ink on it was dry. It left out two key rebel groups. The one that signed did so under extreme duress—one day after its leader's brother was killed by the regime. Moreover, Khartoum made little in the way of power-sharing concessions to the rebels; there was no firm requirement that the Government accept a U.N. peacekeeping force. There were rewards secretly pledged for Khartoum like the lifting of U.S. sanctions and a White House visit, but no penalties for noncompliance. As many feared, the cease-fire collapsed almost immediately. The rebels fractured. The killing intensified, and the people of Darfur suffered more.

After Zoellick left State, U.S. policy foundered. But, by late August 2006, it seemed back on track. The United States obtained U.N. authorization for a robust Chapter VII force for Darfur—22,000 peacekeepers with a mandate to protect civilians. In September, President Bush and Secretary Rice visited the U.N. General Assembly. They appointed Andrew Natsios Special Envoy and promised tough consequences, if Khartoum did not accept the U.N. force mandated by U.N. Security Council Resolution 1706.

Mr. Natsios went to work. By November in Addis Ababa, he had joined the United Nations, African Union, and European leaders in preemptively capitulating to Khartoum. In an effort to win Sudan's acquiescence, the United States and others jettisoned the robust U.N. force and embraced a fall-back: A smaller, weaker, AU–U.N. "hybrid" force. In December, the U.N. Security Council, with the United States leading the way, abandoned Resolution 1706 and endorsed the Addis agreement.

This hybrid force is to be 17,000 troops versus the 22,000 called for in United Nations Resolution 1706. It would derive its mandate from the African Union, which Khartoum readily manipulates. It is to draw its troops principally from Africa. But overstretched by deployments to hotspots all over the continent, Africa has very little peacekeeping capacity to spare. The hybrid would enjoy U.N. funding but suffer from the same "dual-key" problems that plagued the United Nations and NATO in the Balkans in the 1990s.

One of the greatest shortcomings of the hybrid force is that each and every aspect of it must be negotiated by all the parties involved. As negotiations persist, people in Darfur die. On March 29 at the Arab League Summit in Riyadh, U.N. Secretary General Ban Ki-Moon reportedly won Khartoum's acceptance in principle of phase two of the UN–AU deployment. On Monday, experts from the United Nations met with Sudanese officials and appear to have worked out terms for deploying the U.N. "heavy support package," but not the hybrid force itself. Secretary Ban plans to meet with AU Chief Executive Alpha Oumar Konare on April 16 to discuss how to move forward. In the interim, innocent civilians remain at grave risk without adequate protection. While Secretary Ban's diplomatic efforts are laudable, they have far fallen short of delivering what is so urgently needed a robust international force, led by the United Nations that is capable of stopping the genocide in Darfur.

In reality, the "hybrid" is an ill-conceived, short-sighted and failed expedient to appease, yet again, the perpetrators of genocide. How perverse is it that the United States is expending all of its diplomatic capital politely negotiating the terms of a hybrid force that falls well short of what is needed to halt the genocide?

As the back and forth with Sudan persists, U.S.-imposed deadlines have come and gone. Khartoum continues to lead the international community through a diplomatic dance that defies definition. Darfurians continue to die. Chadians continue to die. The region is coming unglued.

This is, by any measure, a collective shame. The American people know it. And, by all accounts, they don't much like it. A December Newsweek poll as well as a PIPA poll released last week found that 65 percent of Americans support sending U.S. troops, as part of an international force, to Darfur.

THE WAY FORWARD

The time for fruitless and feckless negotiations has long since passed. However well-intentioned the mediators, negotiations only serve Khartoum's interests—in diverting international attention and delaying meaningful international action. They buy Khartoum time to continue the killing.

If the administration were serious about halting this 4-year-old genocide and protecting civilians in Darfur, it would act now to show Khartoum that we are done talking and are ready to turn the screws.

We should take the following four steps:

Step One: The President should issue an executive order implementing the financial measures in plan B immediately. The order should include safeguards to ensure that revenue flows to the Government of South Sudan remain unaffected. Given the leak of plan B, the President should act now or risk squandering the potentially significant impact of these measures. The administration should couple unilateral sanctions with a sustained push for tough U.N. sanctions, including those that target the oil sector. The United States should then dare China or another permanent member to accept the blame for vetoing effective action to halt a genocide.

Step Two: The Bush administration should state clearly that these financial penalties will not be lifted unless and until the Sudanese Government permanently and verifiably stops all air and ground attacks and allows the full and unfettered deployment of the U.N. force authorized under UNSC Resolution 1706. The United States should declare the so-called "hybrid" force dead and take it off the negotiating table. The hybrid was an unfortunate concession to Khartoum, which Khartoum has been foolish enough not to embrace. It's time to tell Khartoum that it has a simple choice: Accept the U.N. force as mandated by Resolution 1706 or face escalating pressure from the United States.

Step Three: The 110th Congress should swiftly adopt new legislation on Darfur. It should build upon a bill introduced in the last Congress by Representative Payne, which garnered the bipartisan support of over 100 cosponsors. The new legislation should:

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

Step Four: If within 15 days of the issuance of the "plan B" executive order, the Government of Sudan has failed to meet these conditions, the Bush administration should use force to compel Khartoum to admit a robust U.N. force and stop killing civilians.

What I wrote with Anthony Lake and Donald Payne in the Washington Post on October 2, 2006, still applies 6 months, and thousands of lives later:

> History demonstrates there is one language Khartoum understands: The credible threat or use of force. It's time again to get tough with Sudan. The United States should press for a Chapter VII U.N. resolution that issues Sudan an ultimatum: Accept the unconditional deployment of the U.N. force within 1 week, or face military consequences. The resolution would authorize enforcement by U.N. member states, collectively or individually. International military pressure would continue until Sudan relents. The United States, preferably with NATO involvement and African political support, would strike Sudanese airfields, aircraft, and other military assets. They could blockade Port Sudan, through which Sudan's oil exports flow. Then, the U.N. force would deploy—by force, if necessary, with U.S. and NATO backing.
>
> If the United States fails to gain U.N. support, we should act without it as it did in 1999 in Kosovo—to confront a lesser humanitarian crisis (perhaps 10,000 killed) and a much more formidable adversary. The real question is this: Will we use force to save Africans in Darfur as we did to save Europeans in Kosovo?

Not surprisingly, our proposal has been controversial.

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

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

Still others insist that, without the consent of the United Nations or a relevant regional body, we would be breaking international law. But the Security Council last year codified a new international norm prescribing "the responsibility to protect." It commits U.N. members to decisive action, including enforcement, when peaceful measures fail to halt genocide or crimes against humanity.

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

Finally, humanitarian organizations express concern that air strikes could disrupt humanitarian operations or cause the Government of Sudan to intensify ground attacks against civilians in camps. These are legitimate concerns.

Yet, there are ways to mitigate these risks. Targets could be selected to avoid airfields used by humanitarian agencies operating in Darfur. To protect civilians at risk, the United States, France, or other NATO countries could position a light quick reaction force in nearby Chad to deter and respond to any increased attacks against camps in Darfur or Chad. While the risks may be mitigated, we must acknowledge they cannot be eliminated.

Yet, we must also acknowledge the daily cost of the status quo—of a feckless policy characterized by bluster and retreat. That cost has been and will continue to be thousands and thousands and thousands more lives each month. That cost is an emboldened Khartoum government that continues to kill with impunity. That cost is a regime that literally has gotten away with murder, while the United States merely remonstrates.

I would submit that this cost is too high. Too many have already died. Too many more are soon to die. When, if ever, will the Bush administration decide that enough is finally enough?

The CHAIRMAN. Thank you very much.

I'm embarrassed, I forget who I—excuse me—next, if you would, Dr. Rossin.

STATEMENT OF HON. LAWRENCE G. ROSSIN, SENIOR INTERNATIONAL COORDINATOR, SAVE DARFUR COALITION, WASHINGTON, DC

Ambassador ROSSIN. Thank you very much, Mr. Chairman, for having invited me to testify today. And I want to thank you and Senator Lugar and all the members of the committee, as did Susan, for your determined oversight on Darfur.

With your permission, I'll make brief oral remarks, and I'll submit my longer statement for the record.

The Save Darfur Coalition groups over 180 faith-based, human-rights, and community organizations from all over the United States, from Indiana and everywhere. Together, we have worked for nearly 3 years toward one overriding goal: To end the genocide in Darfur. That commitment inspires my engagement. But I also speak today from professional experience as an American diplomat, a career ambassador, with a career in conflict resolution in Grenada, Haiti, Bosnia, Kosovo, Iraq, and Afghanistan, and as a former deputy head of U.N. peacekeeping missions in Kosovo and in Haiti.

Regrettably, while our coalition has made great strides in building awareness and mobilizing activism—Susan just cited the polling evidence of that—our efforts has had very little effect on the ground, where it counts, for the people of Darfur. After 4 years, after 1,200 destroyed villages, after 400,000 people dead, after 2.5 million internally displaced, after $1.4 million out of the reach of humanitarian assistance, and another 200,000-plus driven into Chad as refugees, the regime in Khartoum continues to pursue a scorched-earth campaign of death and displacement against the people of Darfur, and it enjoys near total impunity as it does that.

Today, President al-Bashir is more adamant than ever. U.N. peacekeepers will not ever set boots on the ground in Darfur, and I'm very, very skeptical of this "heavy support package" deal that Mr. Natsios described to us today. The U.N. agencies continue to raise the alarm about their shrinking ability to maintain the aid that sustains those hundreds of thousands of Darfurians that are living in misery. Hardly a day goes by now without a reiterated warning of looming humanitarian collapse, repeated defiance from President al-Bashir and his officials, a new report of atrocity, another Janjaweed incursion in Chad.

