

CONDEMNING THE GOVERNMENT OF THE REPUBLIC OF THE SUDAN FOR ITS ATTACKS AGAINST INNOCENT CIVILIANS IN THE IMPOVERISHED DARFUR REGION OF WESTERN SUDAN

MARKUP

BEFORE THE
SUBCOMMITTEE ON AFRICA
OF THE

COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTH CONGRESS

SECOND SESSION

ON

H. Con. Res. 403

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CONDEMNING THE GOVERNMENT OF THE REPUBLIC OF THE SUDAN FOR ITS ATTACKS AGAINST INNOCENT CIVILIANS IN THE IMPOVERISHED DARFUR REGION OF WESTERN SUDAN

THURSDAY, APRIL 22, 2004

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AFRICA,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Committee met, pursuant to call, at 4:40 p.m. in Room 2172, Rayburn House Office Building, Hon. Ed Royce (Chairman of the Committee) presiding.

Mr. ROYCE. Pursuant to notice, I call up the resolution H.Con.Res. 403, Condemning the Government of the Republic of the Sudan for its attacks against innocent civilians in the impoverished Darfur region of western Sudan, for purposes of markup.

[H. Con. Res. 403 follows:]

108TH CONGRESS
2D SESSION

H. CON. RES. 403

Condemning the Government of the Republic of the Sudan for its attacks against innocent civilians in the impoverished Darfur region of western Sudan.

IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 2004

Mr. WOLF submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Condemning the Government of the Republic of the Sudan for its attacks against innocent civilians in the impoverished Darfur region of western Sudan.

Whereas since early 2003 a conflict between forces of the Government of the Republic of the Sudan and rebel forces in the impoverished Darfur region of western Sudan has resulted in attacks by Sudanese Government ground and air forces against innocent civilians and undefended villages in the region;

Whereas Sudanese Government forces have also engaged in the use of rape as a weapon of war, the abduction of children, the destruction of food and water sources, and the deliberate and systematic manipulation and denial of humanitarian assistance for the people of the Darfur region;

Whereas United Nations officials and nongovernmental organizations have indicated that the humanitarian situation in the Darfur region is extremely urgent, particularly in light of restrictions by the Government of Sudan on the delivery of humanitarian assistance for the people of the region;

Whereas on December 18, 2003, United Nations Undersecretary General for Humanitarian Affairs, Jan Egeland, declared that the Darfur region was probably “the world’s worst humanitarian catastrophe”;

Whereas on February 17, 2004, Amnesty International reported that the organization “continues to receive details of horrifying attacks against civilians in villages by government warplanes, soldiers and pro-government militia”;

Whereas on February 18, 2004, United Nations Special Envoy for Humanitarian Affairs in Sudan, Tom Eric Vraalsen, declared following a trip to the Darfur region that “aid workers are unable to reach the vast majority [of the displaced]”;

Whereas Doctors Without Borders, the Nobel Peace Prize-winning medical humanitarian relief organization and one of the few aid groups on the ground in the Darfur region, reported that the region is the scene of “catastrophic mortality rates”; and

Whereas nearly 3,000,000 people affected by the conflict in the Darfur region have remained beyond the reach of aid agencies trying to provide essential humanitarian assistance and United Nations aid agencies estimate that they have been able to reach only 15 percent of people in need and that more than 700,000 people have been internally displaced in the past year: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That Congress—*

3 (1) strongly condemns the Government of the
4 Republic of the Sudan for its attacks against inno-
5 cent civilians in the impoverished Darfur region of
6 western Sudan and demands that the Government of
7 Sudan immediately cease these attacks;

8 (2) calls on the international community to
9 strongly condemn the Government of Sudan for
10 these attacks and to demand that they cease;

11 (3) urges the Government of Sudan to allow the
12 delivery of humanitarian assistance for the people in
13 the Darfur region; and

14 (4) urges the President to direct the United
15 States representative to the United Nations to seek
16 an official investigation by the United Nations to de-
17 termine if crimes against humanity have been com-
18 mitted by the Government of Sudan in the Darfur
19 region.

○

Mr. ROYCE. Without objection, the resolution will be considered as read and open for amendment at any point.

