

United States Senate

WASHINGTON, DC 20510-3204

March 15, 2006

The Honorable George W. Bush
President of the United States
Washington, D.C. 20500

Dear Mr. President:

I write with great concern about the crisis in Sudan. Despite the work of the African Union, violence against civilians and aid workers in Darfur is increasing and spilling across the border into Chad. Between 200,000 and 400,000 people have been killed, and United Nations Secretary-General Kofi Annan and other credible experts continue to warn that three million civilians are displaced and at risk in Darfur and in eastern Chad. The situation in eastern Sudan is also of concern.

The United States and United Nations (U.N.) now possess extensive, official accounts of the violence and, through a U.N. Panel of Experts and other sources, we also know who may be responsible. The Government of Sudan – reported by the U.S. State Department on March 8, 2006 to be responsible for the genocide in Darfur – continues to deny the existence of a crisis. It continues to threaten retaliation against an international intervention, and, according to a U.N. report dated January 30, 2006, it continues to introduce additional military aircraft into Darfur. The United States can and must do more. Below are 13 ways in which you can take action.

Convene a meeting of world leaders to address the crisis in Darfur. For 100 weeks, the international community has watched, with little meaningful response, as the first genocide of this millennium has been carried out by the Government of Sudan against the people of Darfur. I urge you to convene, without delay, a meeting between leaders of the United Nations, the North Atlantic Treaty Organization (NATO) and the African Union, and other interested world leaders, to map out an action-plan for Darfur. The millions of displaced victims in Darfur deserve at least this much.

Appoint a Presidential Envoy to Sudan. To promote lasting peace in both Darfur and eastern Sudan, and to demonstrate U.S. commitment to peace negotiations and agreements, I urge you to consider the appointment of a Presidential Envoy to Sudan. Like Senator Danforth, your previous Envoy to Sudan, a new Envoy should participate personally in peace talks, oversee and coordinate U.S. engagement in Sudan, and report directly to you on these efforts.

Lead the U.N. Security Council in authorizing a peacekeeping mission in Darfur. To protect civilians from continued violence – much of which is documented explicitly in a 42-page U.N. report published on January 27 and the U.N. Secretary-General's monthly reports to the Security

Council – I urge you to push the U.N. Security Council to authorize, under Chapter VII, a U.N. peacekeeping mission in Darfur.

On January 12 and March 10, 2006, the African Union endorsed this mission in principle. U.N. Secretary-General Kofi Annan has begun planning this mission, in accordance with the U.N. Security Council's Presidential Statement of February 3, 2006.

Efforts to broker a peace agreement for Darfur must not forestall efforts to protect civilians. Our continued inaction will enable the killings to continue. This fact cannot be ignored.

A U.N. mission in Darfur must now be authorized with a clear and robust mandate to protect civilians; and be supplied with the troops, air- and ground-mobility, and communications network required to fully implement that mandate.

The Government of Sudan must either cooperate with this mission or face sanctions, in accordance with the existing U.N. Security Council Resolutions that are described below.

Support the African Union (A.U.). According to U.N. officials, deployment of U.N. peacekeepers to Darfur may take six to nine months. To protect civilians in the interim, I urge you to support the African Union peacekeeping mission in Darfur in two ways. First, I urge you to support the funding needs of the African Union mission for the next nine months. As you know, the United States' share of these costs is estimated at \$10 million per month.

Second, in accordance with United States Senate Resolution 383, which I co-sponsored, I urge you to lead NATO in providing assistance to the A.U. peacekeepers in Darfur, particularly in the areas of command and control, logistics, intelligence, and airlift. I called for NATO assistance in Darfur more than 12 months ago, at the Munich Conference on Security. Since then, NATO has been helpful, particularly with airlift, but it can and should do more.

Third, to improve the ability of the existing African Union peacekeepers to deter violence, I urge you to explore mechanisms that would provide African Union commanders in Darfur with specific, timely, standardized information about imminent attacks against civilians in Darfur.

Enforce the no-fly zone that has been established by the U.N. Security Council and endorsed by the U.S. Congress. Despite the enactment of a no-fly zone by the U.N. Security Council in March 2005 – nearly one year ago – the Government of Sudan continues its aerial assaults against civilians in Darfur. This is unacceptable, and I urge you to work with members of NATO, the U.N. Security Council, and the African Union to immediately enforce the ban on offensive overhead flights in Darfur that was established by *Security Council Resolution 1591*.

On March 2, 2006, the U.S. Senate adopted *Resolution 383* calling on you to take steps to enforce the no-fly zone in Darfur. Senator Biden and others have suggested that enforcement of the flight ban would require no more than 12 to 18 fighter planes and a handful of AWACs. I urge you to work with other countries to mobilize these resources, and to ensure that the Government of Sudan ceases its overhead assaults. Our continued failure on this issue is unacceptable.

Similarly, I urge you to raise with Khartoum the findings of a U.N. report dated January 30, 2006, which suggest that the Government of Sudan continues to introduce additional offensive military aircraft into Darfur.

Lead the U.N. Security Council in enforcing Resolution 1591, to freeze the assets and travel of certain dangerous individuals. I urge you to work with other members of the U.N. Security Council to fully implement *Resolution 1591*, which authorized the Security Council to impose travel bans and asset freezes on any individuals believed by a Panel of Experts to constitute a threat to stability, to violate international human rights law, to impede the peace process, or to conduct offensive overhead military flights.

The Panel of Experts has identified several individuals who have perpetrated such violations of international law, and these individuals must be prevented from organizing or perpetrating additional violence, and be sanctioned in full accordance with *Resolution 1591*. At the very least, the Security Council should call the named individuals to the United Nations for dialogue and questioning.

