

**UNITED STATES COMMISSION ON  
INTERNATIONAL RELIGIOUS FREEDOM**

**PRESS CONFERENCE ON RELEASE OF NEW USCIRF  
RECOMMENDATIONS FOR PEACE IN SUDAN**

**SPEAKERS:**

**U.S. REPRESENTATIVE BARBARA LEE (D-CA)**

**U.S. REPRESENTATIVE FRANK WOLF (R-VA)**

**U.S. REPRESENTATIVE CHRIS SMITH (R-NJ)**

**U.S. REPRESENTATIVE DONALD PAYNE (D-NJ)**

**JOHN PRENDERGAST,  
CO-CHAIR,  
ENOUGH PROJECT**

**WEDNESDAY, FEBRUARY 11, 2009**

*Transcript by  
Federal News Service  
Washington, D.C.*

FELICE GAER: Good morning, ladies and gentlemen. Thank you for joining us today. My name is Felice Gaer, I'm chair of the U.S. Commission on International Religious Freedom, and I'm joined today by other commissioners, our two vice-chairs, Elizabeth Prodromou and Michael Cromartie, who are sitting directly to my right, as well as my commissioners Talal Eid, Nina Shea and Leonard Leo. We're also joined this morning by a number of distinguished members of Congress. Welcome, welcome. And – including Barbara Lee, who's behind me, Chris Smith, Frank Wolf, who are here, we're expecting Representative Don Payne –

MR. : He's here.

MS. GAER: He's hiding, if he's here.

MR. : Oh, I'm sorry.

MS. GAER: I'd like to just continue. Now, both Congressman Wolf and Congressman Smith have been longtime supporters of the Human Rights Caucus and have been advocates for Sudan and old friends of our commission. And Congressman Lee, as well. We're grateful to them for participating this summer in our work on China and for the current press release on that subject, Congressman Wolf. We're also honored to have with us today John Prendergast, who I walked past coming in this morning, who is one of the most active and persuasive voices against violence and abuse in Sudan, John Prendergast. He's co-chair of the Enough Project, and his project works on building a constituency to oppose genocide and other mass atrocities and crimes against humanity. He'll also be speaking today.

Now, the United States Commission on International Religious Freedom has been monitoring events in Sudan since the commission's establishment by law 10 years ago. American diplomacy played a crucial role – played a crucial role in bringing about Sudan's comprehensive peace agreement, the CPA, which was signed in January 2005. That document ended Africa's longest civil war. That was a conflict in which two million people lost their lives, 4 million people were driven from their homes. And during that conflict, it was the finding of this commission that religion was used as a means of inflaming and mobilizing the Sudanese against their fellow citizens, and this commission in fact called Sudan the world's most violent abuser of religious freedom.

The CPA opened a new door and a new opportunity. With everything else happening in Sudan, the CPA nonetheless charts a path from a tenuous ceasefire to a just and lasting peace in at least a part of the country. The CPA provides for democratic accountability through free and fair elections at all levels of government, for the rule of law, for the sharing of Sudan's oil wealth and for respect for internationally recognized human rights, including freedom of thought, conscience, religion or belief.

Today, four years after the signing of the CPA, it is the conclusion of our commission that peace in Sudan is in jeopardy. Key provisions of the CPA have not been enacted, and this is due – mostly due – to the intransigence and some would say the duplicity of the president of Sudan, President Omar al-Bashir and his associates in the National Congress Party. The brutal assault by Khartoum's armed forces and associated militia against the contested oil region of

Abiye last May was an urgent reminder of the fragility of the CPA, and it highlighted that its implementation simply must be a higher priority for the United States and the international community. Implementing the CPA has, in our judgment, reached a crucial stage, with elections scheduled to take place this year and a referendum scheduled for 2011 on southern Sudan's political future.

The commission is announcing today a set of policy recommendations – you saw it outside the room – for consideration of the Obama administration and the new Congress. A complete list of the recommendations can be found on the commission's Web site, [www.uscirf.gov](http://www.uscirf.gov). Most pressing is the commission's recommendation that the president appoint a special envoy to Sudan, a special envoy who can work effectively and thoroughly and full-time with all parties to sustain the current accord and to help advance security and peace in the region. A special envoy can speak with a potent voice on behalf of the president and the secretary of state and would be recognized by the Khartoum government as an indication of America's seriousness about maintaining the peace between North and South. With that in mind, it's now my distinct honor to welcome some of the members of Congress who have joined us today to come to the podium.

First, Congresswoman Lee, who is a member of the House foreign affairs Subcommittee on Africa and global health and of the House Appropriations Subcommittee on State Foreign Operations and Related Programs. Congresswoman Lee is also a member of the Sudan Caucus, the Tom Lantos Human Rights Commission, and the Congressional Taskforce on International Religious Freedom. Congresswoman Lee, thank you very much and it's an honor to have you here.

