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## California State Contract Prohibition: AB 1089

Assembly Bill 1089 will prohibit the state of California from entering into new or renewed business contracts with companies that help fund the genocide in Darfur.

The genocide in Darfur has now entered its sixth year. Since 2003, the government of Sudan and its proxy militias, known as Janjaweed, have wiped out entire villages, destroyed food and water supplies, and systematically murdered, tortured and raped hundreds of thousands of Darfurians. Few have been spared the violence. This scorched earth campaign has already claimed as many as 400,000 lives. It has spilled over into neighboring Chad and the Central African Republic. In all, about 2.3 million Darfurians have fled their homes and now reside in a network of internally displaced persons (IDP) camps in Darfur, with over 200,000 more living in refugee camps in Chad and Central African Republic – all of whom live entirely dependent on humanitarian aid.

On December 31, 2007, the federal government passed a law that prohibits federal contracts with companies that operate in certain sectors, whose revenue fund the genocidal Sudanese military and *Janjaweed* militias. This law, the Sudan Accountability and Divestment Act of 2007, authorized and encouraged states to pass laws prohibiting such contracts as well. Arizona became the first state to pass state contract prohibition on March 10, 2008.

Assembly Member Hernandez introduced AB 1089 on Feb. 23, 2007. California was out in front on the issue, recognizing that Californian tax dollars should not help to fund genocide in Darfur. AB 1089 passed the State Assembly on June 6, 2007. The bill was brought to the State Senate, but was placed on the Appropriations Suspense on August 20, 2007.

Concerns about AB 1089 originally centered on two main issues: 1) the cost of researching, creating and maintaining a list of "worst offending" companies; and 2) the potential for litigation against the State of California in the event it moved too far ahead of US foreign policy. With the passage of the national legislation, however, we now have the example and authorization for contract prohibition set out by the federal government. Furthermore, the national legislation established a streamlined process for implementation which nullifies the need for a state-maintained list. In order to get a government contract, a company must certify that their business actions in Sudan do not meet specific criteria. Companies that do not disclose these business activities are subject to fines and perjury charges.

Accordingly, a coalition of groups has formed to amend the bill to incorporate these new circumstances, using SADA as its model. Once these amendments have been incorporated, it will be up to California State Senate leadership to move the bill in the Appropriations Committee.

As the political and humanitarian crisis in Darfur worsens in 2008, we must use every possible economic pressure point to hasten the end of genocide. As a California citizen and as a member of a California organization, congregation or community, we must use our voices to urge the State Senate leadership to remove AB 1089 from the Suspense file and urge its passage by the full Senate.

To get involved, please contact Sarah Grundahl at [sarah@savedarfur.org](mailto:sarah@savedarfur.org), (202) 261-9881.