Diplomacy alone patently has failed. For 4 years, a seemingly endless parade of envoys has visited Khartoum, each carrying a message, rarely coordinated with others, many wielding threats, others wielding assurances of protection against those threats, some proffering rewards for good behavior. It's total incoherence, and it's completely ineffective.

The Sudanese regime has used these visits and differences to buy time for its genocide. Envoys have been played off against each other while their threats have gone unfulfilled. The regime has concluded that it can act as it wishes, and who of us can argue otherwise, with the evidence to hand?

Mr. Natsios really described, today, no substantive progress on any of the key issues that dog this issue. The past 4 years are a graveyard of failed persuasive diplomacy, as much as they're a graveyard of 400,000 innocent Darfurians.

We were really hopeful, Mr. Chairman, Senator Lugar, when we learned, from administration contacts, several weeks ago now, that the President had finally had it, and that some really tough new targeted sanctions, this plan B, were actually coming. We were told it was just a matter of scheduling the announcement. We were encouraged when, after having been stiffed again by President al-Bashir a few weeks ago, Special Envoy Natsios told many of us, in conference calls, that these sanctions were imminent. We were even more pleased when we learned that one foreign ambassador had been told that the President had actually signed the documents.

Frankly, Mr. Chairman, we thought that today's hearing would be taking place in the context of just announced plan B sanctions, and we would be discussing how to ensure their effective implementation. Everything we heard gave us cause to expect that. But not now.

I just listened to Mr. Natsios's testimony, but I have to note that, only last week, he was quoted in the press as publicly rejecting Secretary General Ban's call for more time for deferral of mandatory sanctions so that his diplomacy could have more time. I heard him talk about the CODEL that went to Khartoum.

But I think what we're seeing here is that the U.S. Government itself has decided, for its own reasons, to defer its own sanctions plan so that it, itself, can make yet another diplomatic try. We respect that effort. We don't question the sincerity of those undertaking it. But, after years of Sudanese evasion and genocide, we have to say we are profoundly disappointed by this.

The people of Darfur need our strong support now. The stark mismatch between tough talk and weak action has to end now, before more die and more are displaced. We are very skeptical that the limited plan B sanctions that we've heard about would be enough to end the genocide, but at least they'd be something, and we'd like to see them announced now. And we'd urge that this committee ride the administration hard to get going.

Experience from the Balkans, from Iran and North Korea, and even from Sudan itself on earlier issues before today, teach us that diplomacy must be coupled with strong coercive measures, enough to change calculations so that ending a policy of mass murder in Darfur becomes cheaper for Khartoum than pursuing that policy. Otherwise, this tragedy, Mr. Chairman, will surely worsen.

Were we today discussing newly announced plan B sanctions, then I would be making the following points:

Above all, the President—the President of the United States, President Bush himself—would have to exercise strong personal leadership to ensure full and prompt sanctions enforcement by the bureaucracy. It won't happen with anything less.

Second, with regard to the unilateral U.S. sanctions, which we understand primarily would be aimed to choke off dollar-denominated transactions that benefit the government, that would mean several things. The President himself would have to direct the

Secretary of Treasury to have the Office of Foreign Assets Control beef up its staff devoted to Sudan sanctioned enforcement. There's hardly anybody doing it now. He would have to order the intelligence community actively to support the enforcement of those sanctions. There's no task force in the intelligence community on this now. He would have to instruct his Cabinet to create and empower interagency task forces to manage this enforcement. And he would have to appoint a Sudan sanctions enforcement chief, one that had a very, very short communications chain to him personally, to drive the interagency process, because it won't work otherwise.

And, frankly, I just say, Mr. Chairman and Senator Lugar, I found it stunning to hear Mr. Natsios, in his testimony just now, talk about part of plan B being actually setting up mechanisms to enforcing—implement sanctions that have been on the books for more than 2 years now. That's ridiculous.

For the multilateral U.N. measures, that would mean the President instructing his foreign policy team first to obtain a strong Security Council resolution mandating global sanctions, and then to build an international coalition for their enforcement, with a dedicated envoy to lead that process. That's what happened on Yugoslavia. That's what would be needed for Sudan. None of it exists now.

Regrettably, Mr. Chairman, we find ourselves still at the stage of calling for meaningful measures at all. After the latest rounds of diplomacy have failed—I hope I'm too pessimistic, but somehow I doubt it—we must demand that such sanctions finally be imposed. Presuming your intense oversight to ensure vigorous enforcement of such sanctions, then time will be needed to assess their effectiveness. But, we would urge, not too much time. The people of Darfur cannot survive new months and months of, "Now let's see what happens."

I also must stress, Mr. Chairman, that there are other measures available now to this administration. Plan B would have more prospect of success were the administration to heed your and our repeated calls for a full suite of coercive steps, including a no-fly zone and denying ships that carry Sudanese oil entry into U.S. ports, as the Darfur Peace and Accountability Act authorized last fall. We don't see why these and other measures are not being included in plan B from the outset, just as we don't see why plan B sanctions purportedly only target three persons, and, to boot, one of those being a rebel leader, or why the administration's overall global diplomacy regarding Darfur is so intermittent. As has been noted already, China, Egypt, the European Union, the Arab League, South Africa, the African Union, all of these players have key roles in this, and none of them are doing what they need to do right now.

In fact, we just wrote to President Bush urging that he launch a sustained diplomatic coalition-building effort now. That's also long overdue.

Administration support for the Durbin divestment bill would also have a strong impact.

We urge that the administration prepare now to take these steps rapidly, should a first round of sharper sanctions not quickly end Khartoum's killing in Darfur. The only result that counts is lives

saved or lost. And, shamefully, they've been lost, and that's been something that's been measured in the tens of thousands in Darfur.

Action—tough, wide-ranging action, is needed now to match the President's deep concern and tough words if the people of Darfur are to obtain any relief from their epic suffering. The Save Darfur Coalition's hundreds of thousands of activists will press that demand ceaselessly until the genocide stops. In fact, they'll be gathering, in 2 weeks, in nearly 150 cities across our country, during Global Days for Darfur, to demand effective international protection for the people of Darfur and strong action from our administration.

But it's this body which can, and must, ensure that the administration follows through on plan B, is prepared, fast, with a plan C, if necessary, and, in the end, does whatever it takes to make this new century's genocide—first genocide its last genocide.

We urge you to press hard for that level of sustained administration engagement, and we thank you for the forthright approach, indeed, you took in the hearing today.

And I thank you very much. And I look forward to your questions.

[The prepared statement of Ambassador Rossin follows:]

PREPARED STATEMENT OF HON. LAWRENCE G. ROSSIN, SENIOR INTERNATIONAL COORDINATOR OF THE SAVE DARFUR COALITION, WASHINGTON, DC

Thank you, Chairman Biden, Senator Lugar, and members of the committee, for inviting me to testify today. With your permission, I will make brief oral remarks and submit a longer statement for the record.

My name is Larry Rossin. I am the Senior International Coordinator for the Save Darfur Coalition, grouping over 180 faith-based, human rights, and community organizations which together have worked for nearly 3 years toward one overriding goal: To end the genocide in Darfur.

Beginning in February 2003, the Sudanese Government-sponsored campaign of violence and forced starvation in Darfur has claimed as many as 400,000 dead, 2.5 million displaced, and an additional 1 million still in their villages but severely affected. The U.S. Congress, two Secretaries of State, and President Bush have all labeled Darfur a genocide, the first time in U.S. history that a conflict has been so labeled while still ongoing. Congress and the President have followed up on their initial declarations by making countless speeches, passing numerous pieces of legislation, and devoting significant—though still insufficient—funds for humanitarian aid and peacekeeping. For its part, the U.N. Security Council has issued a litany of resolutions, including Resolution 1706 which authorized 22,500 as-yet undeployed U.N. peacekeepers for Darfur, and two Secretaries General have declared resolving the crisis a top priority.

Civil society in the United States and abroad has done its part as well, including the formation of a broad coalition of hundreds of local, national, and international faith-based, human rights, and community organizations, which have in turn organized thousands of events, involving millions of citizen-activists, and delivering in turn millions of urgent calls to the United States and other governments to take the actions necessary to end the genocide. Unfortunately, none of the above accomplishments have changed the basic truth that for the people of Darfur, life continues to grow more difficult and more dangerous.

It is indeed remarkable that millions of innocents in Darfur, and parts of Chad and the Central African Republic, have survived for this long, in the face of such overwhelming conditions, and with so little positive change in the underlying dynamic of their dispossession and insecurity. As will be echoed at over 200 Darfur-themed events in over 30 nations on April 29, 2007, time is running out for the people of Darfur.

These innocent victims are essentially on life-support, their continued existence dependent on U.S. and international humanitarian aid and the presence of roughly 7,400 African Union peacekeepers. Despite the best efforts of the underfunded and undermanned African Union peacekeeping force, attacks have increased in recent

months, leading to tens of thousands of new arrivals at refugee camps in Darfur and across the border in Chad.