If I could just make an opening statement here, I think it is most appropriate that we are marking this up now based upon what we have just heard about the inattention to killing and the parallels between Rwanda 10 years ago and Sudan today.

This resolution condemns the Government of Sudan for its attacks against the innocent civilians of the Darfur region of western Sudan. The resolution states that the Sudanese Government is using rape as a weapon of war, destroying food and water sources and systematically manipulating and denying humanitarian aid to the people of Darfur. More than one million Sudanese have been displaced. The Sudanese Government has once again used allied militia to carry out a scorched earth policy as it did in southern Sudan previously.

We are now stalled in peace negotiations between the Government of Sudan and the SPLM, negotiations that have been underway for more than a year. As I said in my opening statement to this hearing, peace negotiations cannot lead us to discount the atrocities being committed in Darfur. The Sudanese Government must cease its attacks against civilians and allow the unfettered delivery of humanitarian aid.

This resolution urges the President to direct the United States representative to the U.N. to seek an investigation to determine if the Sudanese Government is committing crimes against humanity in Darfur.

Lastly, I would like to note that tomorrow, on the final day of the sixtieth session of the United Nations Human Rights Commission in Geneva, the United States delegation will sponsor an Item 9 resolution on the situation of human rights in Sudan. This was referenced earlier by our Ranking Member, Mr. Payne. This is going to have particular emphasis on the atrocities in Darfur.

I would like to commend the Administration for doing this and urge all 53 member countries at the Commission to support this resolution condemning the atrocities taking place in Sudan.

Mr. Payne, would you like to make an opening statement at this time?

Mr. PAYNE. Let me just commend you for this resolution. I support it. I have been in touch with Secretary Craner, the Assistant Secretary for Human Rights, and we talked about the resolution. We are hoping that some of the countries that are reluctant to support this position will support a resolution which will have some meaning to it.

Currently we are disturbed at the human rights debate that is going on, and so I hope that this resolution will be heard and will have an impact on the outcome.

Thank you, Mr. Chairman.

Mr. ROYCE. Thank you.

We will go to Mr. Tancredo.

Mr. TANCREDO. Thank you, Mr. Chairman. I would just say that although I have only been in this Congress for a relatively short time, 5 years now, I believe that this is an unprecedented step we are taking here to actually adopt a resolution of this nature at a time in which there could have been and I am sure in the past we

have heard the excuse that we should not do something like this because of an ongoing peace process.

So I just want to commend you, Mr. Chairman, for having the courage to advance this resolution and to show the world, as a matter of fact, that the Congress of the United States, anyway, will not ignore what is happening in Darfur in the hope that we will get some sort of elusive peace process in the future.

As was stated so eloquently, I think, by one of the witnesses, we will not have peace in Sudan regardless of what papers are signed if we do not settle this issue with Darfur.

Mr. ROYCE. Right. I concur, and I want you to know and Mr. Payne to know that I did call the acting Assistant Secretary of State for African Affairs, Charlie Snyder, as he was getting on a plane to go to Khartoum to tell him to threaten the Sudanese Government to pull off the government supported militia groups, to pull them off of the people of Darfur and issue the order for them to cease and desist because it is clear that there had been government support for that activity.

We are now at the point where we are going to have to mark up a resolution and move forward with what pressure we can bring to bear, especially before the vote tomorrow.

I have an amendment in the nature of a substitute at the desk, which without objection will be considered as read.

[The amendment of Mr. Royce follows:]

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H. CON. RES. 403
OFFERED BY MR. ROYCE**

Strike the preamble and insert the following:

Whereas since early 2003 a conflict between forces of the Government of the Republic of the Sudan and rebel forces in the impoverished Darfur region of western Sudan has resulted in attacks by Sudanese Government ground and air forces against innocent civilians and undefended villages in the region;

Whereas Sudanese Government forces and government supported militia groups have also engaged in the use of rape as a weapon of war, the abduction of children, the destruction of food and water sources, and the deliberate and systematic manipulation and denial of humanitarian assistance for the people of the Darfur region;

Whereas United Nations officials and nongovernmental organizations have indicated that the humanitarian situation in the Darfur region is extremely urgent, particularly in light of restrictions by the Government of Sudan on the delivery of humanitarian assistance for the people of the region;