REPRESENTATIVE BARBARA LEE (D-CA): Thank you very much, Felice, and good morning. And let me just thank all of you in the commission for your steady, steady, steady hard work. And just know that all of us are looking at these recommendations and heed your call. I also want to just thank my colleagues, Congressmen Smith and Wolf, for their leadership, because this genocide that's taking place in Darfur and our response to this has been bipartisan. Their efforts, along with Congressman Payne, who led the charge to declare genocide as taking place in Sudan as part of our foreign policy oftentimes is a lone voice in the wilderness. Their leadership is so important in this effort, so thank you very much and hopefully we can work together as we look at some of these recommendations and move forward together to try to raise our voices louder and to try to do the work that needs to be done to end the genocide, the horrific genocide that's taking place.

So we stand here together today at a critical time, united in our determination to bring the genocide in Darfur to an end. I've been, like many of us have, to Darfur, Chad, Sudan, and the IDP camps now myself three times. I have seen, heard and felt the devastation from the survivors of the genocide, and with Khartoum now continuing – continuing to obstruct the deployment of peacekeeping troops, we need very bold action now to change the dynamics on the ground and to bring an end to the violence. And let me just thank you, John, for your leadership and for staying strong in helping move this forward to address the terrible humanitarian crisis that's taking place with your brilliant recommendations on what we need to

do. I think we all know what we need to do; it's just a matter of the will to do this, and so thank you, John.

Many of us have been involved, as you know, for a new direction, for policy changes and for us to really do the right thing here. And oftentimes it's been difficult to move forward, but again, we have now a new administration, a new Congress, so let's hope that we can take bold actions. Let me just remind you, though, last Congress we did enact legislation that many of us co-authored, I authored, to protect the 61 universities, 27 states and 23 cities choosing to divest from companies doing business in Sudan while also banning new federal contracts with offending companies, and two separate resolutions calling for action on the part of the League of Arab States and the government of China to use their leverage with Sudan to end the genocide.

Both of these were passed by the House, and I think it's important for us to make sure that we exercise some oversight on the actual bills and legislation that have been signed into law, to make sure that at least this portion of what we said we needed to do is being complied with by the United States government. We have a lot of work to do, though, but we're committed to achieving that peace. So we stand ready to work with the Obama administration to address this issue and to bring about a swift resolution.

And so let me just applaud the Commission on International Religious Freedom for presenting these recommendations, and I just want to assure you that every effort to end the genocide in Darfur, which you're so steadily and consistently working on, that will bring us closer to our goal of peace and stability in the region. And so we will continue to move forward in a bipartisan way to try to address these recommendations, as well as other actions, in a very bold and in a bipartisan manner. Thank you, again, very much.

MS. GAER: Thank you so much. It's now my pleasure to introduce Congressman Frank Wolf. Congressman Wolf is, as you all know, co-chair of the Tom Lantos Human Rights Commission and longtime champion on Sudan. Congressman.

REPRESENTATIVE FRANK WOLF (R-VA): Thank you, Felice. I want to thank Congresswoman Lee for her comments. I agree with and thank her for what she's done. I also want to thank the commission. I have noticed that the commission over the last several months has been much more active, and I think that's very good, because you – your credibility – you have every right and even moral obligation to speak out on these issues as anybody else in the country, because that's been the purpose of this – setting this commission up. So don't ever be reluctant and say, "Well, is this my responsibility or isn't it?" When in doubt – because the silence, as Martin Luther King said, the silence of your friends is more devastating than anything else, and so you are the friend of people that are like this, and I think by you speaking out. So when in doubt, just let it grip and shout it out. And hold both the Congress and the administration accountable.

Thirdly, I think it's important that we have a special envoy here. There is a very positive sign: Susan Rice, who I'd worked with for a number of years. I was very pleased to see that Susan Rice will be our ambassador in New York. She was very aggressive on this issue during the Clinton administration, and I know her heart and I think I know how she feels, because I've

seen public statements about it. So I think that's a very good sign. We do need a person. In this town, personnel is policy. The right person with a bad policy gets it done; the wrong person or no person with the right policy fails. A group of us had asked President Bush to appoint someone on the North-South issue, which raged for years, and he did.