After a promised deescalation of violence failed to materialize following the signing of the stillborn Darfur Peace Agreement (DPA) on May 5, 2006, the situation in Darfur grew worse. The Government of Sudan began a military offensive in Darfur in late August 2006 which displaced tens of thousands of additional Darfurians, and the rebel groups, which had numbered just three at the time of the DPA's signing, have since splintered into more than a dozen factions, further complicating any potential political solution. The resulting increase in violence has put the humanitarian life-support system at great risk, and the nightmare scenario of a complete security collapse and the spike in the death rate that will surely follow now appears to be a very real possibility. U.N. officials have previously said that the death rate in Darfur could rise as high as 100,000 per month if security collapses, creating the sobering possibility that future horrors in Darfur may dwarf all we have seen up to now.

On August 31, 2006, the U.N. Security Council passed Resolution 1706, authorizing a robust peacekeeping force of 22,500 U.N. troops for Darfur with a strong mandate to protect civilians. While this was a crucial step, it will remain merely words on paper until there are U.N. boots on the ground. More than 7 months have passed and only a few dozen U.N. advisors have actually been deployed. If the United Nations fails to deploy a force to Darfur, it will be the first time in history that a U.N. force has completely failed to deploy after being authorized by the Security Council.

Why then the delay in carrying out the Security Council's order? Because the U.N. force cannot deploy over Sudan's objections. Sudanese President Omar al-Bashir wants to preserve the status quo, and has been thwarting the international community's efforts to stop the killing at every turn. He's managed this by time and again promising to cooperate with international efforts to end the conflict in order to relieve mounting diplomatic and economic pressures, and then going back on his word and once again obstructing those efforts when the pressures have abated. This bait and switch pattern has allowed a genocidal dictator to consistently thwart the international community's efforts to end the conflict in Darfur and promote an inclusive peace process. In fact, he is doing so again right now.

On November 17, 2006, the international community and the Sudanese government came together in Addis Ababa, Ethiopia, and agreed to allow a hybrid United Nations/African Union peacekeeping force to deploy to Darfur in three phases: A light package of advisors to help the AU peacekeeping force already there; a heavy package of 3,000 military and police logistics personnel to do the same; and then finally a large-scale force comprised of at least 10,000 additional U.N. and AU troops. President al-Bashir immediately went to work on weakening the agreement, and thus far has allowed only phases I to deploy, demanding wholesale changes to phase II and flatly denying phase III.

The international community must take stronger action to compel President al-Bashir's cooperation with international efforts to protect civilians in Darfur. U.S. Secretary of State Rice put it well when she said on September 27, 2006, that the Government of Sudan faces a choice between cooperation and confrontation. As evidenced by his words and actions since Secretary Rice's speech, President al-Bashir has chosen confrontation.

Today, President al-Bashir is more adamant than ever in his resolve to oppose a full U.N. deployment, allowing him virtual carte blanche to stage attacks in Darfur directly with his troops and air force, or via his Janjaweed client militia.

Mr. Chairman, this record is well-known. Hardly a news day goes by without some reiterated warning of looming humanitarian collapse, some repeated message of defiance from President al-Bashir and his officials, some new report of atrocity and societal disintegration in Darfur itself, some cross-border Janjaweed incursion into Chad.

Equally apparent is that diplomacy alone has failed. It has been pursued for 4 years, by a seemingly endless parade of envoys and officials from all over the world—from Bob Zoellick and Jendayi Frazer to Hu Jintao and Thabo Mbeki, from Louis Michel to Andrew Natsios, from Alpha Oumar Konare to Kofi Annan, from Foreign Ministers of Africa and the Middle East to U.N. and AU mediators, and now Ban Ki-moon and Deputy Secretary Negroponte. Each has carried a separate message, too rarely consistent or coordinated with that of her or his predecessor or successor; many have wielded threats, others assurances of protection against those threats, some have proffered promises of reward for good behavior.

INCOHERENCE AND INEFFECTIVENESS

The Sudanese regime is sophisticated, having long since learned to play one envoy off against another. Meanwhile the international community's threats and promises have gone mostly unfulfilled, whether made on a unilateral basis or enshrined in national law or Security Council resolution. The past 4 years are a graveyard of failed persuasive diplomacy as much as they are of 400,000 Darfurians. Administration talk, at the end of 2006, of enacting tough "plan B" measures against Sudan by January 1, 2007, if it did not cooperate on U.N. peacekeeper deployment seemed but the latest example of tough words unmatched, in the crunch, by action.

We were therefore encouraged when, weeks ago now, we heard that the President and his officials had finally had it, and that some really tough new targeted economic sanctions—"plan B"—were actually coming—just a matter of scheduling the announcement. We were doubly hopeful when, stiffed again by al-Bashir, Special Envoy Natsios further stated last month that these sanctions were imminent. We were even more excited when we heard that a foreign Ambassador had been told the President had actually signed the documents.

Well, frankly, Mr. Chairman, we thought that today's hearing would be taking place in the context of just-announced "plan B" sanctions, and we would be discussing their effective implementation. Every thing we heard, until late last week, gave cause for that expectation.

But that has, obviously, not come to pass. After rejecting the U.N. Secretary General's recent call for deferral of Security Council debate of mandatory U.N. sanctions so that his diplomacy could have more time—the *n*th iteration of that failed sequence that has cost lives in Darfur—the U.S. Government, to our surprise, suddenly appears to have deferred its own sanctions plan, so that it can make yet another diplomatic try. We respect the effort, Mr. Chairman, and do not question the motive; but after years of Sudan's evasions and genocide, we cannot help but be astonished and disappointed by this further delay.

LIVES ARE AT STAKE EVERY DAY

As our coalition has argued in private communication and public messaging, here and overseas, the people of Darfur need strong support now. Talk alone has failed, whether tough or diplomatic. The stark mismatch between tough talk and weak or no action has to end, now, before more die and more are displaced. Al-Bashir is not the first stubborn dictator to pursue calculated policies of murder that we have encountered. He will not be the last. Experience shows—we know it from the Balkans, from Iran and North Korea, from Sudan itself before today—if diplomacy is to work, it must be coupled to strong coercive measures, enough to change calculations, so that ending the killing becomes cheaper for Khartoum than pursuing it, as is clearly not the case now.

Mr. Chairman, were we discussing today newly announced "plan B" sanctions targeted on Sudan's leadership, I would have made the following points:

- If enforced fully, the envisaged "plan B" sanctions would be an important first step to end the violence and suffering in Darfur, although probably not enough to stop the genocide.
- If, on the other hand, "plan B" were not fully implemented and enforced—including both its unilateral U.S. elements and its multilateral U.N. elements—Khartoum's murderous campaign would only be reinforced.
- We would urge the President and his administration, therefore, to take all necessary steps to fully implement and enforce "plan B" without delay.
- For the expected unilateral U.S. sanctions focused on stopping transactions directly benefiting the Sudanese Government, that would mean the President directing Treasury's Office of Foreign Assets Control to increase dramatically the number of man-hours allocated to Sudan sanctions enforcement; directing the intelligence community to provide all information necessary to investigate and enforce those sanctions, and the resources to develop that information; directing his Cabinet to create and obey interagency task forces effective in ensuring enforcement of the sanctions; and, appointing a high-ranking Sudan sanctions enforcement lead, with Presidential authority, to oversee the interagency process. Comparable focused leadership from the top was the key to success of Yugoslav sanctions.
- For the multilateral U.N. measures, that would mean the President and his administration directing his foreign policy leadership—
  - First, to take all steps needed to obtain a Security Council resolution mandating global sanctions,

- And then, to build an international coalition for their enforcement, with a dedicated Envoy to lead that process. Although we do not understand it will, such a resolution should enact tough targeted sanctions against individuals and entities complicit in the genocide; expand the existing arms embargo to include the Sudan Government; and ideally create the no-fly zone called for in Resolution 1591.

Regrettably, Mr. Chairman, we find ourselves still at the stage of calling for meaningful measures at all, rather than discussing their effective implementation. However, if the latest rounds of diplomacy fail—I hope I am proven too pessimistic, but history gives me reason to doubt it—we do hope that such sanctions will at long last be imposed, so that this discussion can have meaning.

If and when that stage is reached, and presuming that the President's personal determination and this Congress's assertive oversight ensure that the sanctions are enforced systematically, we can then take some time to assess their effectiveness. But, if you will forgive me a brief jump forward, we would urge: Not too much time. People die and are driven from their homes every day in Darfur; humanitarian collapse is an insistent threat. We cannot afford, if and when such limited sanctions go into effect, to have new months and months of "now let's see what happens."

Additionally, there are more measures available to this administration than its stalled "plan B" as envisaged. Heeding Congress's and our coalition's repeated calls to announce additional coercive steps—such as leading the international community in imposing a no-fly zone, and denying ships linked to Sudan entry to U.S. ports—would make "plan B" stronger. We don't see why they are not being included from the outset, just as we don't see why "plan B" sanctions would reportedly only target three persons when we know the U.K. recommended more, or why the administration's overall global diplomacy regarding Darfur is so weak and sporadic. In fact, we have just written to the President urging him to launch serious, sustained diplomatic coalition-building efforts which have proven successful in the form of contact groups in past crises.

In any case, we certainly urge that the U.S. Government prepare to take these and other additional measures should the long-overdue first round of tougher targeted sanctions fail quickly to reverse Khartoum's killing, blockage of credible peacekeepers, and constant disruption of efforts to renew an inclusive peace process. The success or failure of "plan B" should largely be measured by whether or not it swiftly compels the cooperation of the Sudanese Government on these fronts. The ultimate gauge of its effectiveness will be lives saved or lost, a measure that is marked off by the thousands in Darfur.

Action from the administration is needed to match the President's concern and tough words, if the people of Darfur are to derive any relief from their epic suffering. With American leadership, the full weight of the international community must be brought to bear on Khartoum's leadership and its business partners to end their obstruction of international efforts to end the crisis in Darfur.

