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## **Sudan: The Darfur Crisis and the Status of the North-South Negotiations**

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# Sudan: The Darfur Crisis and the Status of the North-South Negotiations

## Summary

The ongoing crisis in Darfur in western Sudan has led to a major humanitarian disaster, with an estimated 1.5 million people displaced and more than 200,000 refugees forced into neighboring Chad. While there are no reliable estimates of the number of people killed as a result of the conflict, some observers estimate that up to 70,000 people have been killed from 2003 to the present. The government of Sudan has denied or severely restricted access to international relief officials in Darfur, although some aid is now flowing to the area. Violence against civilians, however, continues unabated, according to United Nations officials. U.S. Agency for International Development (USAID) officials assert that up to 320,000 could die by the end of 2004, irrespective of the international response.

In August 2004, the African Union deployed 305 troops from Nigeria and Rwanda to protect an estimated 80 cease-fire monitors in Darfur. The mandate of these troops is to monitor a cease-fire agreement reached in April 2004 between the government of Sudan and two rebel groups: the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM). In late September 2004, the government of Sudan agreed to accept 3,500 more troops, although the mandate of the African Union force does not allow it to protect civilians. Meanwhile, in September, negotiations between the government of Sudan and the SLA/JEM, under the auspices of President Obasanjo of Nigeria, the current Chairman of the African Union, ended without much progress. On July 30, 2004, the United Nations Security Council passed a resolution (1556) calling on the government of Sudan to disarm the Janjaweed militia and to provide unfettered access for humanitarian relief agencies. The resolution also imposed an arms embargo on "non-governmental entities and individuals" in Darfur. In September, the Council passed Resolution 1564, calling on the government of Sudan to cooperate with an expanded AU force and threatened sanctions if the government fails to meet the Council's demands.

Meanwhile, Sudan remains divided by a civil war between the North and South, and the three-fold negotiations are expected to conclude by the end of 2004. On May 26, 2004, the government of Sudan and the Sudan People's Liberation Movement signed three protocols on Power Sharing, the Nuba Mountains and Southern Blue Nile, and on the long disputed Abyei area. The signing of these protocols resolved all outstanding issues between the parties, although they must still negotiate and agree on a comprehensive cease-fire and modalities for implementation. On June 5, 2004, the government of Sudan and the SPLM signed the "Nairobi Declaration on the Final Phase of Peace in the Sudan." The declaration restated that the parties have agreed on the following: the Machakos Protocol (7/20/2002); Agreement on Security Arrangements (9/25/2003); Agreement on Wealth Sharing (1/7/2004); Agreement on Power Sharing (5/26/2004); Protocol on Southern Blue Nile and the Nuba Mountains (5/26/2004); and Protocol on the disputed Abyei Area (5/26/2004). Since the signing of the Nairobi Declaration, however, the talks have been stalled. For more information on Darfur and the North-South negotiations, see CRS Issue Brief IB98043. This report will be updated as the situation warrants.

## Contents

The Crisis in Darfur .....	1
Background .....	1
The Current Crisis .....	1
The Military Campaign and Human Rights Abuses .....	2
Factors Contributing to the Darfur Crisis .....	3
Key Players in the Darfur Campaign .....	4
 The Humanitarian Situation and the U.S. Response .....	6
The African Union and the Crisis in Darfur .....	6
 Prospects for a Negotiated Settlement in Darfur .....	8
 Visits by U.S. Secretary of State Colin Powell and U.N. Secretary General Kofi Annan .....	10
 The International Community's Response .....	11
 The Debate Over Genocide .....	13
 The Darfur Crisis and Impact on the North-South Negotiations .....	16
 Policy Options on Darfur and the North-South Negotiations .....	17
Engagement .....	18
Working With Moderates .....	18
Sanctions .....	18
Regime Change .....	18
Implementing the North-South Agreements .....	18
International Intervention .....	19
 Legislation .....	20
 Appendix 1. State Department List of Janjaweed Leaders .....	21
 Appendix 2. List Issued by Members of Congress .....	22
 Appendix 3. Projected Mortality Rates in Darfur, Sudan 2004-2005 .....	24
 Appendix 4. Confirmed Damaged and Destroyed Villages .....	25

# Sudan: The Darfur Crisis and the Status of the North-South Negotiations

## The Crisis in Darfur

### Background

The current crisis in Darfur began in February 2003, when two rebel groups emerged to challenge the National Islamic Front (NIF) government in Darfur. The Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM) claim that the government of Sudan discriminates against Muslim African ethnic groups in Darfur and has systematically targeted these ethnic groups since the early 1990s. The government of Sudan dismisses the SLA and JEM as terrorists. The conflict pits the three African ethnic groups, the Fur, Zaghawa, and Massaleit, against nomadic Arab ethnic groups. Periodic tensions between the largely African-Muslim ethnic groups and the Arab inhabitants of Darfur can be traced to the 1930s and most recently surfaced in the 1980s. Successive governments in Khartoum have long neglected the African ethnic groups in Darfur and have done very little to prevent or contain attacks by Arab militias against non-Arabs in Darfur.<sup>1</sup> Non-Arab groups took up arms against successive central governments in Khartoum, albeit unsuccessfully. In the early 1990s, the NIF government, which came to power in 1989, began to arm Arab militias and attempt to disarm the largely African ethnic groups.

### The Current Crisis

The current conflict in Darfur burgeoned when the government of Sudan and its allied militia began a campaign of terror against civilians in an effort to crush a rebellion and to punish the core constituencies of the rebels. At the core of the current conflict is a struggle for control of political power and resources. The largely nomadic Arab ethnic groups often venture into the traditionally farming communities of Darfur for water and grazing, at times triggering armed conflict between the two groups. Darfur is home to an estimated 7 million people and has more than 30 ethnic groups, which fall into two major categories: African and Arab. Both communities are Muslim, and years of intermarriages have made racial distinctions impossible. Fighting over resources is one of several factors that has led to intense infighting in Darfur over the years. Many observers believe that the NIF government has systematically and deliberately pursued a policy of discrimination and marginalization of the African communities in Darfur, and has given support to Arab militias to suppress non-Arabs, whom it considers a threat to its hold on power. In 2000, after the ouster of the founder of the NIF, Hassan al-Turabi, and a split within the Islamist Movement, the government imposed a state of emergency and used its

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<sup>1</sup> International Crisis Group (ICG). *Darfur Rising: Sudan's New Crisis*. March 25, 2004.

new authority to crack down on dissidents in Darfur. By 2002, a little-known self defense force of a largely Fur-dominated group emerged as the SLA, challenging government forces in Darfur.

With the NIF regime internally in turmoil and mounting international pressure to end Sudan's North-South conflict, the SLA and JEM were able to gain the upper hand in the initial phase of the conflict against government forces in early 2003, and appeared well armed and prepared. The rebels also enjoyed the support of the local population, as well as officers and soldiers in the Sudanese army. A significant number of senior officers and soldiers in the Sudanese armed forces come from Darfur. The SLA reportedly benefitted from outside support, including from fellow Zaghawa in Chad and financial support from Darfur businessmen in the Persian Gulf. The government of Sudan has accused Eritrea and the Sudan People's Liberation Movement/Army (SPLM/A) of providing support to the SLA.

The government of Sudan has also accused the founder of the NIF, Hassan al-Turabi, of having links with JEM. Some observers say that Turabi, through his supporters, provides political and financial support to JEM. In late March 2004, Turabi was arrested along with a number of senior army officers. The government claimed that Turabi was behind an attempted coup, although officials in Khartoum seemed to back away from that claim by mid-April 2004. In late September 2004, the government of Sudan, once again, accused supporters of al-Turabi of an attempted coup. The government arrested more than 30 people, including military officials.

