Hearings on Religious Persecution in Sudan: Mr. Steve Rickard Oral Testimony

February 15, 2000

(Note: These are unedited and uncorrected transcripts)

MR. RICKARD: Thank you very much, Mr. Chairman. It really is an honor to be invited to testify before this panel and with the many distinguished witnesses that you have before you.

I want to extend the regrets of our Executive Director, William Schulz, who very much wanted to be able to attend but had a conflicting speaking engagement.

Mr. Chairman, more than a third of the original Amnesty Board of Trustees when Amnesty was created were clergymen. The very first investigative mission Amnesty ever undertook was to investigate the situation of an archbishop imprisoned in Czechoslovakia. It should come as no surprise, then, that Amnesty has been extremely pleased with the groundswell of support that people like Nina Shea have done so much by popularizing this issue and taking it to the public.

Four years ago, Amnesty ran a worldwide campaign on Sudan with videotape and other materials, with Amnesty members sitting in church basements and high schools around the country writing letters on the case, and it certainly is the case that they are only thrilled at the increased attention that has been brought to the issue.

I share the view that this is an issue that there ought to be and can be very broad bipartisan and public support for. In my work in the Senate working with Senator Moynihan and on the Senate Foreign Relations Committee, I found time and again that the view that one party or the other had a monopoly on caring about human rights issues was a very mistaken view, and I think Sudan illustrates the fact that people across the board care very much about this issue.

As far as the situation in Sudan goes, you have had many distinguished witnesses. Obviously, Roger has done an enormous amount of work documenting the situation there. I was in fact very struck by a statement in some Committee for Refugees materials that one in five Southern Sudanese have been killed during this conflict.

A lot of people don't realize that the term "decimated" has a very precise definition. It is more than just heavy losses. It comes from the days of the Roman legions, and it means "one in ten," one in ten lost, and by that standard, Southern Sudan has been decimated twice over.

Because you have had so many excellent witnesses on the situation in Sudan, let me turn to some of the questions of policy. I want to begin by talking about some broad human rights policy that I think the Commission could play a very important role in endorsing. They are not specific to Sudan, but by providing a stronger human rights context, they have very powerful applications to Sudan.

First, consistency matters. Foolish consistency may be the hobgoblin of small minds in some areas, but it is not foolish in diplomacy, because there is a price to be paid for inconsistency. In this case, how seriously do we expect Canadian officials and corporate executives to take U.S. protestations about Talisman's activities in Sudan at the very moment that their officials and corporate executives are being elbowed aside in the rush to get contracts in China?

How seriously do we expect China and other countries, Russia and others, to take our protestations that oil should not influence human rights policy when Saudi Arabia is left off the list of gross human rights abusers in the State Department's report?

Consistency matters, because it makes it more difficult, much more difficult, to persuade others to go along with us when it appears that our own policy is inconsistent and a matter of special pleading.

Second, charity begins at home. One of the very important things that this Commission could do is to endorse a return to a U.S. political asylum policy that honors America's best traditions, as a haven for those fleeing persecution abroad.

One of the best parts of the original Wolf-Specter legislation was a part that was not adopted, which was proposals to make positive steps to reverse some of the retrograde changes that have taken place in U.S. political asylum policy. The fact is that today, someone fleeing persecution from abroad has less opportunity to see counsel and to have appeal rights than you or I would have opposing a parking ticket in the United States.

Legislation has been introduced to reverse some of the worst aspects of the current situation in the Senate. I think the Commission should endorse that legislation, S. 1940, the Refugee Protection Act.

Third, resources matter. If we want the United States to develop and implemented a powerful human rights policy, we have to give our diplomats the resources to carry out those activities. In the last Congress, under the leadership of Representative Chris Smith, Congress mandated a significant increase in funding for the Human Rights Bureau. In light of the fact that the Bureau now has to produce, in addition to the annual Human Rights Report, an 1,100-page report on religious persecution, it should be an absolutely unanimous position that the Human Rights Bureau has to receive significantly increased funding. And I think that this initiative will help, but much more needs to be done.

Personally, I would like to see the Commission endorse the principle that one penny out of every dollar spent on salaries and expenses at the State Department at a minimum ought to go to the Human Rights Bureau at the State Department. That doesn't seem like too much to ask. But the fact is it would be a dramatic increase in the funding for the Bureau, which is in fact the smallest of all the global bureaus in the Department.

Speaking just for myself, I also think we need to give the administration more resources to carry out foreign policy in general. The fact is that the mandated increase for the Human Rights Bureau is an example--it is a fair criticism that it was an example of robbing Peter to pay Paul. The money had to be taken out of other places in the State Department.

On this issue, I am reminded of the passage in Exodus where Pharaoh says to his overseer in response to the protestations of Moses and Aaron, "You shall no longer give the people straw to make bricks. Let them go and gather straw themselves." The fact is we want the United States to have a strong foreign policy and a strong human rights policy, and we have to give our diplomats the straw to make the bricks to build the foundation on which that policy will rest.