The Save Darfur Coalition will pursue these goals ceaselessly, by the means we have, until the genocide is ended. But it is this body which can and must ensure the administration follows through on its "plan B," is prepared with a "plan C" if necessary, and in the end, does what it takes to make this new century's first genocide its last.

Enacting, implementing, and fully enforcing strong plan B measures is not the only piece of the puzzle, however. Another essential element to ending the genocide in Darfur and creating a stable and secure environment for civilians there is a consistent and adequate supply of funding for peacekeeping operations. The United States has been by far the most generous international donor to security programs in Darfur, providing hundreds of millions of dollars for the African Union forces there and allocating nearly $100 million for an eventual U.N. force. Despite this seeming generosity, U.S. funding for peacekeeping in Darfur has been inconsistent and this lack of predictability appears to be a contributing factor to the low level of effectiveness of the African Union Force in Darfur.

While only a successful peace process can finally end the genocide, the United States must do all it can to ensure the presence of a credible peacekeeping force with dependable, adequate resources and a robust civilian-protection mandate as the peace process hopefully moves forward. This peacekeeping force, whether African Union, United Nations, or a hybrid, will require consistent and adequate U.S. funding and leadership to be effective in its mission.

Unfortunately, to date, the rhetoric surrounding the genocide has not been matched by a consistent commitment to request adequate funding in a transparent and predictable way to get the peacekeeping job done in Darfur. Since at least 2005, funding for peacekeeping in Darfur has been inconsistent and in some instances uncertain until the last minute. This lack of predictability impacts the existing peace-

keeping mission in Darfur and sends a strong message to the Government of Sudan, our allies, and most importantly, the people of Darfur, emboldening the perpetrators and draining the hope of the survivors.

Perhaps the most troubling aspect of the U.S. Government's failure to provide consistent and predictable funding for peacekeepers is that it is one of the only issues impacting civilians in Darfur over which the United States Government has direct control. We cannot control the actions or responses of the Government of Sudan. We cannot control the activities of the Janjaweed or rebel forces in Darfur. We cannot control the response of our allies in this effort. But the administration and Congress collectively have complete control of the allocation of U.S. funding to combat the genocide.

As far as I can tell, Congress has provided every dollar ever formally requested by the administration for Darfur peacekeeping and has generously added to those requests in several instances. Based on that fact, I believe that the inescapable conclusion is that the administration has consistently underestimated the need for funding for security in Darfur and has not made consistent and predictable requests through the regular appropriations process to meet future security needs in Darfur.

Let me give a specific example. The administration's fiscal year 2008 budget request to Congress contains no request for bilateral peacekeeping for Darfur through the Peacekeeping Operations Account. This decision is based on the assumption that peacekeeping responsibilities in Darfur will transition to a U.N. or hybrid United Nations/African Union force by the beginning of the fiscal year, October 1, 2007. Putting aside the optimistic nature of this assumption, it should then be safe to assume that if the administration plans to fund Darfur security through the United Nations in fiscal year 2008. In turn, it follows that the budget should include an ample funding request for a U.S. contribution to the projected U.N. force in Darfur. This is not, however, the case.

The Partnership for Effective Peacekeeping estimates that to meet the peacekeeping needs in Sudan—both for the U.N. force in South Sudan (UNMIS) and for a Darfur mission—the U.S. contribution should be $675 million in fiscal year 2008 to the U.N. peacekeeping apparatus. Instead, the total administration request is $391 million, just $10 million more than the previous year, leaving a shortfall for security in Sudan of about $284 million. Taking into account the $98 million already provided by Congress for a U.N. force in Darfur, we can estimate that the shortfall in the administration's request for Darfur security for fiscal year 2008 is approximately $186 million.

Presumably, Congress will again work to adequately fund this pressing need, but this will be an unnecessarily difficult task given the expected tight budget for international affairs and the many pressing priorities. I say unnecessarily because funding Darfur security would be immeasurably easier if the administration would simply request needed funding through the regular appropriations process.

The administration did request $150 million for bilateral peacekeeping in the fiscal year 2007 supplemental request, currently being considered by Congress. This is very helpful and welcome and appears to be adequate for the remainder of this fiscal year. If there is essentially no additional bilateral or multilateral funding being requested by the administration for Darfur Security for FY08, however, then in a few short months the source of U.S. funding for Darfur security will again be uncertain and we may yet again be looking for additional supplemental funding to bridge the Darfur peacekeeping gap.

To this end, I would encourage the administration to submit a budget amendment to Congress for fiscal year 2008 requesting an additional $186 million for Darfur security through the African Union. I would also encourage the Senate and House to give the administration the authority to transfer any or all of those funds to the U.N. Peacekeeping account if deployment of a U.N. or hybrid force supersedes the need for bilateral funding.

Additional to funding concerns, I hope that this committee will help ensure that the Senate passes legislation protecting States' rights to divest their pension funds and other holdings of businesses whose trade with the Sudanese Government negatively affects the people of Darfur. Senator Durbin has introduced, and several members of the committee have cosponsored, S. 831, a bill which would do just that. The prompt passage of S. 831, which is currently awaiting action in the Senate Banking Committee, will ensure that States are not barred from doing their part to fight the genocide in Darfur. I also encourage this committee to urge Senate leadership to schedule a swift vote for S. Res. 76, the resolution regarding the regionalization of the Darfur conflict into Chad and the Central African Republic which was introduced by Senator Feingold and recently reported by the committee to the full Senate for consideration.

While there is no silver bullet or easy answer for Darfur, real progress can be made if substantive action is taken on the issues we've discussed today.

The CHAIRMAN. Thank you very much.

Dr. Morrison.

STATEMENT OF DR. J. STEPHEN MORRISON, DIRECTOR, AFRICA PROGRAM, CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES, WASHINGTON, DC

Dr. MORRISON. Chairman Biden, Senator Lugar, thank you for taking the lead, organizing today's hearings, and I'm grateful for the opportunity to be here to speak.

I'll organize my remarks around a few brief points. I believe our single goal—single dominant and defensible goal—still remains to seek a political settlement to end Darfur's internal war. We need to achieve this through concerted international means. We need to achieve a political settlement within Darfur that will replace Darfur's violent internal war with an interim cease-fire, a new form of governance under fair and just terms, backed by reliable and verifiable guarantees. And I believe there are no feasible alternatives. We need a strategy that is grounded in realism and patience. It is going to take 3 to 5 years to negotiate a way forward in Darfur. There are no quick fixes, there are no quick military options. Military options are a utopian diversion, in terms of grand interventions that are going to suddenly change the situation. We require a multilateral approach. We cannot act effectively without allies. We need the Security Council Perm Rep members. We need European allies, and we need African allies. And we need support within the Arab League.

In the current context of the war on Iraq, our standing in the world is severely compromised. To imagine that we're going to mobilize any array of support around anything other than a steady, pragmatic, negotiated peace settlement is simply unrealistic.

I am in support of continuing to keep our eye on the prize. The prize is a negotiated political settlement. Using various forms of sanctions, targeted sanctions, on Khartoum, as many that—of those sanctions that are, today, on the table, to service that goal can make a lot of sense if it is tied strategically toward getting to a settlement. Sanctions need to be put in force against Khartoum. They need to be put in force against the spoiler nonsignatory combatants in Darfur, who, as we've heard, are continuing to carry out atrocities.

Diplomacy has to have primacy in this effort. We have no choice. There are no close—there are no quick fixes to this. We need to give primacy to our diplomatic efforts to renew a Darfur political negotiation. We have an agreement, in the form of the Annan plan. We have renewed leadership, in the form of Jan Eliasson and Salim Salim. We have renewed leadership within the U.S. Government, in the form of Andrew Natsios and John Negroponte. We should be focusing that effort around what is realistic to achieve in moving forward a negotiated political negotiation and settlement for Darfur that builds off of the May 2006 Darfur Peace Agreement.

Sustained high-level U.S. leadership has been, for several years, a strategic element in achieving results in Sudan. The north-south

peace accord, the Comprehensive Peace Agreement of January 2005, only came about over a 3- to 5-year period through sustained U.S. engagement. Senator John Danforth made crucial contributions. Similarly, Deputy Secretary of State Robert Zoellick, in his role, made pivotal contributions in getting to the Darfur Peace Agreement of last May. They're hard lessons to the pattern of U.S. engagement. It has not been continuous, it has not been sustained, there have been breaks and lack of continuity, and we've—as we've seen with the May Darfur Peace Agreement, which, because of a lack of followthrough, fell apart.

I want to mention, also, while we're talking about the centrality of U.S. political leadership at a high level, that what is happening in Somalia does not help us. I know this hearing is not about Somalia, but our partnering with the Ethiopians in a counterterrorism campaign in Somalia, which is now beginning to turn very ugly for us, is widely seen within the region as anti-Islamic. It's now—we're now under allegations—perhaps true, perhaps false—of associating ourselves with a policy of renditions and war crimes. But we have provided the region—we've provided Khartoum, inadvertently, with a new angle for arguing about the lack of moral standing of the United States in putting a focus back on Darfur. And it's also widening the crisis within the Horn and focusing a broad—focusing—requiring a focus on a broader level.

There are scattered and uncoordinated international efforts today with respect to Darfur. I mentioned, earlier, the United Nations-African Union effort, led by Jan Eliasson and Salim Salim, offers the single best hope for moving this—for moving forward in this regard, for a renewed political process. It can be backed by sanctions, or the threat of sanctions.