Whereas on December 18, 2003, United Nations Undersecretary General for Humanitarian Affairs, Jan Egeland, declared that the Darfur region was probably “the world’s worst humanitarian catastrophe”;

Whereas on February 17, 2004, Amnesty International reported that the organization “continues to receive

details of horrifying attacks against civilians in villages by government warplanes, soldiers and pro-government militia”;

Whereas on February 18, 2004, United Nations Special Envoy for Humanitarian Affairs in Sudan, Tom Eric Vraalsen, declared following a trip to the Darfur region that “aid workers are unable to reach the vast majority [of the displaced]”;

Whereas Doctors Without Borders, the Nobel Peace Prize-winning medical humanitarian relief organization and one of the few aid groups on the ground in the Darfur region, reported that the region is the scene of “catastrophic mortality rates”; and

Whereas nearly 3,000,000 people affected by the conflict in the Darfur region have remained beyond the reach of aid agencies trying to provide essential humanitarian assistance and United Nations aid agencies estimate that they have been able to reach only 15 percent of people in need and that more than 700,000 people have been internally displaced in the past year: Now, therefore, be it

Strike all after the resolving clause and insert the following:

- 1 That Congress—
- 2 (1) strongly condemns the Government of the
- 3 Republic of the Sudan and government supported
- 4 militia groups for attacks against innocent civilians
- 5 in the impoverished Darfur region of western Sudan
- 6 in violation of Common Article 3 of the 1949 Geneva

1 Conventions, which specifically prohibit attacks on
2 civilians, and demands that the Government of
3 Sudan immediately cease these attacks;

4 (2) calls on the international community to
5 strongly condemn the Government of Sudan for
6 these attacks and to demand that they cease;

7 (3) urges the Government of Sudan and all par-
8 ties to honor commitments made in the ceasefire
9 agreement of April 8, 2004;

10 (4) urges the Government of Sudan to imme-
11 diately disarm and disband government supported
12 militia groups, to demonstrate respect for human
13 rights, and to allow the delivery of humanitarian as-
14 sistance for the people in the Darfur region; and

15 (5) urges the President to direct the United
16 States representative to the United Nations to seek
17 an official investigation by the United Nations to de-
18 termine if crimes against humanity have been com-
19 mitted by the Government of Sudan and government
20 supported militia groups in the Darfur region.

Amend the title so as to read: “Concurrent res-
olution condemning the Government of the Republic
of the Sudan and government supported militia
groups for gross violations of international humani-
tarian law committed in the Darfur region of west-

ern Sudan, and particularly the Government's indiscriminate attacks against innocent civilians.".

Mr. ROYCE. This amendment attaches the term "government supported militia groups" to the Government of Sudan as a target of the resolution's condemnation of attacks against innocent civilians and the U.N. investigation of crimes against humanity that it urges.

In Rwanda, and in many other countries, governments use militias in an attempt to dodge responsibility. This amendment makes it clear that the militias that are doing so much damage in Darfur are government supported. It notes that the attacks against civilians in Darfur are violations of the Geneva Convention. It urges all parties to honor the April 8 cease fire, and it urges the Government of Sudan to disband these militia groups.

Mr. Wolf, the resolution sponsor, supports this amendment. What is underlined on the copy passed out is what is added to the original text.

I will ask at this point. Are there any other amendments to the bill?

[No response.]

Mr. ROYCE. The question occurs on the amendment. All in favor say aye.

[Chorus of ayes.]

Mr. ROYCE. All opposed, nay?

[No response.]

Mr. ROYCE. The ayes have it.

The question occurs on the amendment in the nature of a substitute. All in favor say aye?

[Chorus of ayes.]

Mr. ROYCE. The Chair will now entertain a motion that the resolution be reported favorably to the Full Committee as amended by the amendment in the nature of a substitute, so the question occurs on the motion to report the resolution favorably as amended.

All in favor say aye.

[Chorus of ayes.]

Mr. ROYCE. All opposed, no.

[No response.]

Mr. ROYCE. The motion is approved, and the bill is reported favorably.

I thank my colleagues, and I again thank the witnesses who appeared here today and thank all of you who participated in this hearing and markup.

We stand adjourned.

[Whereupon, at 4:48 p.m. the Subcommittee was adjourned.]

