



**Ambassador (Ret.) Lawrence G. Rossin
Senior International Coordinator of the Save Darfur Coalition**

Testimony before the Senate Foreign Relations Committee

April 11, 2007

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 organization which together have worked for nearly three years toward one overriding goal: to end the genocide in Darfur.

Beginning in February of 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 UN Security Council has issued a litany of resolutions, including Resolution 1706 which authorized 22,500 as-yet un-deployed UN peacekeepers for Darfur, and two Secretaries-General have declared resolving the crisis a top priority.

Civil society in the U.S. 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 U.S. 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.

Indeed, 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 under-funded and under-manned 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 de-escalation 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. UN 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 UN Security Council passed Resolution 1706, authorizing a robust peacekeeping force of 22,500 UN 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 UN boots on the ground. More than seven months have passed and only a few dozen UN advisors have actually been deployed. If the UN fails to deploy a force to Darfur, it will be the first time in history that a UN 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 UN 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 UN-AU 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 UN 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 Sec. 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 UN 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 four 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 UN 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 four 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 UN 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 UN Secretary-General's recent call for deferral of Security Council debate of mandatory UN sanctions so that his diplomacy could have more time – the *nth* iteration of that failed sequence that has cost lives in Darfur – the US 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 UN 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 UN 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' 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 UK 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 UN 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 U.S. 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, UN, 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 peacekeeping 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 UN or hybrid UN/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 UN 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 UN 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 UN force in South Sudan (UNMIS) and for a Darfur mission – the U.S. contribution should be \$675 million in Fiscal Year 2008 to the UN 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 UN 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 US 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 UN Peacekeeping account if deployment of a UN 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.

Thank you. I look forward to your questions.

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