Finally, controlling arms sales. Also in that same piece of legislation, Congress mandated that the administration seek to negotiate a strong multilateral framework for controlling arms sales to dictators and tyrants. That is an important step, and I would like to see this Commission endorse that mandate. But I don't think we should wait for the rest of the world to join us in deciding that we aren't going to sell arms to tyrants and dictators. We did not wait to ban bribery until every country in the world was willing to go along with us; we showed leadership. It is an amazing phenomenon that what we used to call "leadership" has somehow become "unilateral," and that is somehow a dirty word.

I would like to see the

Commission endorse the legislation introduced by Representatives McKinney and Dana Rohrabacher to have a U.S. code of conduct on arms transfers; that is a really good example of a bipartisan approach that you would not necessarily expect.

Let me turn to some of the hot button questions concerning Sudan. I told the Commission staff when I was asked to testify that unfortunately Amnesty, because of its internal mandate and its international structure, does not take a position on a number of the questions that have been most hotly contested. We do not take a position on economic boycotts or divestment campaigns. We do not take a position on diplomatic relationships. So I will not be able to make the same kind of specific recommendations, but nothing prohibits me from giving you observations and my own thoughts.

First, on the question of making Sudan a priority, to say that people in the State Department don't care about human rights, don't care about religious persecution and don't care about Sudan is indefensible. To say that we need to do more is indisputable. I think the question here is not what has the administration done so far--I completely agree with Roger Winter about people like Dick McCall and how much they care about this issue--the question is not what have they done so far, the question is what are they prepared to do.

The United States fought a very bitter trade war with the European Union over bananas. Is it willing to push the EU as hard on Sudan as it did on bananas? The United States has been very tough with China over intellectual property and pirated videotapes, including threatening sanctions. Are they willing to be as tough on human rights as they are on copyrights?

So one question that I'd like to see the Commission ask, and I think it's a fair question, is where does stopping the killing in Sudan rate as a U.S. foreign policy priority with getting fair treatment for bananas and "The Little Mermaid"?

Second, I think we really ought to focus on the indisputable fact that the Government of Sudan is committing gross and flagrant and really indisputable violations of international agreements that it voluntarily accepted, that it acknowledges that it is bound to adhere to--the Geneva Conventions, the International Covenant on Civil and Political rights. Why is that important? It is important because the United States is also party to these Conventions. As a treaty party, the United States has a right to demand compliance in a reciprocal relationship with Sudan on these issues. By emphasizing these concerns, it makes it much more difficult for the Government of Sudan to play this as a cultural conflict or to portray itself as the victim.

In the same light, we need to be very explicit about the fact that the forces opposing the Government of Sudan are also bound by a number of these conventions, including Common Article III of the Geneva Conventions, that they have also violated these Conventions. It is not to assert moral equivalency between the two to say that where violations occur, no matter who does them, they need to be confronted, and there has to be accountability.

Concerning the Embassy in Khartoum, again we don't take a position on that, but it is hard for me to imagine that anyone wouldn't be able to recognize that reopening the Embassy in Khartoum will be seen as a change in policy, a concession toward greater engagement, and anybody looking at that should be concerned about the government triumphalism that will result if that happens, whatever you decide is the right answer.

On Talisman Oil, again, we don't take a position on divestment and economic relations, but I completely agree with the view that the oil revenue issue has pumped oxygen into the Government of Sudan's belief that it can win the war, that it is on a roll in a way that is extremely tragic. If the Government in the North ever gets to the place where it really believes, as Roger Winter has said, that it can impose a "Carthaginian peace" in this conflict rather than have to negotiate, that would be tragic indeed.

We do believe--and we do take a position on issues like this--that there are very serious reports of gross human rights violations in connection with the oil fields and the pipelines. It should be an absolute priority to get access for human rights monitors to those areas. And Talisman and the other corporate entities that are operating there need to be held accountable if, as has been credibly reported, there is depopulation going on, executions, and other gross human rights violations.

Finally, on the issue of food aid, I will simply say that it would be far beyond our mandate to take a position on whether or not to support or oppose providing direct assistance to any particular combattant. I will simply say I understand why this issue has occasioned so much concern and debate. This is not something that should be taken lightly, and I know that the people who have proposed this do not take it lightly. But the fact is that the history of the Government indicates quite clearly that there is every reason to think that this would be used as an excuse to further interfere with Operation Lifeline Sudan, to commit attacks against food supplies, and there are also concerns about the conduct of forces opposing the Government in the past in terms of how they on occasion have manipulated food aid. So not taking a position either way, obviously, it is something that would have to be very, very seriously considered.

I have made a number of other specific comments that I won't repeat in my testimony except to say that I believe that this Commission can and should play a very, very important role in terms of bringing people together to support policies on this issue. While I said that I believe that the groundswell of interest and support on the issue of religious persecution has been a positive thing, that doesn't mean that I think that everything that has been said about this issue has been positive or even truthful or calculated to bring people together. But that's a role that this Commission can play and I believe will play.

Again, I very much appreciate being invited to testify.