He had Senator Danforth, who I take my hat off to at every time I can to thank him for having brought peace and done a great effort. And I think what the commission is saying is that there is a connection between the CPA and Darfur, and I salute Ted and John for their efforts in the good times and the bad times, who are involved in that. Now, it is important now, and I sent a letter to President-Elect Obama, asking that he have a special envoy for the Middle East. He did, he had Senator Mitchell. You could not have had a better choice. You literally could not have had a better, better choice, and that picture of Mitchell standing with the president was a very positive sign. That message that went out – this man, this person has such credibility that when he picks up the phone, the secretary of state will take his call, or the president. And then to have Holbrooke with regard to Afghanistan and Pakistan.

Now, Brownback and I were the first two members to go into Darfur. Barbara, it is genocide. Also, the world stood by – and I see some southern Sudanese here – the world stood by for the longest period of time and allowed what took place to the people in the South. Don Payne and others spoke out, but unfortunately, it went on for a long, long period of time – 2.1 million people killed, reports of slavery, reports of all of the other things. Also, the failure to act really resulted, to a certain degree, in 9/11, because Osama bin Laden lived in Sudan from '91 to '96 and the world just kind of stood by and said “duh”, and John Gerring and a group of them were really, in essence, fighting against a lot of this.

Now, back to this, and I want to go slowly, because maybe I'm not right, but I think I am, here. If President Obama – and God bless him – appoints Mitchell for the Middle East and Holbrooke for Afghanistan and Pakistan and doesn't appoint someone to deal with the genocide and the activities and also if the CPA collapses, Darfur will continue – I mean, Darfur will continue. And if he doesn't do that, the message that's sent is: Darfur, CPA, genocide, not very important. Or – and I don't think this is the truth – if he doesn't, then someone will say, “Well, the Middle East wasn't very important and Afghanistan and Pakistan wasn't very important, but Darfur is so important, they're – because they're going to keep this within the building and deal with it,” and that doesn't make any sense, either. So I think you need a person that the president feels comfortable with, because you need that relationship, and you need a person that Secretary Clinton feels comfortable with.

But we really do need, within the next week or two – not some long, drawn-out time over the next February, March, April, May, June, July, but soon – somebody, and it should be the same credibility for that appointment or I wouldn't even say whereby they're in the Rose Garden, the Oval Office or standing next to Secretary of State Clinton and the president. And you can put together a team, and I commend Mitchell, he's putting together a team of people, so it isn't just him. And you have Ted Dagne, and you have Mr. Prendergast and you have Mr. Winter, and you have a team that that person, that man or woman, could almost gather around. And I believe they have the knowledge, the understanding and the commitment – they have seen

it with their own eyes – to really bring this thing to a conclusion, so that by the end of this year, the genocide in Darfur is over and the CPA is back on strength.

So I thank the commission for its recommendations, I thank the other members of Congress and John and Ted for their work, and Roger Winter and others. We need a person soon standing between the president and the secretary whereby the word goes forth, when this person goes out throughout the region or makes any calls, whether they be to the State Department or the CIA or the Department of Energy, that they have the credibility that they speak for the president of the United States to bring this thing to a conclusion in Darfur and reinforce the CPA efforts. Thank you.

MS. GAER: Thank you, Congressman Wolf. Well, I think you're getting our message, and thank you for delivering it so well. Congressman Smith, a champion of human rights, ranking member of the foreign affairs committee – subcommittee – on Africa, longtime member of the caucus, and he's chaired everything to do with human rights. Thank you.

REPRESENTATIVE CHRIS SMITH (R-NJ): Chairman Gaer, thank you. Thank you very much, and I want to thank the commission as well for steadfastly applying the pressure, providing the scholarship and the moral obligation, the imposition of that moral obligation on our own government to do all within our means to end the genocide in Darfur and in other places where religious freedom is trounced with impunity. And you know that your reports, and the clarity that those reports had within them, have made an enormous difference. It inspires us, it motivates us on the Hill, but it also, I think, is very important to the executive branch to see it as well. So thank you.

I see Nina Shea there, who has been one of the longest standing warriors on behalf of the Sudanese people, and I want to thank her for her leadership. She was frequently a witness at hearings that I held over the years, and others, to bring attention first to the suffering of the people in the South and then to Darfur, which followed almost immediately after the CPA was signed. Like many of my colleagues, I too have been to Darfur. I've been to Mukjar and Kalma Camp and saw the devastation in the eyes of so many people, mostly women, who suffered through the killings of their family members and their children, and for the world to get compassion fatigue or grow weary of trying to end this genocide is just not – it would be unconscionable if we did not redouble our efforts at this critical time.

When Mr. Wolf and I were in Beijing immediately prior to the Olympics raising a series of human rights abuses committed by the Chinese government against its own people, we also made a very strong appeal at the Genocide Olympics, as many of us called it, that the Chinese government use their leverage; probably more than any other government on Earth, if they decided that this genocide should end and that southern Sudan live in peace and reconciliation, they can make it happen. And I know that Secretary of State Hillary Clinton will be in Beijing on February 20<sup>th</sup>, and many of us co-signed a letter asking her to raise, in the most robust fashion imaginable, the importance of solving the problems of southern Sudan as well as ending the killing-fields in Darfur.