I want to touch, briefly, on the sensitive issue of genocide, because that has been the dominant concern of this hearing. In the United States, there seems to be a broad consensus that what is happening in Darfur constitutes a continuous genocide. That view is not necessarily shared among our key allies in Europe, in Africa, in the Middle East. It is not necessarily shared by those who are operational on the ground in Darfur. This is a problem. We have not won the opinion argument, internationally, around this issue. And it's a problem. And it gets back to the point that unilateralism will not work in Sudan. Multilateralism will work. Talking about genocide may not be the lead argument in getting people to cooperate in a joint effort. Talking about a negotiated peace settlement maybe.

On the question of Chinese influence, I agree that there has been a subtle shift in China's approach to Sudan, a greater willingness to raise the issue with senior Sudanese leaders, and that there is an emerging consensus with the United States on implementing the three-phrase Annan plan as the best way forward. I agree that the Chinese are more public, and they are willing to dispatch, as they just did with Zhai Jun, the assistant secretary, to dispatch senior-level officials to Darfur, and to have them saying important things publicly that reinforce our position.

I also believe that, if we move toward sanctions, we're going to have to be very careful in how we execute them. If, for example, we begin to impose unilateral smart sanctions under plan B,

focused on select individuals and commercial entities, and these measures do not directly target Chinese economic interests, it's conceivable that these pressures could be raised through sanctions, while action in collaboration with China continues. However, if we, somewhere, somehow, along the line, step into an active campaign of vilifying China, threatening their strategic interests, or threatening, as many are proposing now, a boycott of the 2008 Olympics, we can pretty well rely on losing their cooperation in the Security Council and their cooperation in Khartoum, and, as we've seen recently, in Darfur. There are many specific things that can be tabled further with the Chinese as measures that they can move forward in this period.

Two last points:

Don't forget how important the humanitarian channels are. Two and a half million people, 13,000 humanitarian workers, billions invested. This is a U.S.—predominantly a U.S. achievement of leadership. This is a population that is highly vulnerable, both the humanitarian workers and those in the camps, the civilians that are imperiled and remain in the camps, and remain 100-percent dependent upon international handouts. We cannot treat this reality in a frivolous manner. We have to acknowledge that if we take a misstep and kick the pins out from underneath this operation, it will be catastrophic.

We also can't forget what is going on in the Comprehensive Peace Agreement between the north and the south, which has been overshadowed and overlooked in this period. I would argue that the south is in a period of governance-drift and increased interethnic tensions and violence. It has ingested over $1 billion of oil earnings. It's not clear to what purposes these are being placed. This is a nation-building exercise that the United States has embraced. It's a peace agreement that is unfolding that we bore central responsibility for. We need to pay higher attention to this if—in order to ensure that things go well.

Thank you.

[The prepared statement of Dr. Morrison follows:]

PREPARED STATEMENT OF DR. J. STEPHEN MORRISON, DIRECTOR, AFRICA PROGRAM, CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES, WASHINGTON, DC

Chairman Biden and Senator Lugar, I thank you for taking the lead in organizing today's hearing, and am grateful for the chance to contribute to this timely discussion of the U.S. approach to the Darfur crisis.

I wish to concentrate my remarks upon a few select points.

1. Our single most important and defensible goal should be a political settlement to end Darfur's internal war

It is important to be very clear on this core goal of U.S. policy in Darfur. At times that goal is not clearly stated or understood.

Realistically, our core aim must be to achieve through concerted international means a political settlement that will replace Darfur's violent internal war with an interim cease-fire, and create a new form of governance in Darfur under fair and just terms, backed by reliable and verifiable guarantees. There are no feasible alternatives. We cannot ignore Sudan, nor are we in a position to change its government or to directly enforce our will.

The goal of ending Darfur's war is contained in the Annan plan agreed to by the parties in Addis Ababa in November 2006. It makes an enduring peace settlement the key to offering a credible hope that Darfur's displaced and imperiled civilians can return to a safer, more stable and self-sustaining life. It offers a framework for coordinated international action.

Efforts to end impunity and bring to justice those the U.S. Government has accused of perpetrating genocide should be carefully disentangled from the core goal of ending Darfur's war.

Ending impunity in the immediate term will be difficult to reconcile with winning agreement to a negotiated peace settlement, including deployment of the African Union/United Nations hybrid force which Khartoum will continue to fear will be an instrument to arrest suspects in high-level positions of government. Ending impunity in Sudan can and should be realized in the medium to long term through action by the International Criminal Court. But more creativity is needed in the U.N. Security Council to find the means to phase ICC action so that it is not in conflict with efforts to end Darfur's war.

2. Diplomacy should be the centerpiece of the U.S. strategy

Success will not come from acting alone in an urgent search for quick fixes. Nor will it come through an overweening unilateral reliance on threatened punitive measures which are untied to clear diplomatic goals and which may distance us from our critical allies.

We should give primacy to diplomatic efforts to renew Darfur political negotiations, based on revisions to the May 2006 Darfur Peace Agreement. Such a negotiated settlement is the only route to ending violence against civilians. Smart sanctions and a strengthened African Union/United Nations operation are important instruments of pressure and means to protect civilians, but by themselves, in the absence of a political settlement, they will not stop the violence in Darfur. Progress requires realism, a predominant reliance on diplomacy backed at critical moments by focused, tough action, an accurate and timely assessment of facts on the ground, and patience and stamina.

Sanctions can be effective, if enforced in a strategic and balanced fashion to move the Government of Sudan and its violent proxies, the Janjaweed militias, and the nonsignatory Darfur insurgents back to the negotiating table.

The nonsignatory spoilers continue to fragment, resist reentry into serious political negotiations, derive lethal and logistical support from Chad, Eritrea, and likely Libya, and carry out high levels of violence against civilians. Khartoum is able to take full advantage of this confusion by playing rebel groups off of one another and co-opting them individually.

In this next phase, we need a smarter strategy for unifying and focusing the rebels on a realistic set of negotiating goals, at the same time that higher targeted pressures are directed at Khartoum. That requires enhancing the incentives to the scattered rebel groups to unite, and taking steps to reduce cross-border materiel support.

3. Sustained high-level U.S. leadership remains strategically important to achieving any results in Sudan

If we take our guidance from the negotiated conclusion to Sudan's north-south war, signed in January 2005, we can safely predict that progress will only be achieved over a 3- to 5-year period, driven by a sustained international diplomatic effort.

From 2001 through the end of 2004, Senator John Danforth, first as Special Envoy to Sudan and later as U.S. Ambassador to the United Nations, made crucial contributions to securing the peace between Sudan's north and south. While serving as Deputy Secretary of State, Robert Zoellick was similarly pivotal in moving the parties to the Darfur Peace Agreement.

Both these instances also generated a hard lesson: When there is a break in high-level engagement, a lack of continuity and follow-through, progress achieved can soon begin to unravel. We've seen that most poignantly in the failure thus far to implement the terms of the May 2006 Darfur Peace Agreement.

In this present phase, there is fortunately renewed high-level U.S. engagement.

The current Special Envoy, Andrew Natsios, has been very active since the latter part of 2006 in persuading the Chinese to begin to apply more pressure upon Khartoum, and in reviving a strategy to renew Darfur peace negotiation, led by U.N. Envoy Jan Eliasson and the African Union's statesman Salim Salim. He has gained access and credibility in Khartoum, among Darfur rebels, and in his dealings with the U.N. Secretary General and his deputies, the Chinese, British, and other members of the U.N. Security Council, and the African Union. No less important, Deputy Secretary of State John Negroponte will visit Sudan this week and be in a better position to help break the deadlock over political negotiations and the expansion into Phase II of the African Union/United Nations peace operation.

4. U.S. leadership should support a unified, robust international effort

Actions by both Andrew Natsios and John Negroponte can be vital to moving Khartoum and the Darfur rebels beyond recalcitrance. They can also be vital in overcoming scattered and uncoordinated international efforts.

Regional states are vying with different initiatives to convince rebel leaders to come behind a common agenda. The United Nations/African Union effort, spearheaded by Jan Eliasson and Salim Salim, offers the single best hope for a unified effort to promote a renewed political process and move international efforts beyond the present disarray. Every effort should be made by the United States, the U.N. Security Council, and others to strengthen this initiative and eliminate competition.

Building a robust international effort requires better monitoring of on-the-ground developments and a better shared estimate of current trend lines. At present there is no reliable, independent metric on civilian fatalities and armed violence by the Government of Sudan, its proxy militias, and the rising number of scattered insurgent groups. The result is continued confusion and controversy over the actual levels of violence, by which parties, and how accurately to characterize trend lines: e.g. whether what is unfolding in Darfur constitutes genocide, ethnic cleansing, war crimes, crimes against humanity, or random violence at the hands of brigands. Downstream, this uncertainty complicates efforts to judge whether individual agencies or movements are increasing or decreasing violence against civilians.

Atrocities are committed by all sides, but different parties are at different times responsive to pressures to honor cease-fires. Claims are made frequently by advocacy groups, many based in the United States, that genocide at the hands of the GOS and the Janjaweed militia persists. At the same time, confidential sources within the humanitarian community that is operational inside Darfur often claim that fatalities are far below levels that would constitute genocide but above the 1,000 fatalities per annum level that signals an ongoing internal war. At present, it is difficult to square these divergent estimates.