## **The Military Campaign and Human Rights Abuses**

In mid-2003, the government of Sudan significantly increased its presence in Darfur by arming Arab militias, collectively known as the Janjaweed, and by deploying the Popular Defense Force (PDF). The Janjaweed, under the direction of regular government forces, reportedly unleashed a campaign of terror against civilians.<sup>2</sup> The Arab militia engaged in what United Nations officials have described as "ethnic cleansing" of the African ethnic groups of Darfur. Men have been summarily executed, women have been raped, and more than 200,000 people have been forced into exile in neighboring countries.<sup>3</sup> In early February 2004, the government launched a major military offensive against the rebel forces, and in mid-February 2004, President Omar Bashir, in a nationally televised speech, declared that the security forces had crushed the SLA and JEM, and offered amnesty to the rebels.

The forceful expulsion of the mainly African ethnic groups from their homes was done in a deliberate, sequenced, and systematic way, according to a briefing paper on the Darfur crisis by the Office of U.N. Resident and Humanitarian Coordinator for the Sudan. The report describes the mechanisms used to cleanse the area of non-Arabs by "total disengagement of administration and suspension of all

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<sup>2</sup> Office of the United Nations High Commissioner for Human Rights (UNHCHR), *Report of UNHCHR Mission to Chad*, April 2004.

<sup>3</sup> U.S. Agency for International Development Bureau for Democracy, Conflict, and Humanitarian Assistance, Office of U.S. Foreign Disaster Assistance, *Darfur-Humanitarian Emergency. Fact Sheet #16, Fiscal Year 2004*. July 30, 2004.

government services.”<sup>4</sup> These include suspension of most government functions, including payment of salaries to government workers, and the abandonment of basic government services, such as health care and law enforcement. According to the United Nations, once government officials leave these communities, the people are then accused of being rebel sympathizers and are targeted by government militias. The Janjaweed burn villages, loot the properties of the non-Arabs, abduct children, rape women, and prevent people from returning to their homes.<sup>5</sup>

## Factors Contributing to the Darfur Crisis

The timing of the Darfur crisis caught some observers by surprise. After over a decade of international isolation and devastating civil war, prospects for peace and comprehensive political solution to Sudan’s long, debilitating political impasse looked promising. The government of Sudan and the Sudan People’s Liberation Movement (SPLM) had reached a comprehensive peace agreement in May 2004, after two years of intense negotiations. The country witnessed two years of relative peace and stability during the period of negotiations, while the NIF government emerged from its international isolation. When the Darfur crisis first erupted in early 2003, the government of Sudan seriously underestimated the challenge presented by the SLA and JEM, as it had with other political and armed groups in different parts of Sudan. At that time, the government of Sudan and the SPLM had signed only the Machakos Protocol (7/20/2002), the first of several North-South accords. The violence in Darfur began to intensify at the height of subsequent intense and acrimonious negotiations over power sharing, security and wealth sharing arrangements for the interim period, as agreed to in the Machakos Protocol.

In February 2004, First Vice President Ali Osman Taha, the government’s chief negotiator, told the mediators that he had to leave the talks to deal with the “Darfur problem.” In February 2004, the government of Sudan initiated a major military campaign against the SLA and JEM and declared victory by the end of the month. Attacks by government forces and the Janjaweed militia against civilians intensified between February and June 2004, forcing tens of thousands of civilians to flee to neighboring Chad.

Some observers assert that the Darfur crisis is directly linked to the North-South negotiations. Senior members of the government of Sudan opposed to the North-South negotiations, observers argue, used the Darfur crisis to divert attention from the negotiations and to obstruct agreement between the government and the SPLM. Since the beginning of the North-South negotiations, there has been a rift within the ruling party related to the North-South talks. A number of senior officials have been sidelined over the past two years and two coups were attempted against the government of President Omar Bashir.

The crisis in Darfur intensified around the time when several important agreements had been reached between the government of Sudan and the SPLM. The

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<sup>4</sup> Office of UN Resident and Humanitarian Coordinator for the Sudan. *A Briefing Paper on the Darfur Crisis: Ethnic Cleansing*. March 25, 2004.

<sup>5</sup> Flint, Julie. “Refugees Executed in Desert of Sudan.” *The Observer*, April 25, 2004.

government of Sudan has been under intense international pressure to conclude a peace agreement with the SPLM. On a number of occasions during the negotiations, directly and through the mediators, representatives of the government of Sudan asked for political alliance with the SPLM during the interim period. They considered an alliance with the SPLM as a possible insurance policy for their own political survival, expecting intense political challenge from northern opposition forces. The SPLM rejected political alliance with the ruling party, arguing that there are major philosophical and political differences between the two parties.

Senior government officials reportedly made some concessions during the negotiations, expecting that they would then forge an alliance with the SPLM. Some observers contend that the Darfur crisis is now being used in order to delay implementation of the peace agreement reached in May 2004. Since the signing of the Nairobi Declaration in June 2004, there has been no progress in the implementation of the peace agreement. The chief IGAD mediator, General Lazarus Sumbeiywo, concerned that the process has stalled, traveled to Sudan to meet with President Bashir and Vice President Taha in August 2004. The government of Sudan rejected Sumbeiywo's request for Vice President Taha to meet with Dr. John Garang of SPLM to resolve outstanding issues.

Many observers assert that Khartoum's response to the Darfur crisis is similar in many ways to how the government of Sudan has handled counter-insurgency challenges in other parts of the country. The government of Sudan used tribal militias in its counter-insurgency measures in southern Sudan, Nuba, and in eastern Sudan. For most of the 1990s, the government of Sudan used the Nuer tribe from the Upper Nile region against the Dinka tribe by arming and training Nuer militia. The Nuer militia in coordination with government forces engaged in a campaign of terror against Dinka civilians and the SPLA for most of the 1990s. There are over a dozen Nuer militia factions operating in southern Sudan, backed by the government of Sudan. In fact, one of the contentious issues in the cease-fire negotiations in mid-2004 was what to do with these militia groups. Similarly, the government of Sudan used Arab militias, primarily from the Baggara tribes, in slave raids in Bahr el Ghazal for most of the 1990s. These militias were used to terrorize the civilian population by killing the men and abducting women and children. In mid-2004, the government of Sudan deployed Nuer militia to the Shilluk Kingdom, killing thousands of civilians and forcing tens of thousands into refugee camps. The attacks in Shilluk Kingdom followed the defection of a former minister to the SPLM.

## **Key Players in the Darfur Campaign <sup>6</sup>**

The government of Sudan's response to the crisis in Darfur is a well thought-out political and military strategy with multiple objectives, according to some observers. President Omar el-Bashir, stunned by the humiliating defeat in El-Fashir in 2003 at the hands of the rebels, clearly sought to crush the rebels at all costs. The defeat at El-Fashir left the army, an important constituency of Bashir, on the sidelines and gave the security services the excuse to take the lead in the Darfur campaign. This

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<sup>6</sup> Author interview with U.S. officials, Sudanese leaders, and regional officials in Washington, Ethiopia, Eritrea, and Kenya. August 2004.

situation placed First Vice President Taha in charge of the Darfur campaign, since he controls the security services in Sudan. Taha, through some of his key allies in the security services, managed to grab control and took charge of the offensive in Darfur, according to U.S. and regional officials. However, at the height of the Darfur crisis, Taha appeared more engaged in the North-South negotiations and not actively engaged in the Darfur crisis. But U.S. and regional officials point to Taha as the key player behind the scenes, even while he was negotiating in Naivasha with the SPLM.