I want to say that when we raise those issues, they just dismiss it. It's as if they are not complicit in these crimes, and they certainly are. I would hope that your recommendations as well, commissioners, be taken to heart by the United Nations, which has had a feckless, totally ineffective policy when it comes to the killing-fields in Darfur. They talk about it, they do some good things when it comes to authorizing peacekeepers, but it is on and off. Where are the other treaty body organizations, which all of whom should be honed in on what is happening in that country?

Let me also say, finally, that Salva Kiir and his government, the people who lead southern Sudan, are to be commended for their strength, for their sense of reconciliation. I remember meeting Salva Kiir on a trip to Khartoum 14 or so days after he got the job. And he says, you know, we are now part of this government. We want the work to proceed, we want reconciliation. Unfortunately, when I met with General Bashir, I ran into a man who was belligerent, cared only about ending the sanctions and not about justice and about doing right from the humanitarian point of view, either North or South.

So the pressure has to be ratcheted up, and I would join my colleagues in saying that there has to be a point person. I remember when Mr. Wolf and I and others stood time and again with the NGO community, calling for that special envoy. Natsios and Ambassador Williamson did a wonderful job. We need someone of high caliber to bring that focus, to speak with authority in Khartoum, especially with the elections, the referendum coming up very shortly to end this nightmare. So thank you again to the commission, your recommendations, I think, are a blueprint for action.

MS. GAER: Thank you, Congressman Smith, and thank you for those kind words. I understand that Congressman Payne will be here in about three minutes, and just before he comes in, I'll also want to thank Congressman James McGovern, who is also, with Mr. Smith, co-chairing the Tom Lantos Human Rights Commission. And he has submitted a statement for the record, just a tiny piece of which I'll quote right now. He says: "We should not fool ourselves that these complicated agreements could not easily falter, that the North-South fault lines of tension and deep mistrust have disappeared and that religious intolerance has faded away. This is why our administration must make a commitment now. Only the full engagement and pressure of the international community brought about the historic agreement."

And then he says that with the ongoing genocide in Darfur as a daily reminder of the evils, we shouldn't take our eye off the ball, that we need high-level engagement of the new administration and all relevant bodies of the United Nations. And then he concludes by saying to the commission and to all those present, "We cannot simply assume that keeping our fingers crossed will do the trick in Sudan; it never has and it never will." Well, I want to thank all of the members of Congress for your forceful comments and, most of all, for sharing in the commitment to freedom and security and protection of civilians in Sudan.

We, the commission, agree that the United States should engage all parties in Sudan to press for full implementation of the CPA, including power sharing, wealth sharing, respect for human rights, democratic accountability through elections, resolution of the Abiye issue and the 2011 referendum on the South's political future. In order to protect civilians against the mass

atrocities and genocidal acts that have, unfortunately, characterized conflicts in Sudan, including more recently in Darfur, the United States should be strengthening southern Sudan in order to deter the North from being tempted to impose a military solution there.

Now, the commissioners have, in the document you have in front of you, identified six areas in which recommendations are urgently needed. First and foremost, the appointment of the special envoy to implement the CPA and, secondly, to advance the implementation of the CPA – all these things I’ve just mentioned now – protection of human rights, fair elections, the Abiye issue, wealth sharing, power sharing – have to be addressed, and seriously. Third, the protection of civilians – and we make a recommendation, as I’ve just indicated, that with the threat to civilians growing, it’s important to take seriously the question of what is southern Sudan’s defensive capability. And we make some very specific recommendations. We’d be glad to discuss those in the question period.

We also speak about the importance of reconciliation and building rule of law in southern Sudan, building the indigenous economy in southern Sudan, and expanding a U.S. diplomatic presence and capacity in southern Sudan. So all those issues are abundantly addressed in our recommendations. At this point, I would like to suggest that we open the floor for questions. And before we do that, we’ve all asked the person who’s perhaps more familiar to all of you than anyone on the question of Sudan and has been more effective – John Prendergast of the Enough Project, who has testified on these issues before us, who has been so remarkable on these issues – to say a few words here, and then when Congressman Payne comes, he’ll speak after John. We were going to do it the other way around, but we’ll take it this way. Thank you, John.

