

FULL TEXT OF DECEMBER 15 LETTER

December 15, 2009

The Honorable Barack H. Obama
President of the United States of America
The White House
Washington, DC 20500

Dear President Obama,

As members of the nationwide anti-genocide movement, our organizations represent many Americans around the country watching the escalating crisis in Sudan with increasing concern and outrage. You provided a brief spark of optimism with the release of the long-awaited Sudan policy on October 19, 2009. Since then, however, we have become increasingly concerned about the lack of transparency and implementation of the policy, while conditions on the ground in Sudan have become even more alarming.

We have four primary areas of concern:

1) 2010 Elections. The Comprehensive Peace Agreement of 2005 (CPA) mandates the reform of Sudanese laws necessary for credible elections, including freedom of the press, freedom of assembly and association, and freedom of speech. In its all too customary disregard for signed agreements, Sudan's National Congress Party (NCP) has obstructed passage of these reforms.

We ask that you lead the United States and the broader international community in applying the pressures necessary to ensure that the CPA-mandated conditions for credible elections are enacted and implemented without further delay. These pressures should include clear and public messages that the United States will under no circumstances fund, assist or support elections that lack credibility. To date there has been too much focus on the mechanics of elections, with little emphasis placed on the fundamental reforms contained in the CPA that would allow for a fair election and the eventual transformation of Sudanese society.

2) Disincentives for NCP leaders. Since announcement of the United States' new Sudan policy, the situation in Sudan has deteriorated. Despite the promises and assurances of the NCP to your Special Envoy, Major General Gration, and others, the NCP continues to brutally violate Sudanese citizens' most fundamental human rights. On December 14, Sudanese security forces fired tear gas to disperse about 200 opposition protesters on Monday who tried to rally near Sudan's parliament to demand democratic reforms before presidential and parliamentary polls. According to Reuters, riot police with batons and shields lined the streets near parliament before the planned rally, a Reuters witness said. Early reports say dozens of protesters were arrested during the protest. This recent news follows the government's repression on December 7, 2009 when Government of Sudan officials arrested hundreds of people – including several SPLM and northern opposition leaders – participating in a peaceful rally calling for electoral reforms. Amnesty International received reports that some of those arrested were tortured in detention. Some of those detained are still reported as missing. The

NCP's arrest of opposition leaders and protesters is a blatant violation of commitments it made in the CPA, as are the continued problems and delays in demarcating borders; in Darfur, it continues to restrict and disrupt UNAMID operations. Further, there are disturbing signs that the NCP has a hand in the increased militia violence that has claimed more than 2,000 lives in South Sudan this year alone.

The policy review promised a balanced approach of both incentives and pressures. The policy will lack credibility if no consequences are imposed now, particularly after the very public violations of human rights on December 7 and 14 and the eroding situation on the ground. There is no need to wait further to impose consequences on Sudan for these clear and critical violations. These actions by the Government of Sudan illustrate the importance of the United States acting with a fierce urgency to deliver the promised consequences. Merely condemning the NCP's action is not a sufficient consequence. As you stated in your Nobel Prize acceptance speech:

"...[I]n dealing with those nations that break rules and laws,...we must develop alternatives to violence that are tough enough to actually change behavior -- for if we want a lasting peace, then the words of the international community must mean something. Those regimes that break the rules must be held accountable. Sanctions must exact a real price. Intransigence must be met with increased pressure -- and such pressure exists only when the world stands together as one...The same principle applies to those who violate international laws by brutalizing their own people. When there is genocide in Darfur,...there must be consequences...the closer we stand together, the less likely we will be faced with the choice between armed intervention and complicity in oppression."

The world will not “stand together as one” without your personal engagement and leadership and that of the Secretary of State. Such engagement and leadership are also indispensable to securing:

- **Multilateral asset freezes and travel bans** on individual NCP leaders as provided for in UN Security Council Resolution 1591. Likely candidates for such sanction include: Nafi Ali Nafi (Presidential assistant and NCP Deputy chief), Bakri Hasan Salih (Presidential Adviser for security), Gutbi Almahdi (High ranking NCP official), Ahmed Ibrahim Eltahir (Parliament Speaker), and Altaib Mustafa (President al-Bashir's uncle and owner of *Allntibaha*, a newspaper publishing hate against Pagan Amum and Yasir Arman, two arrested SPLM leaders);
- **Multilateral support of the International Criminal Court case** against key Sudanese officials with respect to both existing indictments and further expansion of cases;
- **Multilateral enforcement of the UN Security Council arms embargo**, first set out in UN Security Council resolution 1556 (2004) and strengthened in resolution 1591 (2005); and
- **Denial of the multilateral debt relief** sought by the NCP.

3) Humanitarian Aid in Darfur. In addition to the obstruction of UNAMID mentioned above and broader concerns over security, humanitarian access continues to be a major problem in Darfur. General Gration has made conflicting statements regarding the status of humanitarian aid in Darfur. Darfuris, the United Nations, Physicians for Human Rights and others have reported that humanitarian organizations are working with severely limited access in Darfur and, since the expulsion of aid workers in March 2009,

the fragile network of medical and psycho-social services for victims of gender-based violence has collapsed. In a recent exacerbation of the crisis, the withdrawal of the International Red Cross after the kidnapping of two of its workers has left parts of Jebel Marra and Jebel Si (not served by the UN) without aid.

Please direct General Gration to work in consultation with the State Department and USAID to conduct and make public an assessment of the current status of, and future outlook for, the provision of all services in each area of Northern Sudan, the specific steps being taken to ensure their restoration, and the benchmarks he is using to measure progress.

4) The U.S. Sudan Policy. Regardless of the words used to describe the classified components of the Sudan policy, Congress should know its contents and have a clear understanding of the benchmarks by which progress or the lack thereof will be measured and the incentives and pressures that will be deployed as the parties meet or fail to meet these benchmarks.

We ask that Special Envoy Gration promptly brief the appropriate House and Senate committees on the contents of these classified documents. In addition, Senators and Representatives should receive the National Security Council working papers and other relevant documents without delay.

In anticipation of your prompt action on these matters, we remain very truly yours,

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cc: Secretary of State Hillary Rodham Clinton