According to a variety of sources, Vice President Taha worked through key security officials considered to be Taha loyalists and committed Islamists of the ruling party. These include Salah Abdalla Gosh, head of the National Intelligence Security Service (NISS), who reportedly has played key roles in coordinating the recruitment and training of the Janjaweed and directing the security services in attacks against civilians in Darfur; Dr. Nafie Ali Nafie, the former external intelligence chief, a man long considered by U.S. and regional officials as responsible for the government's international terror links; and Abdalla Safi al-Nur, State Minister for Cabinet Affairs, who is also considered key player in the Darfur campaign. Ahmed Mohamed Haroun, State Minister and former head of the Popular Police Force, is also considered a key ally of Taha and an important player in the Darfur campaign. Ali Ahmed Karti, State Minister and former head of the Popular Defense Force (PDF) — a group created by the National Islamic Front movement as an alternative force to the regular armed forces; Tayeb Ibrahim Mohamed Kheir, Security Advisor to the President; and Mutrif Sidiq, Undersecretary in the Ministry of Foreign Affairs, are all considered key players in the Darfur campaign. These key players, in the view of U.S. and regional officials, constitute an important faction running the government's military campaign in Darfur behind the scenes.

The Bush Administration has not decided whether to name some of these individuals publicly or impose targeted sanctions against them, as proposed by the House of Representative and the Senate. The Bush Administration has publicly named a number of Janjaweed leaders.<sup>7</sup> Members of Congress have named a number of Janjaweed leaders, as well as government officials they consider responsible for the atrocities in Darfur. Some U.S. government officials believe that the above-named individuals are directly involved in the Darfur campaign, but are concerned that publicly identifying them and targeting them for sanctions could lead to confrontation and help unify the government of Sudan. Administration officials are also concerned that going after these individuals could disrupt cooperation on counter-terrorism issues, especially since some of these individuals have long been tied to international terrorism. For example, the head of the NISS, Abdalla Gosh, is seen both as a key player in the Darfur campaign and an important actor in counter-terrorism efforts, although some observers have doubts about the value of the intelligence Khartoum may currently be offering.

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<sup>7</sup> See appendices.



## The Humanitarian Situation and the U.S. Response

### Humanitarian Situation at a Glance

- Affected Population: 2.2 million.
- IDPs: 1.5 million.
- Refugees: 200,000
- Deaths: 70,000 (as of September 2004).
- U.S. Assistance: \$218 Million as of September 2004.

Source: USAID/United Nations

According to United Nations and U.S. officials, the situation in Darfur is considered to be one of the worst current humanitarian and human rights crises in the world. Out of a population of 7 million people, 1.5 million are internally displaced, over 200,000 have been forced into exile, and tens of thousands of civilian have been killed. Since February 2003, USAID has provided an estimated \$218 million in humanitarian assistance for Darfur. Moreover, the Senate Foreign Operations appropriations contains \$611 million for Darfur and Sudan, and an additional \$75 million was approved by the Senate for African Union peacekeeping operations. USAID has also established a Disaster Assistance Response Team (DART) for Darfur, although the government of Sudan delayed the deployment of the team to Darfur for several weeks. Recently the USAID/DART has expressed concern regarding the government of Sudan's plan to forcibly return internally displaced persons to their places of origin. Meanwhile, humanitarian conditions continue to deteriorate, in large part because of continued government restrictions and violence against civilians by the pro-government militia, the Janjaweed. According to USAID, "the GOS has imposed rigorous registration requirements that hinder qualified health workers from entering Darfur. These regulations are severely affecting relief agencies' capacity to respond to disease outbreaks anticipated in the coming weeks."<sup>8</sup> Surveys conducted by NGOs indicate high rates of malnutrition in many areas in Darfur. USAID reports that the General Acute Malnutrition (GAM) rates for children under five in Darfur are 13-39%, and 36-39% for refugee children living in Eastern Chad. The World Food Program (WFP) is supporting 19 therapeutic feeding centers for the extremely malnourished and 24 supplementary feeding programs to help reduce the number of deaths resulting from starvation.

### The African Union and the Crisis in Darfur

The African Union (AU) has been slow in responding to the crisis in Darfur. The AU became actively engaged during the cease-fire negotiation in Chad and subsequently assumed a central role in monitoring the ceasefire agreement and facilitating political dialogue between the government of Sudan and SLA/JEM. In late March 2004, the AU sent a team led by Ambassador Sam Ibok, Director of the AU's Peace and Security Department, to participate in talks in Chad. In the April Cease-Fire Agreement, the African Union was tasked to take the lead in the creation

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<sup>8</sup> U.S. Agency for International Development (USAID). *DARFUR-Humanitarian Emergency Fact Sheet #15, Fiscal Year (FY)2004*. July 23,2004

of a Cease-Fire Commission. The Commission's mandate consists of "planning, verifying and ensuring the implementation of the rules and provisions of the cease-fire agreement." In addition, the Commission was mandated to define the routes for the movement of the respective forces, assist with demining operations, and collect information about cease-fire violations. The Commission reports to a Joint Commission composed of the parties to the agreement, Chad, and members of the international community. The African Union mission does not have the mandate to protect civilians; however, the 305 troops from Rwanda and Nigeria are tasked to protect the AU cease-fire monitors in Darfur.

The limited mandate of the AU force, logistical and financial troubles of the organization, and the size of the force have made the AU mission inefficient, according to many observers. The deployment of the AU force, albeit small, took more than four months after the signing of the agreement. Moreover, even the limited mandate of monitoring of the cease-fire agreement has not been effective. The mandate does not have any enforcement mechanisms aside from reporting the violations to the Joint Commission. Since the signing of the cease-fire agreement and the deployment of the AU mission, there have been many violations and only a limited number of the violations have been reported to the Joint Commission. Moreover, no corrective measures have been taken by the AU to end these violations. In September, Secretary General Kofi Annan reported that "It is clear that the ceasefire is not holding in many parts of Darfur. Clashes were reported from 8-12 September in Sayyah, north of El Fasher, and Government aligned militia attacked the SLA in Abu Dalek on 7 September."<sup>9</sup>

President Paul Kagame of Rwanda, who came to power after the 1994 Rwandan genocide, had stated that his country would respond if called to end genocide during a speech in April 2004 at the 10<sup>th</sup> anniversary of the Rwandan genocide. Rwanda was the first to deploy troops as part of the AU mission. Senior Rwandan officials have also asserted that despite the limited mandate, Rwandan troops would defend civilians, if they are attacked. Rwanda has not yet followed through its threat, however, despite continued attacks against civilians over the past several months. Rwandan government officials argue that it is better to have a small force present in Darfur than have nothing at all. However, Kigali has made its views clear that the proposed expanded force should have a mandate to protect civilians. Many members of the African Union do not share the view that a genocide is occurring in Darfur and still consider the government of Sudan as the central player in the resolution of the conflict and protector of civilians, while U.S. and U.N. officials hold the government of Sudan responsible for the atrocities in Darfur.

In late September 2004, as noted above, the government of Sudan and the AU agreed to expand the AU mission by over 3500 troops, several weeks after the United Nations Security Council endorsed an expanded mission for the AU and threatened sanctions if the government failed to cooperate. Many observers contend that the proposed increase in the force protection is not enough since Darfur is the size of

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<sup>9</sup> Report of the Secretary-General on the Sudan pursuant to paragraph 15 of Security Council resolution 1564 (2004) and paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004).