A unified international effort needs also to place Darfur in the context of a widening set of interlocking conflicts in the Horn of Africa, encompassing Chad, the Central African Republic, northern Uganda, and Somalia and Ethiopia. In important ways, the Horn has crept back toward the dark era of the 1980s when there were multiple tit-for-tat cross-border proxy wars that fed the Horn's endemic instability. One important implication for Darfur: There needs to be a higher priority attached to building effective firewalls, potentially through small focused U.N. border operations as well as through intensified diplomatic initiatives, that can separate Darfur's internal war from the surrounding region.

5. The United States should continue to give priority to leveraging Chinese influence

Notwithstanding China's important economic ties with Sudan and public adherence to the principle of noninterference, the last year has seen a subtle shift in China's approach to Sudan, a greater willingness to raise the issue of Darfur with senior Sudanese leaders, and an emerging consensus with the United States that implementation of the three-phase Annan plan is the best way forward to achieving peace and stability in Darfur. This shift has been driven in part by China's wish to promote itself as an ethical global power, in part by discussions with other African leaders invested in seeing the Darfur issue resolved, and in part by the threat of increasing international pressures and tensions. While the United States and China will continue to differ on respective assessments of the situation in Darfur and on appropriate tactics in its resolution, the United States should seek to build on China's emerging openness to play a constructive role in ending the crisis in Darfur.

International sanctions on Sudan could take different forms, and it is difficult to predict with precision how different sanctions might impact Chinese behavior and the ongoing dialog between the United States and China on Darfur.

If, for example, the United States were to begin soon to impose unilateral "smart" sanctions, under "plan B," focused on select individuals and commercial entities, and these measures did not directly or indirectly target Chinese economic interests, it is conceivable that pressures upon Khartoum could be raised through sanctions while action was taken to preserve the existing United States-Chinese consensus and pursue more robust United States-Chinese collaborative pressures upon Khartoum.

If, on the other end of the spectrum, actions were taken that overtly vilify China, directly target its economic stakes in Sudan, and threaten broader interests such as the 2008 Olympics, that would risk undermining the present United States-China dialog.

In between these two scenarios are intermediate options where sanctions might be put in place that do directly impact Chinese economic interests in Sudan and

where the impact on Chinese behavior and the United States-China dialog might be mixed.

Looking forward, we should continue to give high priority in our evolving dialog with China in seeking greater Chinese commitments that support in concrete terms the consensus on Darfur that has been forged between the United States and China. The Chinese can and should press for deployment of special Chinese military units to strengthen the African Union/United Nations force. China can and should use its leadership and public voice in the U.N. Security Council to hold Khartoum to account. China can and should further adjust its economic policies and instruments to signal that it is systematically distancing itself from Khartoum and deliberately lowering the priority of Sudan in its overall expansive engagement in Africa.

6. Higher attention is needed to protect fragile humanitarian channels

The United States has been the lead donor in creating on a crash basis an elaborate humanitarian operation in Darfur that sustains the lives of over 2.5 million and today relies on the courage and commitment of over 13,000 humanitarian workers. Since 2003, the United States has invested $2.7 billion in humanitarian support to Darfur. Programs now reach over 90 percent of those in need of assistance. This achievement, and its continued fragility, are often lost in the heated debate over Darfur.

High-value humanitarian commodities increasingly invite assault from the full range of armed actors inside Darfur: Violent attacks upon humanitarian convoys and workers, widespread theft of vehicles, and administrative harassment by the GOS. This is a dangerous trend.

If humanitarian operations become significantly more insecure, they will be at risk of a major sudden retrenchment which would have dire consequences for Darfur's vulnerable displaced population, the viability of the international humanitarian infrastructure, and the Darfur region's overall stability.

John Holmes, the new U.N. Under Secretary for Humanitarian Affairs, recently visited Sudan and negotiated with the GOS new terms for humanitarian access. Sustained followup will be needed to ensure compliance.

The CHAIRMAN. Thank you very much.

Dr. Morrison, can you recall whether any of our allies thought that what Slobodan Milosevic was doing was genocide? I don't recall any of them thinking it was genocide. Matter of fact, I was in, I think, every capital in Europe, and I was told by each of them, particularly the British, that this was a civil war, it wasn't genocide. Am I missing something here? I mean, can you think of any time where Europe has declared genocide in play recently? Any nation. Pick one for me.

Dr. MORRISON. I mean, this is a question of whether you feel that European opinion leaders or intellectuals are more—less——

The CHAIRMAN. No; it's not anything. I'm asking a simple question. It's a simple question. You made the point——

Dr. MORRISON. I don't think I'm really qualified to answer the question——

The CHAIRMAN. Sure you are. You know whether or not——

Dr. MORRISON [continuing]. With respect to——

The CHAIRMAN. You're a very bright guy——

Dr. MORRISON [continuing]. Kosovo——

The CHAIRMAN [continuing]. You're very well informed. Can you recall any government, during the late eighties, early nineties, in Europe, saying what Slobodan Milosevic was engaged in was genocide? Name me one. Now, you were around as long as I am. This is your full-time day job. You know, I mean, you know, you do it all day. Can you think of a—the point I'm making is that you point out that there is not a consensus that there's genocide going on in Darfur, among our allies and others, as if that carries any weight, other than whether or not we'll get their cooperation. You offer it as it might go to the facts as whether or not genocide has occurred.

I'm just giving you the last recent example of genocide. I remember, for 3 years, if not being the lone voice, one of the lone voices out there saying genocide is being conducted by a guy named Slobodan Milosevic out of Belgrade, and I remember being lectured by the British, the French, the Germans, everyone, "No, it was not genocide," including many here in this country.

And so, I guess all I'm saying is, the fact that our friends don't recognize what's going on is genocide doesn't lend any credibility or weight, to me, that there is or is not genocide. I just wondered if you had heard anybody reference genocide.

And I would respectfully suggest one of the reasons why our European friends and others don't want to recognize this as genocide is that it is a trump card. Once a nation engages in genocide—a government—there is an implicit understanding that they have forfeited their sovereignty. There's no legal understanding of that. There should be, in my view. But there is no legal understanding of that, under international law. But that changes the whole dynamic.

The reason why guys like me have been pushing for 4 years to say this is genocide is to create that exact atmosphere, to make it impossible for people to argue—not impossible—difficult for them to argue that somehow Khartoum has legitimacy. I believe they have no legitimacy. I believe they have forfeited their sovereignty because of their concerted engagement in a policy of genocide. That's just me.

So, I just—I find the argument that none others say this is genocide—I don't remember anybody else in 1989, 1990, 1991, 1992, 1993, 1994, saying genocide existed in the Balkans, in Bosnia. That's the only point I want to make.

I used to have a friend——

Dr. MORRISON. Mr. Chairman, may I make——

The CHAIRMAN. Please.

Dr. MORRISON. May I just make——

The CHAIRMAN. I'd invite——

Dr. MORRISON [continuing]. One comment?

The CHAIRMAN [continuing]. Your comment.

Dr. MORRISON. I mean, the—what I'm trying to put a focus on is the practical political problem of attempting to enlist support for the kind of actions you're talking about.

The CHAIRMAN. Well, I'm not asking for support. I think the only way you're going to get support is act. The only way we got support in the Balkans is, we acted, we shamed the French Government into acting. Their public thought, in overwhelming numbers, it was genocide. The French Government said it was not. I remember, my detailed discussion with the President and then-Secretary of State in the Oval Office, and asking, "Well, if we act, who will follow?"; said, "They will follow, because they cannot fail to follow." Do you think that anybody in the European populations think what's not going on is genocide, notwithstanding what their governments think?

So, I guess what I'm saying to you is, we come at this from a different perspective. I agree with Mr. Rossin, when he said that he—I don't know his exact quote—he said that diplomacy without stiff sanctions to back it up has—is not likely to work. I don't know

that he ever—I don't know that he used the phrase "never work," but is not likely to work. And so, I approach this from a completely different perspective than you. I respect your point of view. You're a very learned fellow. But I just think that if you start off with the proposition that Khartoum has no interest in a political settlement—it has no interest—what is their interest in a political settlement?—and then you would argue, "Well, if they have an interest in the political—they have no interest, then you have to sanction them." Well, what sanctions are going to be sufficient enough for them to conclude that changing a fundamental policy is in their interest?

And you point out: We lack moral standing. I agree. This administration has squandered our ability to be able to lead the world in a positive direction. But if we lack moral standing in the use of force, we clearly lack it in diplomacy. I mean, if we lack it one place, we lack it both places. Matter of fact, the only place we're—at any rate, I apologize for—I just—we just start off with a fundamentally different premise, and I think in 5 years there'll be another 500,000 or million people dead, maybe more.

And I would say, to Susan—excuse me—I would say to the Honorable—that, you know, it is true, there weren't that many who had died in Kosovo, but 300,000 had already died in the Balkans—300,000. So, I don't want to—you know, I happen to agree with you about Darfur. But I think these comparisons—I'd—we acted, in Bosnia, under much less—much less consequence to the people. There was a gigantic consequence in our failure to act. It ended up with 300,000 women and children being dead. And when we acted—when we acted, finally, thank God, in Kosovo, there were 295,000 women and children in the mountains waiting for the winter to come, about to be starved to death. And so, I think they're—in that sense, they're comparable. What is not comparable is Presidential leadership, in my view.

But my time is up. I'm 33 seconds beyond it. I don't want to, in any way, curtail any response to what I had to say, but let me yield to my friend, and then invite any response you'd have to anything I said.

Senator LUGAR. Well, thank you very much, Mr. Chairman.