JOHN PRENDERGAST: Thanks, Felice, I’m used to pinch-hitting up here, so no problem. You know, for six years now, the genocide has unfolded. For four years now, we’ve watched the implementation of the CPA, rocky as it is, slowly, steadily grind to a slower and slower pace. And during this time, we’ve hoped for a game-changer – something that would shake up the deadly status quo that has led to 2.5 million freshly dug graves in southern Sudan and in Darfur. While I think, finally, we have that potential game-changer in the pending arrest warrant for President Bashir for the crimes of genocide, war crimes and crimes against humanity. Now, the chorus of diplomats and academics around the world are demanding that we delay justice in the hopes – in the prayer – that peace may come someday.

Well, I beg to differ. During my eight trips to Darfur, now, in the last four or five years and a number of trips into southern Sudan with Ted Dagne and others in this room, I found that this place, Darfur, is – and the returning southerners going back to their villages – they don’t see the disconnect between justice and peace that everyone writes about and talks about throughout the world. And over and over, they’ve told me and I’m sure they’ve told the congresspersons here in the panel and perhaps some of the commission representatives in your trips, “How can you have peace when Bashir has tried to exterminate us, you know? How can you have peace without justice?”

That’s their question. Now, the Obama administration and the United States Congress have a real opportunity now, today, at this moment, to influence the situation in Sudan very directly. We need a public component to our strategy and a private component to that strategy.

Publicly, the U.S. needs to align itself and then work assiduously for peace. They need to name that high-level envoy as everyone, I think, has suggested here, preceding me. And a team, like we had – like the Bush administration assembled for the conclusion of the CPA – underneath Senator Danforth working the issues night and day, worked with the Europeans, worked with the Africans to bring that peace deal to a conclusion.

We need to replicate that process for Darfur and continue that process for the implementation of the CPA so that the special envoy is the head, but the body has to include the personnel and assets and resources necessary to make peace possible. And we need to bring China, bring Saudi Arabia, bring Egypt and other countries that are slowly, increasingly concerned with Bashir and the liability that he represents to their investments and to their broader, regional strategies – we need to bring those countries along in our strategy for bringing about change in Sudan. And the U.S. is singularly positioned to lead diplomatically to do that.

That's the public component. Privately, though, and equally important, I think, the U.S. should work to build support, internationally, for accountability for the crime of genocide, for the kind of crimes against humanity that have been committed in Darfur and in Southern Sudan for 20-some years. We need to help create a cost for a regime whose head will, in the course of the next week or two, become an indicted war criminal. We need to give the opportunity to ambitious elements within the ruling party, the National Congress Party in Khartoum, to press for Bashir's removal and to give the Arab states and China space to do the same in order to protect their investments and their policies and strategies.

We don't need megaphone diplomacy right now on this issue. This isn't the U.S. versus Bashir. That's a losing proposition with Gaza and Iraq in the background. We need to be working much more quietly on this particular issue of a replacement, of a change – basically, a peaceful regime change – to give the vast majority of Sudanese people an opportunity to see peace come to their country. So this is our chance, in conclusion. It's the best opportunity, as counterintuitive as it sounds, with the CPA on life support and Darfur deteriorating every day. I think this is the best chance we've had for peace in the last quarter-century. Will the Obama administration and Congress rise to the challenge? Well, if they listen to the commission's recommendations and to the members of Congress that preceded me at this podium, we have a chance. Thank you very much, Felice.

MS. GAER: Thank you, John, and thank you so much for all of your work and passion on this issue. Don Payne is the chairman of the House Foreign Affairs Subcommittee on Africa. He is a champion on Sudan. We're so glad he's here. We've been waiting for you and are so grateful that you can take the time today to come and join us, Representative Payne. Thank you.

REPRESENTATIVE DONALD PAYNE (D-NJ): Thank you. I looked at the sign, I said, gee, I have another person with my name. (Laughter.) Really great to be here this morning and to see so many interested parties here. And I'd like to just commend the commission for the outstanding work that you've been doing in so many areas. Let me say that I'm pleased to be here and commend you for holding this very important press conference to announce the recommendations designed to ensure that the fragile peace between the Khartoum government in

the North and the northern and southern regions is sustained and strengthened – the fragile peace that we have there. And as we know, it is very fragile.

I also want to thank the commission and the folks here for your continued focus on the crisis in Sudan. I cannot begin to speak about the ongoing crisis in Sudan without putting the situation in context – I mean the human context, which is what we are so concerned about. Two million people have died, as we know, and more millions have been displaced in the war between the North and the South, which lasted for 21 years. And Dr. John Garang gave 21 years of his life and then, tragically, lost his life 21 days following the peace. Even up to today, there is really no accountability of what happened to John Garang, and really no accountability of the 21 years of death and destruction that was perpetrated by the government in the North.