France. Moreover, they argue, the mandate of the AU force is still not clear. The government of Sudan has rejected a proposal to expand the mandate to include protection of civilians, especially the internally displaced people (IDP) in camps throughout Darfur. The government of Sudan has also rejected the use of the phrase “peacekeeping;” instead the force is likely to retain its current label, protectors of cease-fire monitors. Rwanda has reportedly offered to send more troops to Darfur. But observers and U.S. officials assert it will take months to deploy additional troops to Darfur. U.S. officials are concerned that the AU might not be able to deploy new forces until early 2005, given the number of complications that must first be resolved. The African Union and the government of Sudan have to agree on the mandate and size of the new force. Moreover, resources and logistical support to transport the troops have to be secured, especially with donor governments with the capability to move these troops from their respective countries to Darfur.

## **Prospects for a Negotiated Settlement in Darfur**

In September 2003, the government of Sudan and the SLA signed a cease-fire agreement mediated by President Idriss Deby of Chad. The agreement collapsed in December 2003. In early April 2004, the government of Sudan and the SLA/JEM agreed to a cease-fire and political dialogue to peacefully resolve the conflict. The government of Sudan agreed to negotiate with the rebels after considerable international pressure. The negotiations were conducted under the auspices of President Deby of Chad and assisted by the African Union. The United States and other international participants played an important role in facilitating the negotiations, although the government of Sudan delegation walked out of the talks in protest when the head of the U.S. delegation began to deliver his opening remarks.

On April 8, 2004, the parties agreed to observe a cease-fire for a period of 45 days, renewable automatically if both parties were to agree. In late May, the parties renewed the cease-fire agreement. However, attacks by the pro-government militia have been verified by the cease-fire commission established under the April 8<sup>th</sup> accord. These violations by the government of Sudan and the Janjaweed militia have stalled the peace negotiation process. Leaders from the Justice and Equality Movement (JEM) and the Sudan Liberation Movement (SLM) initially refused to participate in talks in July in Addis Ababa, Ethiopia because the GOS failed to uphold the core elements of the April 8<sup>th</sup> cease-fire agreement. In late August 2004, the parties resumed negotiations in Abuja, Nigeria. There has been no major breakthrough as of September 2, 2004, although the parties were expected to reach an agreement on humanitarian related issues. Political agreement between the rebels and the government of Sudan appears unlikely at this juncture. The SLA and JEM are demanding fundamental changes in the political structure in Khartoum and the disarmament of the Janjaweed.

The April cease-fire agreement (see text box) provided a framework for a negotiated settlement between GOS and the SLA/JEM, but the agreement has not been fully implemented. The African Union and the United Nations have documented a series of violations by the government of Sudan, including bombings of civilian targets and continued support for the Janjaweed militia by the government

of Sudan. A recent report by the Secretary General of the United Nations states that “the United Nations continues to receive reports of militia activities in all three states of Darfur. Of particular concern are several militia attacks on villages in the Yassin area, northeast of Nyala, during the second half of August.”<sup>10</sup> The report notes that “to the extent the militias that carried out these attacks were under the influence of the government, the wanton destruction of the villages and the killings of a large number of civilians constitutes a serious breach of the government’s commitments.”

**Highlights of the Cease-Fire Agreement (April 8, 2004)**

The parties agreed to:

- Find a political solution to the problem.
- Cease all hostile media campaigns.
- Accept a 45-day cease-fire (renewed in May 2004).
- Establish a Cease-fire Commission and a Joint Commission.
- Free all political prisoners.
- Control their allies and ensure compliance with the agreement.
- Facilitate the delivery of humanitarian assistance.

Some observers contend that there are also serious structural problems in the negotiating process. The April cease-fire agreement accepted the SLA and JEM as legitimate political actors and called for a political solution to the problem facing Darfur. But recent measures by the Security Council and proposals by the African Union mediators suggest that the SLA and JEM would be cantoned and disarmed in similar fashion as the disarmament of the Janjaweed. Security Council resolution 1556 imposed arms embargo on “non-government” entities and individuals in Darfur. The “non-government” armed entities in Darfur are the SLA, JEM, and the Janjaweed. The embargo exempts the government of Sudan and does not provide mechanisms to ensure that the government of Sudan will not continue to arm and support the Janjaweed. Reportedly, the government of Sudan is inducting the Janjaweed into the Popular Defense Force (PDF), an Arab dominated irregular force. United Nations and African Union reports clearly indicate that the government of Sudan continues to provide support to the Janjaweed and coordinate attacks against civilians.

The current negotiations, observers contend, treat the SLA/JEM in the same fashion as the Janjaweed. The SLA and JEM have stated on a number of occasions that the April cease-fire agreement is being re-written to accommodate the government of Sudan. The rebels argue that if they are forced to surrender or be cantoned in a security zone, the government of Sudan will have no interest in finding a political solution to the Darfur problem. Thus, a political settlement appears unlikely in the immediate future, although the rebels’ lack of experience in negotiations and possible defections could lead to a temporary agreement.

Moreover, recent agreements between the United Nations and the government of Sudan can be seen as undermining the April 2004 Cease-fire Agreement and

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<sup>10</sup> Report of the Secretary-General pursuant to paragraphs 6 and 13 to 16 of the Security Council Resolution 1556 (August 30, 2004).

impeding the work of the African Union Cease-fire Commission. Article 2 of the April Agreement on Humanitarian Cease-fire on the Conflict in Darfur calls for both parties to refrain from any military movement and reconnaissance operations. And Article 4 of the Cease-fire Agreement empowers the Commission to approve the movements of the forces of the two parties to the Agreement. But a Joint Communiqué signed between the government of Sudan and the U.N. (August 2004) permits the government to deploy a “police force in all IDP areas as well as in areas susceptible to attacks.” This means the government of Sudan could deploy forces near or in SLA-controlled areas, where there are an estimated 130,000 IDPs. In addition, the Darfur Plan of Action (August 2004), another agreement between the UN and the government Sudan, authorizes the government to secure areas in Darfur within 30 days, giving the government of Sudan the authority to deploy security forces in the contested areas without the approval of the AU Commission.

In September 2004, after several weeks of talks between the government of Sudan and Darfur rebels, negotiations ended without progress, although talks are expected to resume in late October 2004. Some observers are concerned that conflict might erupt once again in Darfur.

## **Visits by U.S. Secretary of State Colin Powell and U.N. Secretary General Kofi Annan**

In June 2004, Secretary Colin Powell became the first U.S. Secretary of State to visit Sudan in 26 years. The purpose of his visit was to witness and express concern for the people of Darfur, who he said are subject to the “worst humanitarian crisis in the world.” The Secretary discussed with Sudan’s President Omar Al-Bashir the necessity of dismantling of the Janjaweed militia in order to restore security to region. He emphasized that the IDPs and refugees could return to their homes only when security is restored in Darfur, and that until then they should remain in the camps. At this meeting the government agreed to a list of objectives and a time line in which they will be accomplished. Objectives included the removal of all restrictions on visas for humanitarian workers; the unimpeded movement of humanitarian supplies, relief convoys, and vehicles for the monitors in Darfur; the commitment of participating in a political resolution of the Darfur crisis facilitated by the African Union; the disarmament of the Janjaweed; and the provision of security to the displaced persons so they can return home.