Let me just say that I've really come to this question period without wanting to argue with any of the witnesses, and I think this has been a very important educational experience, for each Senator and for those who are with us in the audience today, to consider a number of options, some of which have been argued, but, I think, none so persuasively.

I appreciate, in a personal way, the reunion with Susan Rice. I think her service was remarkable in a previous administration, and we once, Mr. Chairman, served on a selection committee for Rhodes Scholars, and I learned of her brilliance and analytical ability at that time.

But let me just say that, as I listened to courses we might take—for example, you mentioned, Dr. Morrison, that we've embarked on nation-building. And—maybe—but this worries me. Not that we should not do this. I'm one who has argued, for some time, along with the chairman, that nation-building is probably very important. We've even argued with the State Department to try to

employ persons, in some numbers, who might be helpful in this respect, given the number of failed states, broken nations around the world. But we're not really at that point, as a government. Our capabilities are still very limited.

So, for instance, when the chairman conducted hearings prior to the invasion of Iraq, and we tried to think through what it would mean if Saddam fell, if the Government of Iraq was no longer functional, the amount of testimony we had was pretty sparse on the part of the administration and with regard to the rest of the intellectual community, not measured—better informed. This is very tough stuff, but important.

And the reason I pursued the questions I did with Andrew Natsios, is that, at the end of the day, we're trying to think, obviously, not only how to save people from being killed, but how they're going to live successfully, how 2½ million people are going to regain stature, their livestock, their lands. And we have, at least with Sudan, if we were to look at it from the nation-building standpoint, a revenue stream of oil, which is sometimes not available even after humanitarian crises are solved.

Now, in this particular case, it seems to me there is a further thought, and that is, with 13,000 humanitarian workers, which you've mentioned are on the ground, their safety is of substantial importance for us. I've listened carefully to Dr. Rice and her comments—but to get into a military action at this point, enticing as this might be, would perhaps stimulate countermeasures—counteractivity against those humanitarian workers. So, the question is: How do we protect the process of feeding 2½ million people while military action occurs? Now, you could argue that the military action is very limited, that the bombing of airfields or strikes against aircraft, the knocking out of various equipment, really just shows more that we're serious, I suspect, rather than to overthrow the Government of Sudan. But I'm not certain what the consequences are of that. It may be important to do, ultimately. This is one option I would want to walk around a good bit before we have commitment of military force on the part of the United States, and especially unilaterally.

Now, mention has been made that our forces are stretched, at this point. Well, this could lead to another debate about Iraq, whether we should have devoted as much there, with all the crises that go on in the world. An important point. But the fact is, even as we speak today, the problems of recruitment for our Armed Forces, the issue of re-upping Reserves who would not expected to be called back, is crucial. Now, maybe you believe we can segregate the Air Force from all of this. I'm not certain it ever works that neatly.

So, these ruminations that I have, listening to all of this, lead me to—still to believe that probably the diplomatic track is the important one; that if the sanctions are especially brilliant, they may be helpful. It turns out, I think, in the North Korean situation, that sanctions imposed by the U.S. Treasury with regard to the Macao Bank were peculiarly effective in ways that a whole raft of sanctions against North Koreans for years were not particularly effective.

Now, there's not equivalence between those two states, nor specifically what we're looking for. But I would want to think through, with all of you, as the expert panel, what combination is likely to be effective, and how do we avoid, as you've suggested, alienating the Chinese—who have been very effective with us in the North Korean negotiations; also, potentially, with the Europeans, an effective combination of states and activities, if we are able to bring about such a coalition, with regard to Darfur and Sudan.

So, let me just simply ask this question. What kind of preparation do you believe our Government must have before we can be effective, in terms of a Sudan? Leave aside whether we build it or not. What can, in fact, offer the possibilities of economic security for its population, north and south, and interact with the rest of the world? If we become involved in that question, it seems to me, we may have a business plan that works so that, finally, we come to the end of the day with some long- and short-term humanitarian benefit for everybody. Now, does anybody want to comment about any of this?

Yes, sir.

Ambassador ROSSIN. Thank you, Senator. That's a complicated package, obviously, and I'd just like to make a couple of observations, because I think there is an answer to it.

I think, first of all, the points you've raised raise questions of prioritization. And, as you noted, we have all these people out there living in these extremely dire situation in camps, lots and lots of people beyond the reach of any humanitarian assistance at all, and no real security for any of the people inside or outside the camps. We have the situation where, never mind the threat of military action, even the kind of diplomacy that goes on now that occasionally may have some little saber-rattling—never fulfilled, but some saber-rattling associated with it, reportedly has consequences, in terms of Sudanese obstruction of, and attacks on, humanitarian workers in the field. So, that situation is very tenuous, in any case.

But I think our certain—certainly, our view would be that the first priority has to be to save the people of Darfur before we can really talk about either a political settlement that will be sustainable in the long run or, indeed, economic reconstruction for their return home, and so forth. They've got to be alive in order to do those things. And right now, that's an issue that's up in the air.

There is a real challenge here in balancing the humanitarian imperative of keeping these people alive now, and the diplomatic imperative of moving to a situation where they won't need to be refugees anymore, and where they can go home and live in a self-sustaining peace. I don't think any of us has a clear answer to that, how you balance that off.

I would also submit, however, that, in our contacts with the administration officials, and, indeed, in our contacts with foreign government officials, we haven't found them devoting particular attention to trying to resolve that conflict themselves. And I think that that's their duty. They have to really walk and chew gum on this issue, and they have not been doing either of those things, in our assessment.

The diplomatic track—sanctions, plan B, no-fly zone, whatever you want to call these things—may have some important imme-

diate effects, but really no-fly zone or other actions that would help secure the people of Darfur from violence. But all of that stuff really does need to lead back to plan A, which is a diplomatic process that leads us away from a Sudan that is killing its own people and that should be, anyway, a pariah in the international community. And we think that it's possible to do that with more intensive diplomacy, with more leadership on the part of our Government, working in partnership with other governments, to build a coherent and a sustained diplomatic approach toward Sudan. This was done when Sudan was harboring terrorists in the 1990s. It was done in order to reach the solution in south Sudan. We're just not seeing it happening here on Darfur. We're puzzled why. We're puzzled why plan B keeps getting kicked down the road, and all the other things that were discussed in this hearing.

I think that what needs to be done, in essence, Senator, is to identify the pieces of a formula for a long-term reconstruction of Darfur, the pieces of a coherent Sudan policy that balances off considerations of progress in the south against the needs of Darfur, and then, finally, preparation, which will take time to identify both the resources and the strategy, for a reconstruction in Sudan, as a whole—not just Darfur, but south Sudan. But first, people have to be kept alive, and the genocide has to be ended.

Thank you.

Senator LUGAR. Dr. Rice.

Dr. RICE. Thank you, Senator Lugar. Thank you for your kind words, in particular.

And I'd like to respond to your very important and complex question. I also want to address, briefly, Senator Biden's point.

And just to say, Senator Biden, I certainly agree with you, we did the right thing, be it belatedly, in Bosnia. The toll there was enormous. And I don't mean to suggest that we didn't. I absolutely agree. All I'm suggesting is, we did the right thing there, and it's past time to do the right thing in Darfur.

I think, as Ambassador Rossin pointed out, it's important to recall we're dealing with multiple complex crises simultaneously in Sudan. We have the nation-building endeavor of implementing the north-south Comprehensive Peace Agreement, which is falling behind. We have genocide overlaid on a civil conflict in Darfur. We have another conflict, in fact, in the east of Sudan. We have a repressive regime that is a serious abuser of human rights. And we have a wider regional conflagration.

So, ultimately, ideally, we'd be addressing all of those things. But I think Ambassador Rossin makes a critical point, that we have to prioritize, and that stopping the genocide and the threat to civilians is the first priority.

I want to be clear. I didn't come to the conclusion that we ought to use military force, even limited strikes, casually or quickly. I, like you, Senator Biden, am not crazy about killing people. But I do think that at a certain point we have to ask when enough is enough.

This genocide, as many have pointed out, has been going on 4 long years. For the first year, the United States essentially ignored it, because we had other priorities, we didn't want to upset the applecart with Khartoum. And then, frankly, it was Congress that

made it impossible for the administration to continue to ignore it. And you all recall well what happened in 2004 with Congress leading the way, calling it genocide, the administration eventually agreeing, and the President and Secretary Powell making that declaration.

In the interim, we have pursued negotiations as the principal vehicle of trying to end the genocide. Three years later, we're still essentially at square one. We don't have a sustained negotiated settlement. The genocide continues. And we have issued threat after threat after threat, and never implemented it. So, as Senator Menendez suggested, we're really sending the message to the Sudanese Government that, "We're going to blow smoke in your face and scream and yell, but, at the end of the day, we're not going to do anything." And if that's the message that this government takes, then there's nothing to persuade it not to continue the genocide.

And so, as you suggested, yes; in part, the rationale for our proposal is to show the Sudanese Government that we are, in fact, finally serious.

This is not a major military power that we're talking about, the Government of Khartoum. It is not even the Milosevic government, which was rather formidable, and which we took care of rather handily. This is an overstretched, torn-in-three-directions, still-third-rate military. And what is lacking from us is a demonstration, a credible demonstration, of resolve. If you know the history of U.S. dealings with Sudan—and, indeed, Sudan itself, as I know you both do—you'll recall that the Sundanese Government responds almost only when the credible threat or the use of force is applied, or meaningful economic pressure.