In Darfur, an estimated 450,000 people have been killed in a genocide that began six years ago. There are children who were born six years ago who are still living in the camps. They don't know what it means to go to school, they don't know what it means to live in a normal community, and there's still no accountability from this same government that presides in Khartoum. Five years ago, we declared genocide was underway in Darfur. Yet, we have not succeeded in achieving an end to the violence, the destruction and the genocide continues and lives, and communities are still in destruction and disarray. We've certainly failed as it relates to the situation in Darfur.

There is, of course, the question of justice. And as they say, what is justice without peace? But inversely, you know, what is peace without justice? We need to have a balance of the two. We cannot ignore one, peace, at the expense of the other, justice. We need to have justice and accountability for Darfur and for the South. There are those in the National Congress Party – NCP, formerly the NIF – that have committed atrocities. There are others who have committed atrocities in Darfur, atrocities in the South, but there's no accountability.

We must allow the ICC to move forward with the arrest warrant and to see how the government of Sudan will respond. Will they dramatically change the situation on the ground and deal effectively and transparently with the issue of justice? This remains to be seen. Justice is important, but at the same time, we cannot forget that people in the camps cannot wait for justice. We must have action and we must have action now. As for U.S. policy and the new administration in place, we will have an opportunity to make a turn in our policy, hopefully.

I think that there's been confusing policies as relates to Sudan. On one hand, we have one agency in our government which extends an invitation and sends a U.S. taxpayer-funded jet to bring the head of the intelligence agency of Sudan to Virginia, when the same person is the one who was responsible for the accommodations of Osama bin Laden and the one who sort of led the Janjaweed. So we have a policy that's very confusing to me, and I would imagine, to other people in our country and, particularly, around the world.

And so the commission's recommendations are very important. One of the main issues about the special envoy – I know the commission recommendation includes the naming of a special envoy, and I was one of the main ones pushing for a special envoy with a strong, clear mandate in the past years. But let's review what's happened: We've had four special envoys in

the last eight years. A special envoy is not going to change the situation; it's been more symbolic, and if we have a special envoy, we have to have a special envoy that has a clear purpose.

And I believe we've had excellent people. You couldn't find more competent persons who have been appointed. But if you don't have the support of the administration behind the special envoy, in my opinion, another special envoy is certainly not the answer. We need to have a clear policy, I guess, is what I'm saying, so the envoy knows exactly what we stand for and what we want to do. We need a united government behind that policy; we need to have a well-integrated and clearly defined approach to Sudan. We can't have the intelligence and military people saying one thing and the Agency for International Development and others saying something else. There has to be a single, clear policy if we're going to have a successful implementation of what we intend to do.

We also need to beef up our presence in Juba. We must also have good representation that can follow-up on policies we recommend in Khartoum. According to the CPA, the elections are supposed to take place in July of this year. They must be transparent elections. The question is whether Sudan is ready for transparent elections. How can we have an election with a president accused of genocide standing for president? He's a candidate – the leading candidate, at that. How can we have an election when you have over 2.5 million people barely eking out a living in camps, practically living in prison? How can Sudan hold elections with disputed census data and no border demarcations? These issues should be resolved.

We have five months for these things to happen. If not, we should be open to considering other options. This time around, our engagement with Sudan should have both extremes on the table. We need to be prepared to take the necessary steps to end the suffering. We also must be prepared to engage the government of Sudan with clear mechanisms in place to ensure that the agreements are kept. If engagement fails, we must be prepared to use what other options we have at our hand. At this junction, we must have something real and credible. We must not shy away from doing what is right; the people of Sudan cannot wait and should not wait any longer.

And so I think that it's going to be very, very important that the new administration focus on a clear policy. As I've indicated, there were too many mixed signals in the last administration. We had good people but we did not, in my opinion, give them the backing and the support, and more importantly, a clear policy direction that they should take. It was really unfair to the special envoys. We almost set them up to fail. And so I certainly, once again, appreciate the commission's interest in this very, very important issue. And with that, let me thank you for indulging and, as we say, I'll yield back the balance of my time, which I doubt if I had any left. (Chuckles.)

MS. GAER: Thank you so much, congressman. We are now opening the floor for questions and answers. The commissioners – I'd like to especially thank the commissioners who are here. I'm going to go all the way to the right. Leonard Leo traveled to southern Sudan, together with commission staff, under difficult circumstances on a short time turnaround, and I think him for his participation and vitally important role in helping us shape these

recommendations. Nina Shea you've already heard about from several of the members who've spoken, and she is our conscience on Sudan and many of yours – many of you know her for that.

Talal Eid has been a commissioner for three years, four years? Two years. It feels like three, because he's – those are the kind of discussions that we have. Elizabeth Prodromou – I'm not going to guess how many years she's been a commissioner, but I think it's four. And Michael Cromartie, there, our vice chair – and Michael traveled to Sudan a few years ago as well. We are open to questions about our conclusions and recommendations from any of you. Yes, sir, would you state your name and then I'll recognize someone.