On June 30, Secretary Powell visited Darfur’s Abu-Shouk camp with Sudanese Government representatives. The Abu-Shouk camp is regarded as one of the best camps in the Darfur region, although NGO leaders still expressed the need for more shelters and clean water to Powell. Upon his return to Khartoum Secretary Powell met with U.N. Secretary General Kofi Annan, who had arrived earlier that day to begin his own three-day fact-finding mission. During the meeting Powell informed Annan about the steps the United States wanted Sudan to implement in order to resolve the Darfur crisis; in turn, Annan briefed Powell about his earlier meeting with Cabinet ministers prior to Powell’s departure from Sudan that day. The following day Annan was scheduled to visit three IDP camps to make a first hand assessment of the situation in Darfur. While at the Zam Zam camp in Northern Darfur, Annan

listened to first hand accounts of the human rights abuses committed by the Janjaweed including the targeted rape, murder, and destruction of African villages. However, when he arrived at his second destination, the Meshtel camp, he found it deserted. He was later informed by Sudanese representatives that the 5,000 IDPs were moved to better living conditions in Abu-Shouk sometime between the afternoon of June 30 and morning of July 1. Relief workers at Abu-Shouk later reported that they received no prior notification and were unprepared for the massive influx of new arrivals.

Annan echoed the U.S. demands for the disarmament of the Janjaweed militias and the removal of all impediments to humanitarian relief. Upon returning to Khartoum from Chad the Secretary General had one final meeting with President Al-Bashir to discuss what was observed in the camps. At that time he also presented the president with a draft Joint Communique that committed the government of the Sudan and the United Nations to taking specific steps to alleviate the suffering of the Sudanese IDPs and refugees. During the visits of the Secretary General and the Secretary of State, the government of Sudan carried out a number of attacks against civilians, according to several newspaper accounts and reports by United Nations officials. In late August, two months after these high profile visits and demands by the international community to stop these violent attacks, Secretary General Kofi Annan reported to the Security Council that “recent actions by the government of Sudan armed forces involve a level of violence that seems at odds with the principle of restraints it promised to observe under the Plan of Action.”

## **The International Community's Response**

The international community's response to the Darfur crisis has been characterized as slow and ineffective, in part because of the government of Sudan's repeated refusal to allow relief workers into Darfur. It was not until late 2003, almost one year after the crisis erupted, that some members of the international community began to speak about gross human rights abuses and a widespread humanitarian crisis in Darfur. According to some analysts, the Bush Administration did not consider the Darfur crisis to be a priority; instead the Administration was largely focused on the talks between the government of Sudan and the SPLM. The first statement on Darfur by the White House was issued in early April 2004. Others point out that U.S. Agency for International Development (USAID) officials spoke of a growing humanitarian crisis and visited the area in late 2003. Administration officials were reportedly concerned that forceful statements or measures against the government of Sudan might undermine the peace process between the GOS and the SPLM. Since late 2003, however some U.N. officials have been forceful in their statements and have publicly expressed concerns about the deteriorating humanitarian conditions in Darfur.

By May 2004, the international community was paying greater attention to the crisis in Darfur, as violence against civilians continued. On July 26, 2004, in an effort to press the government of Sudan to protect citizens in Darfur against the Janjaweed, the U.S. and EU signed a Joint Declaration on Sudan. This Declaration condemned the human rights abuses, and called the GOS to immediately stop the

violence, disarm the militias, protect humanitarian workers and civilians, and allow access to Darfur by humanitarian groups. The following day, July 27, 2004, Britain's top military commander, Gen. Mike Jackson, said his country could send 5,000 troops to intervene in Darfur. Australia also pledged to send troops to Darfur. The government of Sudan responded that it would use force against any attempt at outside military intervention in Darfur.

**Highlights of the SG Report to the Security Council (August 30, 2004)**

- The disarming of members of the PDF has started.
- The United Nations continues to receive reports of militia activities in all three states of Darfur.
- To date, the Government has not identified any militias that are currently outside the PDF.
- Recent actions by the government of Sudan armed forces involve a level of violence that seems at odds with the principles of restraint it promised to observe under the Plan of Action.
- No forced return of the IDPs is taking place in accordance with the commitments made by the Government. However, local authorities continue to apply direct and indirect pressure.
- An active and systematic effort to end impunity does not yet seem to be in place.

Source: Report of the Secretary General pursuant to paragraphs 6 and 13 to 16 of Security Council resolution 1556. August 30, 2004.

On July 30, 2004 the U.N. Security Council passed resolution 1556 (2004), demanding that Sudan disarm militias in Darfur within 30 days or face measures outline in Article 41 of the United Nations Charter. The resolution passed by a vote of 13 in favor and two abstentions (China and Pakistan). However, the resolution stopped short of overtly calling for sanctions against the Government of Sudan, a compromise deemed necessary for passage. Following the passage of the resolution 1556, French President Jacques Chirac announced that France would make aircraft available from its military base in Chad to assist in the transport of humanitarian supplies, and deployed 200 troops near the Sudanese border to assist in securing the area. Meanwhile, the African Union deployed 300 Rwandan and Nigerian troops to Darfur as military observers and force protectors. The AU plans to deploy several thousand additional troops to Darfur, although final agreement has not been reached with the government of Sudan.

**U.N.S.C. Resolution 1564** (September, 2004)

- Expresses grave concern about lack of security.
- States that GOS is responsible for the security and safety of the population.
- Declares the situation in Sudan as a threat to international peace and security.
- Deplores recent cease-fire violations by GOS.
- Supports the African Union's plan to enhance and augment its monitoring mission in Darfur.
- Calls on member states to provide financial and logistical support to the AU mission.
- Threatens the GOS with sanctions, including measures targeting its petroleum sector, if it fails to comply with the Council's demands.

Source: United Nations.

On August 30, 2004, in his report to the Security Council, Secretary General Kofi Annan stated that the government of Sudan has failed to fulfil its commitment to disarm the Janjaweed militia. Jan Pronk, the Secretary General's Special Representative for Sudan, however, stated that the government of Sudan has made "some progress" in disarming the Janjaweed and asserted that there were no recent attacks by government troops against civilians in Darfur. U.S. Ambassador to the U.N. and former Bush Administration Special Envoy for Sudan, Senator John Danforth, publicly rebuked Pronk for downplaying atrocities and government complicity in attacks against civilians. In response to criticism as to why he did not include the findings of African Union monitors about recent attacks, Pronk stated that the AU report is preliminary and that he was awaiting for a final report. Some observers believe that Pronk's lukewarm criticism of the government of Sudan has given pro-Sudan Security Council members an excuse to reject U.S. calls for sanctions against the government of Sudan. In September, the Security Council once again passed another resolution (1564), calling on the government of Sudan to cooperate with the African Union and end the violence against civilians. The resolution stated that measures against the government of Sudan or officials in the government could be taken if they failed to meet the Council's demands.