And that's why I advocate, and wish it had happened earlier, the full implementation of all the aspects of plan B as quickly as possible. Let's hope that works. Second, the issuance of an ultimatum, preferably from the Security Council, that signals to Khartoum that, in fact, the game is up, and, if they don't admit a U.N. force unconditionally, then they face the threat of the use of force. And then, finally, a limited and targeted use of force, with the aim of, as we did very effectively in Kosovo, keeping the pressure on the regime to admit a credible international force to protect civilians.

Senator LUGAR. Thank you.

The CHAIRMAN. I have one question, if I may. Ambassador Rossin, you talked about the mechanisms that need to be set up even to implement plan B. Do you have any indication as to how far down the road the administration is in equipping the administration to actually implement plan B, if it were signed by the President tomorrow?

Ambassador ROSSIN. The short answer to your question, Senator Biden, is no; I have no actual information. However, we did a lot of research on these issues, once we heard what plan B was likely to entail, in order to understand better what it does take, building on the experience from Yugoslavia sanctions, for example, at the end of the nineties. And all of the pieces that were described to us that made the Yugoslavia sanctions as effective as they were, do not appear to be in place at all. We're told that they may be being set up now, but I didn't get very much assurance of that, I have to say, from Mr. Natsios's testimony today. Neither—certainly,

there's not adequate staff resources being utilized, being made available for this issue right now in the Office of Foreign Assets Control. We know that; we've talked to people there. We know that there is no task force on Sudan, on Darfur, in the intelligence community, which would be required to identify, substantiate, meet the legal standards for, and then enforce, sanctions against Sudanese entities that might be designated. That's something that's not in existence now in the intel community.

There clearly is no very, very senior sanctions czar in existence now, nor do we know of one being considered for appointment, on the order of the Vice President's National Security Advisor, Leon Fuerth, who filled that role on the Yugoslavia sanctions at the end of the 1990s, somebody who was very close, very short communication chain to the President, and, when the bureaucracy, as they always do on these things, started making it difficult on very technical and very labor-intensive issues, could go in there and really knock heads and say, "Get to work. The President has given a direction. You work for the President. Stop quibbling."

Finally, of course, sanctions, to be effective, do need to be, or at least to the extent possible they need to be, multilateralized and international. And, again, here I've spent a lot of time over the last 2 months in Europe—in Germany, in Brussels, in Paris, in the United Kingdom—talking about, and pushing for, EU sanctions action. And not only has there been no such action, and there's none pending, the quotes that Mr. Natsios gave, I'm familiar with, because I was in Germany when they were made by Angela Merkel, and they were only as a result of pressure from EU cultural leaders and others at the time of the EU 50th anniversary event.

There's no currently existing, nor do we hear anything about the appointment of, somebody on the order of Ambassador Victor Comras, who, again, during the Yugoslavia sanctions in the nineties and early 2000, was, with a large staff, constantly on the road, constantly harassing countries to enforce the sanctions on the Danube, to, you know, do all of the really, really difficult detail work that's needed to make sanctions effective.

So, the short answer, Senator, is no.

The CHAIRMAN. And I know there's no way you can answer with any great specificity, but if, tomorrow, the President turned to you and said, "Set these mechanisms up," how long would it take?

Ambassador ROSSIN. I think if the President said to do it, and put somebody in direct charge of it, and said, "I want this done," I think it could be done in a matter of a couple of weeks. The resources are there. In many cases, it's a question of allocating resources. If you don't have a Sudan task force in the intelligence community, well, you take people from other less-priority issues, and you assign them to a Sudan task force. Same thing in Treasury; you appointed yourself an envoy. It doesn't take that long to do it, if you're determined.

The CHAIRMAN. Dr. Morrison, leaving military option off the table, and a more aggressively diplomacy, do you agree with the Ambassador, in terms of the lack of a mechanism in place to aggressively engage in diplomacy with the potential use of economic sanctions?

Dr. MORRISON. It's—you mean with reference to other powers, or——

The CHAIRMAN. No; with reference to us. With reference to the United States, not only acting on its own, but seeking multilateral support for the actions that are contemplated in plan B. In other words, how prepared are they, if it—if, tomorrow, the President turned to Ambassador Natsios, and says, "Go. I'm signing the order," how prepared for this vigorous diplomacy that you very skillfully argue for—how prepared are we to implement it?

Dr. MORRISON. I can—I share Larry's general sense about this, that much more can, and should, be done to lay the groundwork for the embrace and advance and multilateralization of these. It's a little hard to get very precise, because so much of the preparations have been done in quiet and out of—you know, out of sight. And so, I haven't been—I haven't been privy to much of the prior discussions. I think some of the hesitation in introduction has to do with the lack of buy-in on the other side, in the sense that it—you might find yourself alone, or too alone, or too visibly or conspicuously alone. And so, there's been a tendency, under those circumstances, to be very cautious and to begin to break them into incremental steps that perhaps would be more digestible.

The CHAIRMAN. From the standpoint of EU members, what incentive—other than a moral incentive, what incentive is there to engage in, and participate in, multilateral sanctions? Is there any economic or political or military or strategy interest that major EU countries think is at stake for them if the situation in Sudan continues, and Darfur continues, as it has the last 4 years?

Dr. MORRISON. If we're talking about Sudan, specifically, I think—you know, Susan's point, earlier, that this is—this is not a major economic or military or political power we're talking about. The implications for trade are—and investment exposure—are relatively modest. Like all of these—like ourselves and every European government, they're going to look at this in terms of the implications downstream in other settings.

The CHAIRMAN. And what are those?

Dr. MORRISON. And——

The CHAIRMAN. What are some of those implications downstream in other settings for European countries?

Dr. MORRISON. Well, I think that the—the fact that the—these kinds of sanctions have been used to reasonable effect on North Korea, and are being implemented in Iran, gives a credibility and——

The CHAIRMAN. Yeah, but there's a lot at stake there.

Dr. MORRISON [continuing]. And——

The CHAIRMAN. I mean, there's the——

Dr. MORRISON [continuing]. And——

The CHAIRMAN [continuing]. Possibility of a nuclearized Korean Peninsula, a nuclear Japan, and a response from China. What similar kinds——

Dr. MORRISON. Yes; but what I'm getting at is that it's proven that these can be—these can have some impact on the target—the target of the sanctions, without having huge costs that are——

The CHAIRMAN. Yeah.

Dr. MORRISON [continuing]. That are sideline costs. That's what I'm——

The CHAIRMAN. I understand. Yeah. That's a valid point.

Yes, Susan.

Dr. RICE. Senator, in part to answer your question, the French, at least, have a significant stake in the stability of Chad and the Central African Republic. They have French forces based in Chad. And when this thing blows up, as it has intermittently, it's been French forces that have had to backstop the Chadian Government to prevent the Sudanese rebels from reaching N'Djamena. So, when you look at the issue in its regional context, you begin to see many implications for various of the interests of the European countries.

The CHAIRMAN. Last question. Susan, the point made by Senator Lugar is self-evidently valid, that this is pretty complicated. And, to use his phrase, it warrants walking around the problem a little longer. You've walked around it for a while. If, in fact—is there any—do you have any reason to believe that if, in fact, we move through the three phases you're talking about before we get to unilateral use of force, or even multilateral use of force, is there any reason to believe that in the circumstance of the use of force—targeted, as you point out—that there would be the ability of any significant portion of the 13,000 aid workers to be able to continue to function in that region, or do you—or do you take it as a given that, for all intents and purposes, unless the military action generated a response from Khartoum that was favorable, in terms of changing their position, that it would be a price that would have to be paid? How do you calculate it?

Dr. RICE. I think, whether we're talking about the imposition of a no-fly zone or targeted military strikes——

The CHAIRMAN. Targeted military strikes.

Dr. RICE [continuing]. That—either one—in either circumstance, because they're—in practical terms, amount to more or less the same thing. There are—there's obviously, as you suggest, a significant risk to humanitarian operations. I think there are ways, as I suggested in my testimony, to mitigate those risks. First and foremost, to try to spare aircraft and airfield that are integral to the humanitarian operations, having a quick-reaction capacity on the other side to protect civilians at risk. But, in fact, we would need to assume that there would likely be an interruption or diminution in humanitarian activity. And that's a legitimate reason for concern.

The question then becomes, though—and we faced this dilemma, in effect, in the Balkans; you referred to British troops being at risk, and, therefore, them being used as an excuse not to pursue more robust action to stop the genocide, in the case of Bosnia—we face the same thing. There is an understandable and laudable desire on the part of the humanitarian community to continue to deliver life-saving assistance. But is our plan to do that in perpetuity, while the killing continues, or, in effect, putting Band-Aids on the victims of the genocide, or is it necessary, at a certain point, to try to stop it? I've come to the conclusion, gradually and reluctantly, that it is not only necessary to stop it, but more robust action than we've taken to date will be required to stop it. I don't rule out the possibility that serious economic pressure, if it were sharp

and severe and swift, not incremental, as Mr. Natsios laid out, has the potential to get Khartoum's attention and begin to change their calculus. But, if it fails, then we face that dilemma of whether we continue to let this go on forever, and feed the victims, or whether we, in fact, try to stop it. And then, as Senator Lugar suggested, get into the complex and important work of trying to put the entire region back together again, with the involvement of our European partners and others.

The CHAIRMAN. Well, I thank you. I thank you all. This is—all three of you have made a significant contribution to our deliberation, and I appreciate it very much. I think we're going to be asking your assistance again. I doubt whether this is going to go away.

I thank you very much.

The hearing is adjourned.

[Whereupon, at 12:45 p.m., the hearing was adjourned.]

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