Q: Rob Shant (ph), International Clergy Council. First, our members want to commend the commission for your very good work. And it's understandable that the South and Darfur continue to be the focus of concern, but our concern includes the Christian communities in the North, and they are there. When I was in Khartoum with the Institute on Religion and Public Policy, we met vibrantly with Christian leaders in the North and they expressed anxiety over the unintended consequences of sanctions and the similar policies that, they told us, threatened to plunge them into isolation and leave them very vulnerable. Has their situation been contemplated in your recommendations?

MS. GAER: Nina, would you respond?

NINA SHEA: Yes, thank you for that question. In fact, we did issue a chapter on Sudan in our annual report last May, and you will find point four directed just to that issue, about allowing all religious groups to conduct their activities and to repeal – throughout the country – the laws that punish changing one's religion or encouraging others to do so and official acts of blasphemy and so forth. And, you know, I just want to say that I was gratified to see that Secretary Clinton, at her confirmation hearing, said that the CPA would be a priority for her. And you might wonder why would this forgotten backwater and this forgotten war in the South – North-South – be a priority, but it's a very important marker.

So I just want to get back to the CPA, which was the subject of our conference today, because frankly, the humanitarian toll in the South was absolutely staggering. The congressmen have talked about that earlier – two million killed, five million in refugee camps or having fled. The CPA is key to Darfur. There is a U.N. relief coordinator, John Holmes, who was in Sudan recently. And he said, quite clearly, to the New York Times that if the North-South treaty fails, you can forget about Darfur. So the whole Darfur situation hangs on the CPA agreement as well. And there's, frankly, pessimism about what's happening with this peace accord. There are elections scheduled under it for this year and there's a danger that they may be derailed. And if that happens, that's the beginning of the unraveling.

There are obstacles; Congressman Payne just outlined them. They need to be overcome. And the U.S. needs to do more than just sending election observers. We need to start building the economy in the South, making it viable so that these people can stand on their own and, if they choose to do that in the referendum, they can have a viable future. They need to have defensive capabilities in case what happened in Abiye happens again to the South. It was raised by troops last spring, that is. So Mrs. Clinton is right to say that it should be a priority. We'll be

following very closely her trip to Beijing next week on the 20<sup>th</sup>. Hopefully, she'll raise it with China; China is an important actor in Sudan. Hopefully, the United States will be appointing a special envoy soon, and there's not a moment to lose with the elections in July – scheduled for July, that is – and to give the South the support it needs to carry out this CPA.

MS. GAER: Thank you, Nina. The chapter she referred to is outside, reprinted in this cover from our annual report. And you'll find that instructive. There is a copy. I'm happy to take follow-up comments from the commissioners – also, further questions, if you have them. And if I may, I'll take Faith's question and then we'll come back to the commissioners for a response.

Q: Faith McDonnell from the Institute on Religion and Democracy. I direct the Church Alliance for a New Sudan. Thank you, commission, for your recommendations. Thank you for all your work. I think you're a valuable part of the U.S. government. One of your recommendations is on building a successful indigenous economy in southern Sudan, and I'm just wondering, has there been any more attempt to help U.S. business and people understand the difference in the sanctions – that the sanctions do not apply to the areas that are under the government of South Sudan or SPLA control, or anything like that, because there's been so much confusion?

And then, kind of combined with that, this whole idea of the natural resources – I was hearing from some friends from eastern Sudan, the Bija, that the Chinese are working in gold mines in eastern Sudan right now. And we really need to take seriously all the irons that China has in the fire on Sudan.

MS. GAER: So to speak.

Q: Yeah.

MS. GAER: Well, we'll take responses on that. I had asked Michael Cromartie and Talal Eid to speak to economic issues if there are questions, but I have both Elizabeth Prodromou and Leonard Leo wanting to comment on your question. So, Elizabeth?

ELIZABETH PRODROMOU: Thank you. Actually, I was going to follow-up on the first question, but it's also related. I think the decision of the commission to center the CPA and the importance of focusing on the danger signs or the unraveling of the CPA – regarding the first question, you asked specifically about whether or not our recommendations focused on what's happening in the North as well as this follow-up question on the South, and one of the things that we have spoken about repeatedly is that those provisions of the CPA that are relevant to the North have not been implemented, or have certainly been implemented with great irregularity.