## **The Debate Over Genocide<sup>11</sup>**

On July 22, 2004, the U.S. House of Representatives and the Senate unanimously passed resolutions (H.Con.Res 467, S.Con.Res. 133) declaring the crisis in Darfur to be genocide, based on the five criteria for genocide enumerated in Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide. A wide array of American and international non-governmental

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<sup>11</sup> For more on Genocide, see CRS Report RL32605, *Genocide Legal Precedent Surrounding the Definition of the Crime*, September 14, 2004.



organizations, human rights activists and newspaper editorials have termed the violence in Darfur “genocide,” although the United Nations and the African Union have refrained from officially declaring the atrocities in Darfur to be genocide. The Bush Administration sent a team of investigators to Chad to interview victims of the Darfur atrocities. The team submitted its draft report in August and the final report was released in September. The report is based on interviews with 1,136 randomly selected refugees in 19 refugee camps in eastern Chad. According to the report,

Analysis of the refugee interviews points to a pattern of abuse against members of Darfur’s non-Arab communities, including murder, rape, beatings, ethnic humiliation, and destruction of property and basic necessities. Many of the reports detailing attacks on villages refer to government and militia forces, preceded by aerial bombardment, acting together to commit atrocities. Respondents said government and militia forces wore khaki or brown military uniforms. Roughly one-half of the respondents noted GOS forces had joined Jingaweit irregulars in attacking their villages. Approximately one-quarter of the respondents said GOS forces had acted alone; another 14 percent said the Jingaweit had acted alone. Two-thirds of the respondents reported aerial bombings against their villages; four-fifths said they had witnessed the complete destruction of their villages. Sixty-one percent reported witnessing the killing of a family member. About one-third of the respondents reported hearing racial epithets while under attack; one-quarter witnessed beatings. Large numbers reported the looting of personal property (47 percent) and the theft of livestock (80 percent).<sup>12</sup>

On September 9, 2004, Secretary Powell, in his testimony before the Senate Foreign Relations Committee, declared the atrocities in Darfur genocide. Secretary Powell stated that, after reviewing evidence collected by the State Department team, “genocide has been committed in Darfur and that the Government of Sudan and the Jingaweit bear responsibility — and that genocide may still be occurring.” Powell further stated that because the United States is a contracting party to the Geneva Convention, Washington will demand that the United Nations “initiate a full investigation.” Shortly after Powell’s testimony, a draft U.S. resolution (1564) was adopted. The resolution requested the Secretary General of the United Nations to “establish an international commission of inquiry in order immediately to investigate reports of violations of international humanitarian law and human rights law in Darfur by all parties, to determine also whether or not acts of genocide have occurred, and to identify the perpetrators of such violations with a view to ensuring that those responsible are held accountable.” The declaration of genocide by the Bush Administration has not led to a major shift in policy nor a threat of intervention to end genocide. Instead, Bush Administration officials continue to support a negotiated settlement between the rebels and the government of Sudan.

Some observers and government officials have described the atrocities in Darfur as “ethnic cleansing,” and reject that genocide has occurred in Darfur. The term “ethnic cleansing” originated during the Bosnian conflict of the early 1990s, evolving from a military term meaning “to clear the land.” Over time, the term has come to be used generally to describe certain targeted acts of violence against non-combatants

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<sup>12</sup> State Department report, *Documenting Atrocities in Darfur*, September 2004. [<http://www.state.gov/g/drl/rls/36028.htm>].

in conflict situations, including their expulsion from their homes. An act of ethnic cleansing may rise to one of the following charges under international law: war crimes, crimes against humanity, or genocide. International law experts assert that proving that a group not only destroyed a substantial part of another group, but intentionally did so, makes prosecuting genocide challenging. In the case of *Prosecutor v. Radislav Krstic*, the International Criminal Tribunal for the former Yugoslavia convicted Krstic of genocide against Bosnian Muslims in Srebrenica, stating that it is not only bald numbers that need evaluation within the context of the overall size of the group, but also the targeted portion's prominence within the group.

Some human rights lawyers and experts in international law contend that a specific part of a group can easily qualify as a "substantial" portion of a group if that part is emblematic of the overall group, or essential to its survival. In rendering judgment in the case of *The Prosecutor v. Georges Anderson Nderubumwe Rutaganda*, the International Criminal Tribunal for Rwanda stated that

[g]enocide is distinct from other crimes because it requires *dolus specialis*, {a special intent. . .} The perpetration of the act charged, therefore, extends beyond its actual commission, for example, the murder of a particular person, to encompass the realization of the ulterior purpose to destroy, in whole or in part, the group of which the person is only a member. . . The *dolus specialis* is a key element of an intentional offence, which offence is characterized by a psychological nexus between the physical result and the mental state of the perpetrator.

To convict an individual of genocide, it is necessary to prove the targeting of a specific ethnic group or groups, and efforts to prevent the group - or a substantial part of it - from surviving.

In the case of Darfur, specific groups have been targeted by the government of Sudan and its allied militia, according to many Sudan advocates. The target of these attacks have been three African Muslim ethnic groups belonging to Fur, Zaghawa, and Massaleit. Those who carried out the attacks against these groups come primarily from Sudan's Arab Muslim ethnic groups. Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide states that "in the present Convention, genocide means any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the groups' conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; and (e) forcibly transferring children of the group to another group."

Many observers, including the U.S. House of Representatives and the Senate, contend that the atrocities in Darfur meet the criteria outlined in the 1948 Convention. They argue that members of a particular group have been killed (a); serious bodily harm had been inflicted on the group (b); the group's conditions of life had been deliberately destroyed through burning of villages and poisoning of water wells; there has been systematic and widespread rape of women (c); and children have been abducted and forced to flee their homes. Others argue that the crisis in

Darfur is a conflict between tribes, triggered by a number of factors, including resources and political power.

## **The Darfur Crisis and Impact on the North-South Negotiations**

On May 26, 2004, the Government of Sudan and the Sudan People's Liberation Movement signed three protocols on Power Sharing, the Nuba Mountains and Southern Blue Nile, and on the long disputed Abyei area. The signing of these protocols resolved all outstanding issues between the parties, although the parties must still negotiate and agree on a comprehensive cease-fire and modalities for implementation. On June 5, 2004, the government of Sudan and the SPLM signed the "Nairobi Declaration on the Final Phase of Peace in the Sudan." The declaration restated that the parties have agreed on the following: the Machakos Protocol (7/20/2002); Agreement on Security Arrangements (9/25/2003); Agreement on Wealth Sharing (1/7/2004); Agreement on Power Sharing (5/26/2004); Protocol on Southern Blue Nile and the Nuba Mountains (5/26/2004); and Protocol on the disputed Abyei Area (5/26/2004).

Since the signing of the Nairobi Declaration, the talks have been stalled, in part because of the crisis in Darfur. Some observers fear that the peace agreement may collapse if progress is not made soon. Both sides are beginning to rearm and violations of the cease-fire agreement have increased in recent months. The Troika — Norway, Britain, and the United States — have not been not actively engaged in the North-South negotiations since the signing of the Nairobi Declaration. The two principal actors, Dr. John Garang and Vice President Taha, have not met since the signing of the Nairobi Declaration in early June 2004. Meanwhile, tensions are mounting in eastern Sudan, with the Beja Congress poised to launch a military offensive against government forces. Senior commanders in the SPLA are reportedly also raising questions about the delay and the commitment of the government of Sudan. Others argue that it would be difficult, if not impossible, to work with the current government of Sudan after what has happened in Darfur.

The SPLM leader, Dr. John Garang, argues that swift implementation of the IGAD-led Naivasha Accords will help end the violence in Darfur.<sup>13</sup> In his view, implementation of the Accords will lead to a new government, of which the SPLM and other political forces will be a part. In his view, this power-sharing deal will enable these forces to check the political power of the current government and prevent military actions against civilians, since such measures will require the approval of the SPLM in a coalition government, as agreed to in the power sharing and security arrangements at Naivasha, Kenya. The SPLM has also proposed the deployment of 30,000 troops to Darfur to disarm the Janjaweed and provide protection to civilians. According to the SPLM, the force will consist of 10,000 troops from the SPLA, 10,000 from the Sudan Armed Forces, and 10,000 from the African Union. The proposal has been rejected by the government of Sudan,

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<sup>13</sup> Author interview with Dr. John Garang in Nairobi, Kenya (August 2004).

although the SPLM and the government had agreed on the security arrangements for the interim period to set up Joint Integrated Units. Moreover, senior government officials see the SPLA as an ally of the SLA.