Lead the U.N. Security Council in enforcing Resolution 1564, to hold accountable the Government of Sudan for its documented failure to meet its international obligations to end violence and protect civilians in Darfur. I urge you to work with the U.N. Security Council to fully implement *Resolution 1564*, which calls on the Security Council to consider “additional measures as contemplated in Article 41 of the Charter of the United Nations, such as actions to affect Sudan’s petroleum sector and the Government of Sudan or individual members of the Government of Sudan,” if the Government of Sudan fails its previous obligations under international law, including *U.N. Security Council Resolution 1556* and the Joint Communiqué dated July 3, 2004.

Several official reports, including a U.N. report published on January 27, 2006, demonstrate unequivocally that the Government of Sudan has failed its obligations. It has failed to protect civilians in Darfur, and it has failed to punish members of the military and the Janjaweed for violations of international human rights law. These realities and *Resolution 1564* should now compel the Security Council to consider Article 41 measures against the Government of Sudan.

Ensure that the U.N. Security Council listens to the experts. I urge you to convene a briefing for members of the Security Council by experts who can describe the situation in Darfur, eastern Chad, and eastern Sudan. The Security Council should hear testimony from Juan Mendez, Special Advisor to the Secretary-General on the Prevention of Genocide. As you know, the Security Council did not allow Mr. Mendez to present his observations in October 2005.

Stop the violence from spreading into Chad. I urge you to monitor tensions along the Chad-Sudan border and to focus the U.N. Security Council on this important issue. The U.N. Secretary-General noted in his January 30 report to the Security Council that “there has been a worrying build-up of armed forces of the two States and local militias on both sides of the border,” and that “it is vitally important that the situation in the border areas of Chad and the

conflicts in the Sudan do not combine to propel the two countries and the whole region towards confrontation and conflict.”

More specifically, I urge you to work with the Security Council and the African Union to monitor implementation of the February 8, 2006 accord between the Presidents of Chad and Sudan, and to deter all parties from escalating the conflict. The safety of at least three million civilians along the Chad-Sudan border depends on your attention to this issue.

Call publicly for better behavior from Khartoum. Using *Resolutions 1591* and *1564* and other points of leverage, I urge you to call on the Government of Sudan – particularly the National Congress Party in Khartoum – to immediately desist from violence against civilians; protect safe passage for aid workers; cooperate fully with international peacekeepers; engage constructively in the peace talks in Abuja; diffuse tensions along the Chad-Sudan border; and disarm and punish the Janjaweed and other groups responsible for genocidal violence in Darfur.

I urge you to call similarly on the Government of Sudan to implement the Comprehensive Peace Agreement without delay and in full consultation with the Government of Southern Sudan, and to protect civilians and peacefully address the situation in eastern Sudan.

Work with the U.N. Security Council to address attacks by rebel groups in Darfur.

I urge you to work with the Security Council to make it clear to all rebels and perpetrators of violence in Sudan and Chad that attacks against civilians and aid workers are violations of international law; and that continued international consideration of their grievances depends directly upon their immediate cessation of violence against civilians.

Plan for reconstruction in Darfur. Through a new Presidential Envoy or other U.S. officials, I urge you to begin working with the World Bank and other stakeholders on a Joint Assessment Mission to plan for reconstruction in Darfur. This may help to accelerate the peace process by demonstrating to the Darfur rebels and the Government of Sudan that peace can bring financial dividends, and, once peace has been established, it will help to speed reconstruction and promote stability.

Support reconstruction in southern Sudan. I urge you to provide strong, material support to the Government of Southern Sudan as it builds a stable state, economy, and society in the wake of decades of conflict. Similarly, I urge you to encourage the Government of Southern Sudan to engage constructively in the Darfur peace negotiations.

During the last century, in Nazi Europe, Cambodia, and elsewhere, the international community failed to protect millions of innocent people from genocide and horrific crimes. We look back and wonder how the world allowed those killings to continue. We must find a way to protect civilians in Darfur, without further delay.

As you know, I and other members of the U.S. Congress recognized the genocide in Darfur in July 2004. In September 2004, then Secretary of State Colin Powell did the same. A few months later, in January 2005, a U.N. International Commission of Inquiry established by *U.N. Security Council Resolution 1564* also found strong evidence of genocide in Darfur. In

February 2006, Secretary of State Rice said that “genocide was committed and in fact continues in Darfur.” Even so, international agreement on the existence of genocide has little connection to the need or basis for action.

Hundreds of acts of violence in Darfur, many constituting crimes against humanity and war crimes – along with specific descriptions of the perpetrators – have been recorded in detail by the U.S. State Department, the United Nations, the African Union, the NGO community, and other organizations. I urge you to read these gruesome accounts, and to also review the list of individuals who have been identified by the U.N. Panel of Experts established by *U.N. Security Council Resolution 1591*. In the case of Darfur, we are now obligated by the U.N. Charter, the Responsibility to Protect, several statutes of international human rights law, and existing U.N. Security Council resolutions to transform our awareness into action.

Therefore, I urge you, as President of the United States, to remind the international community of its commitments and to work urgently with the United Nations, the African Union, and NATO to protect civilians and address the growing crises in Darfur, eastern Chad, and eastern Sudan. Thank you for your attention to these urgent matters.

Sincerely yours,

A handwritten signature in black ink that reads "Hillary Rodham Clinton". The signature is written in a cursive, flowing style.

Hillary Rodham Clinton

CC: John R. Bolton
United States Permanent Representative
to the United Nations