Regarding, in particular, the way those affect Christian and animist communities in the North, what we know is that Sharia law continues to be applied in a wholesale way so that non-Muslim communities and also, Muslims who don't support the strict interpretation of Sharia of the North, continue to be discriminated against. And their general human rights, but certainly, rights of religious freedom, are violated. And there are numerous instances of direct and indirect

forms of discrimination, everything from access to government jobs to the right to securing permits to building places of worship, to repairing places of worship – all of that basket of rights that should have been implemented as part of the CPA in the North as well as the South have not been fully executed.

So this gives some window into why it is that we continue to emphasize the importance of focusing on the breakdowns in the CPA at this point. It's certainly about the South, but it's also about the North, to follow up on your initial question.

MS. GAER: Leonard? Leonard Leo?

MR. LEO: Regarding the question about the economy and about sanctions, just a couple of quick observations: First of all, when I was in southern Sudan in October, what became very apparent was what you essentially have in the South is a cash economy without a banking system. And it is very, very hard for a country to establish serious economic development in the absence of a banking system that can extend credit and engage in the other activities that bolster economic growth, so that's a serious problem and one that probably needs some attention.

Secondly, I was just absolutely shocked by the condition of the courts in southern Sudan. I don't think I've ever been in a public building as decrepit and lacking in light and air and the basic needs that one has to do their job than the Supreme Court in southern Sudan. You can't have investment-backed expectations in an economy without a court system that has the basic resources it needs to mete out justice, and you can't have a legal system that combats corruption, which is beginning to become a problem in the South, either. And that relates to your point about oil revenues and how those are being spent.

So there's a lot of work that I think the United States can do to help bolster economic development, the rule of law and various anti-corruption initiatives. With regard to sanctions and the role that other foreign governments play, I remember looking out the window of our room at the U.S. mission and seeing a huge Chinese flag flying about two blocks away over a local hotel. And that spoke volumes about the role that China is currently playing.

As one of our congressmen said, they play a very active role in the economy in Sudan right now, and there are a lot of very complicated questions about the way the sanctions regime works – how you relate that to an economy and a banking system and what you do about oil production and mining and other economic activity to derive natural resources out of the terrain in the Sudan. So I think there needs to be some greater effort at thinking through where – how the sanctions are affecting economic development.

MS. GAER: Thank you very much. I'd like to also add that Congressman Michael Capuano has sent a "Dear Colleague" letter to all of the members of the House in which he's addressed this issue of the distinction between North-South sanctions. And if you haven't seen it or if you'd like a copy, Kody Kness from our government-relations staff will be happy to help you get a copy of that or, of course, Congressman Capuano can do that. Do we have further questions? Yes, ma'am?

Q: Yes, hi, my name is Jessica Ling. I'm wondering –

MS. GAER: Could you tell us who you're with?

Q: I'm a student with World Learning. And I was wondering what can the U.S. government do to assist southern Sudanese expatriates that are here in the United States that have many skills that can assist the development of southern Sudan – what can the U.S. government do to help them get back and be part of that reconstruction?

MS. GAER: It's a good question. And it is addressed in the commission's recommendations. I'm wondering if Mr. Cromartie might want to comment on that, or one of our other commissioners?

MS. PRODROMOU: Yeah, I'll be happy say –

MS. GAER: Elizabeth Prodromou.

MS. PRODROMOU: – something briefly. One of the recommendations that we make regarding the overall need to build a rule-of-law society in both North and South concerns education. And we suggest, for example, that the United States provide scholarships to students to attend law school in the U.S. with the provision, of course, that as expats or as students who come that they will return home and contribute to the building of a professional judicial system. So this is a recommendation that touches directly on your question, I think.

MS. GAER: Thank you. Nina?

MS. SHEA: Yeah, it's just a great question because there is such dire need there – there's a real dearth of English teachers at higher educational levels. There's only one university in southern Sudan, it's not fully operating yet, and it has decided that a teaching language should be English. And that's something that we should encourage and we should support that and we should provide teachers and exchanges and encourage the expats to go back, because they have the English from here. So I think all of that is very, very important.

MS. GAER: I'd just like to add, and I think probably everyone in the room knows that, when our staff went to southern Sudan, each time they came back and they said they have never seen a more impoverished place in the world. I wanted to – we're promised to be out of the room in a couple of minutes, and I wanted to thank that staff for participating in, organizing and arranging those visits – Dave Dettoni, Steve Snow, in particular, who have traveled there. Also, other commission staff who've helped put this event together today – Judy Golub, Kody Kness, Rob Schwarzwald, and our executive director, James Standish, who's very discreetly sitting in the front row.

Thank you all. Thank you, commissioners. And thank you all for coming. There's an enormous amount left to do. We've got three or six pages of recommendations out there; they are just the tip of the iceberg. They need your help, they need the help of the congressmen who

are here, and they need the earnest efforts by a special envoy and the new administration and Congress. Thank you.

(Applause.)

(END)