The government of Sudan's refusal to engage other Sudanese political groups in an effort to find a political solution in Darfur raises fundamental questions about the government's intent to implement the Naivasha Accords and its commitment to a negotiated settlement of the Darfur problem. The government of Sudan has strenuously resisted outside intervention to deal with the Darfur problem and has threatened a *Jihad* against such intervention by outsiders. An alternative to outside intervention, some observers maintain, is to bring other Sudanese political groups into the process. But senior government officials in Khartoum see the Darfur crisis as a conspiracy by the West to overthrow the government, although many in the international community hold the government itself accountable for the crisis in Darfur. By rejecting SPLM's proposal, resisting international interventions, and delaying implementation of the Naivasha Accords, the government of Sudan may risk an all-out war since opposition forces, including the SPLA, are unlikely to wait indefinitely. Such a scenario may pose not only serious consequences for Sudan, but also for the entire region.

Many observers believe that the parties could start implementation of the already signed agreements. The two remaining issues are finalizing a cease-fire agreement and negotiating implementation modalities. The parties, with the help of IGAD, United Nations, and the Troika, have reached agreement on a framework for a permanent cease-fire. What remain unresolved are three issues brought up anew by the government of Sudan that had been settled in the Nairobi Declaration. The status of armed militia had been settled in the Security Arrangements. The parties agreed to disarm all armed elements outside the two principal forces, the Sudan Armed Forces and the Sudan People's Liberation Army. The government of Sudan would now like a separate agreement for more than a dozen pro-government armed militia. The parties also agreed that the two principal armies would be treated equally and as the national armies of the country. In the cease-fire negotiations, the government of Sudan raised objections concerning central government funding to the SPLA. Another issue raised by the government as new during cease-fire negotiation was the status of the Joint Integrated Unit in Eastern Sudan. The parties agreed to discuss this issue during cease-fire negotiations. The government of Sudan now claims this issue had been settled in the Security Arrangement agreement.

## **Policy Options on Darfur and the North-South Negotiations**

The United States has a number of unilateral and multilateral policy options to consider in dealing with the Darfur crisis and the stalled North-South talks. These options are complicated by a number of factors. Members of the international community are divided over Sudan. Since the late 1990s, the European Union has adopted a policy of engagement, instead of containment, as the United States pursued a policy of isolation and containment of the government of Sudan. Sudan's neighbors are also divided. Relations between Eritrea and Sudan are poor, while

Ethiopia's relations with the NIF government have improved significantly over the past several years. For the number of the options outlined below to be successful, close cooperation and coordination between the United States and the international community, especially the Security Council and Sudan's neighbors is pivotal.

**Engagement.** One option is engagement with the Government of Sudan. The government of Sudan is eager to appease the international community as long as it can avoid punitive sanctions and ensure its own political survival. In this scenario, engaging the government might yield some positive results, short of full cooperation and accountability by the government. Past engagement with the current government, however, has not succeeded in changing the behavior of the National Islamic Front government.

**Working With Moderates.** Another option is working with the so-called moderates within the Sudan government. U.S. and regional officials assert that the international community should work with the so-called moderate elements in the government by isolating hardliners within the government. There are a number of officials in the Sudanese government who prefer to work with the international community in order to ensure the regime's political survival. Strengthening the position of these more moderate elements, however, entails great risks and a possible backlash from the extremist elements in the regime.

**Sanctions.** Many observers assert that the current regime only responds to real pressure. The threat of sanctions in July 2004 by the United Nations Security Council may have led to Khartoum's reluctant cooperation in recent weeks. The Clinton Administration imposed comprehensive economic and trade sanctions in 1997; the impact of these sanctions are mixed. But targeted sanctions, including an oil and arms embargo, travel ban and asset freeze, might have serious psychological and political impact on the regime. But the government of Sudan has survived years of sanctions imposed by the United States and the United Nations. Moreover, many countries oppose sanctions against the government of Sudan, especially those countries with business interests in Sudan's oil sector.

**Regime Change.** Some observers and Sudan opposition leaders argue that the regime is incapable of change. They argue that since the NIF government came to power in 1989, it has committed war crimes in south Sudan, the Nuba, and now in Darfur. They also point to the regime's known ties to international terrorism and Osama bin Laden. A regime change in Khartoum, they argue, could bring a swift end to the crisis in Darfur, help implement the North-South agreement, and end the regime's support to extremist and terrorist groups. Some observers argue that opposition forces could topple the NIF regime without outside support. But 20-years of war has led to a stalemate. Moreover, opposition groups are divided along regional and ethnic lines.

**Implementing the North-South Agreements.** Sudanese opposition leaders and regional officials argue that a better alternative to forceful or violent change in government is expedited implementation of the Naivasha Accords, which could lead to a peaceful change in government in Khartoum. Implementation of the Naivasha Accords, as agreed between the government of Sudan and the SPLM,

would lead to a coalition government, with a new first vice president from the SPLM, a new national assembly, a new cabinet, and a revamped security apparatus.

**International Intervention.** Another option is military intervention by the international community. The international community could disarm the Janjaweed and provide protection to civilians in Darfur by deploying large numbers of peacekeepers with a Chapter VII mandate. The UN has been working on a peacekeeping force for Sudan as part of the Naivasha Agreement over the past year. The proposed 10,000 troops for the South could be modified for deployment to Darfur, especially in light of the fact that the current AU force, even if increased by several thousand, may be incapable of providing protection to civilians or disarming the Janjaweed. The AU force is mandated only to protect AU cease-fire monitors. U.S. officials and human rights organizations have documented attacks on civilians by government forces and Janjaweed militia, even after the deployment of AU peacekeeping monitors.

## Legislation

### **H.Res. 194 (Capuano)**

Called for an end to slavery and human rights abuses in Sudan. Introduced April 10, 2003. Passed House July 16, 2003.

### **H.Con.Res. 402(Tancredo)**

Calls for an investigation of Sudanese officials involved in international terrorism. Introduced March 30, 2004.

### **H.Con.Res. 403 (Wolf)**

Condemns the government of Sudan for violations of human rights in Darfur State. Introduced April 1, 2004; passed House May 17, 2004.

### **H.Con.Res. 467 (Payne)**

Declares the humanitarian crisis in Darfur, Sudan as genocide. Introduced June 24, 2004; passed House July 22, 2004.

### **S. 2705 (Biden)**

Condemns the government of Sudan for violations of human rights and authorizes funds in support of peace and for humanitarian purposes. Introduced July 21, 2004.

### **S. 2720 (Lugar)**

Condemns the government of Sudan for violations of human rights in Darfur. Authorizes \$300 million, including \$200 for Darfur. Introduced July 22, 2004.

### **S.Con.Res. 133 (Brownback)**

Declares genocide in Darfur, Sudan. Introduced and passed Senate July 22, 2004.

### **S.Con.Res. 137 (Frist)**

Urges the United Nations to suspend Sudan from the United Nations Human Rights Commission. Introduced September 15, passed same day. Passed House September 22.

### **S. 2781 (Lugar)**

Calls for comprehensive peace in Sudan, authorizes \$300 million for humanitarian and development purposes, and proposes sanctions. Introduced September 9, passed with amendments by Unanimous Consent.

### **H.R. 5061 (Tancredo)**

Imposes sanctions on the government of Sudan, authorizes \$450 million for humanitarian and development purposes, and exempts opposition-controlled areas from current sanctions. Introduced September 9, 2004.

## **Appendix 1. State Department List of Janjaweed Leaders**

### **Janjaweed Commanders and Coordinators**

1. Musa Hilal, Janjaweed Coordinator
2. Hamid Dawai, leader in Terbeba-Arara-Bayda triangle
3. Abdullah abu Shineibat, leader in Murnei
4. Omar Babbush, leader in Habila and Forbranga
5. Omada Saef, leader in Misterei
6. Ahmed Dekheir, leader in Murnei
7. Ahmed Abu Kamasha, Kailek region



## **Appendix 2. List Issued by Members of Congress<sup>14</sup>**

**First Category: Top GOS officials who are supervising and controlling Janjaweed activities and operations include the following:**

1. Ali Osman Taha, 1<sup>st</sup> Vice President
2. Major General Salah Abdalla (Gosh), Director General GOS Security
3. Dr. Nafie Ali Nafie, (Former External Intelligence Chief)
4. Major General Al Tayeb Mohammed Kheir, Presidential Security Advisor
5. Abdalhamid Musa Kasha, Minister of Commerce
6. Abdalrahim Mohammed Hussein, Minister of Interior
7. Major General Adam Hamid Musa, State Governor — Southern Darfur
8. Brigadier Mohamed Ahmed Ali, Riot Police Director——led policy attacks on IDPs at Mayo Camp (Khartoum) in mid-March.
9. Mohamed Yousef Abdala, Humanitarian Affairs State Minister.
10. Abdalla Safi el Nur, Cabinet Minister/General Coordinator of Janjaweed

### **Second Category: Coordination and Command Council of Janjaweed**

1. Lt. Col Sukeirtalah, Leader of Janjaweed——Geneina
2. Ahmed Mohammed Haroun, Coordinator——State Minister of Interior
3. Osman Yusif Kibir, State Governor Darfur
4. El Tahir Hassan Abbud, NCP
5. Mohammed Salih Al Sunusi Baraka, Member of the National Assembly
6. Mohammed Yusif El Tileit, Western Darfur State Minister
7. Major General Hussein Abdalla Jibril, Member of the National Assembly

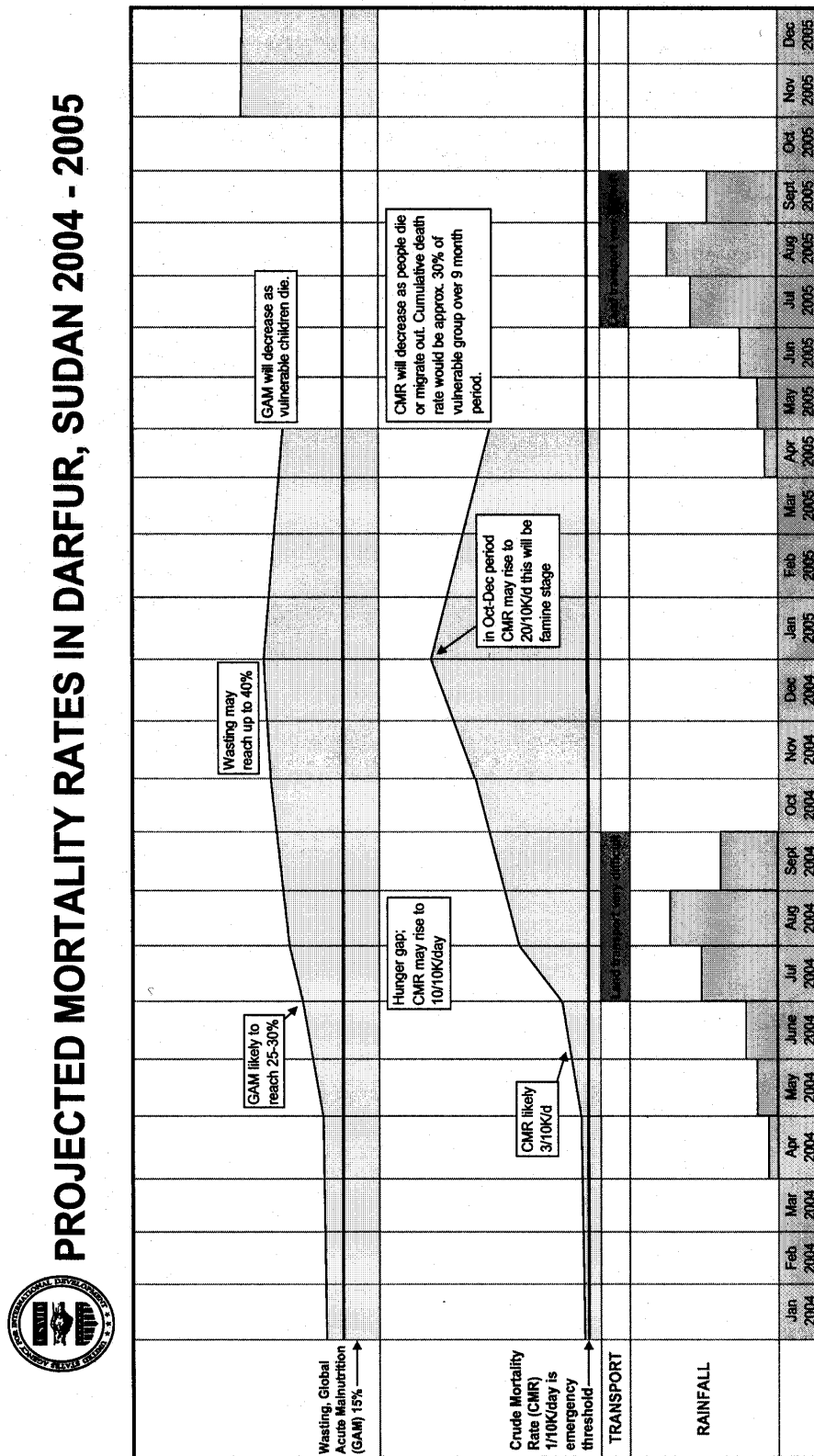
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<sup>14</sup> Letter sent by several Members of Congress to President Bush on June 1, 2004.

### **Third Category: Field Command**

1. Brigadier Musa Hilal
2. Brigadier Hamid Dhawai
3. Brigadier Abdal Wahid, Kabkabiya Sector
4. Brigadier Mohammed Ibrahim Ginesto
5. Major Hussein Tangos
6. Major Omer Baabas

## Appendix 3. Projected Mortality Rates in Darfur, Sudan 2004-2005



1. \*CMR and Wasting projections from personal communication from field based epidemiology studies in Bahr-L-Ghazal, Sudan 1998 and Ethiopia 2000
2. Background on Food Security in Darfur. Collins, Steve, MD "How bad does it have to get? The Nutritional Status in N Darfur, Sudan in Spring 2007" Save the Children (UK).
3. Wasting rates, Office of UN Resident and Humanitarian Coordinator for the Sudan, 10 January 2004; FAO Special Report Sudan February 2004.

## Appendix 4. Confirmed Damaged and Destroyed Villages

Date: September 10, 2004

Sudan (Darfur) - Chad Border Region  
Confirmed Damaged and Destroyed Villages

UNCLASSIFIED

Villages in Darfur confirmed as destroyed: 576  
Villages in Darfur confirmed as damaged: 152



Source: USAID.