

107TH CONGRESS
1ST SESSION

S. 180

To facilitate famine relief efforts and a comprehensive solution to the war
in Sudan.

IN THE SENATE OF THE UNITED STATES

JANUARY 25, 2001

Mr. FRIST (for himself, Mr. FEINGOLD, Mr. BROWNBACK, Mr. LIEBERMAN,
Mr. DEWINE, Mr. SANTORUM, Mr. CLELAND, and Mr. SESSIONS) intro-
duced the following bill; which was read twice and referred to the Com-
mittee on Foreign Relations

A BILL

To facilitate famine relief efforts and a comprehensive
solution to the war in Sudan.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sudan Peace Act”.

5 **SEC. 2. FINDINGS.**

6 Congress makes the following findings:

7 (1) The Government of Sudan has intensified
8 its prosecution of the war against areas outside of
9 its control, which has already cost more than

1 2,000,000 lives and has displaced more than
2 4,000,000.

3 (2) A viable, comprehensive, and internationally
4 sponsored peace process, protected from manipula-
5 tion, presents the best chance for a permanent reso-
6 lution of the war, protection of human rights, and
7 a self-sustaining Sudan.

8 (3) Continued strengthening and reform of hu-
9 manitarian relief operations in Sudan is an essential
10 element in the effort to bring an end to the war.

11 (4) Continued leadership by the United States
12 is critical.

13 (5) Regardless of the future political status of
14 the areas of Sudan outside of the control of the Gov-
15 ernment of Sudan, the absence of credible civil au-
16 thority and institutions is a major impediment to
17 achieving self-sustenance by the Sudanese people
18 and to meaningful progress toward a viable peace
19 process.

20 (6) Through manipulation of traditional rival-
21 ries among peoples in areas outside their full con-
22 trol, the Government of Sudan has effectively used
23 divide and conquer techniques to subjugate their
24 population, and internationally sponsored reconcili-

1 ation efforts have played a critical role in reducing
2 the tactic's effectiveness and human suffering.

3 (7) The Government of Sudan is utilizing and
4 organizing militias, Popular Defense Forces, and
5 other irregular units for raiding and slaving parties
6 in areas outside of the control of the Government of
7 Sudan in an effort to severely disrupt the ability of
8 those populations to sustain themselves. The tactic
9 is in addition to the overt use of bans on air trans-
10 port relief flights in prosecuting the war through se-
11 lective starvation and to minimize the Government
12 of Sudan's accountability internationally.

13 (8) The Government of Sudan has repeatedly
14 stated that it intends to use the expected proceeds
15 from future oil sales to increase the tempo and
16 lethality of the war against the areas outside its con-
17 trol.

18 (9) Through its power to veto plans for air
19 transport flights under the United Nations relief op-
20 eration, Operation Lifeline Sudan (OLS), the Gov-
21 ernment of Sudan has been able to manipulate the
22 receipt of food aid by the Sudanese people from the
23 United States and other donor countries as a dev-
24 astating weapon of war in the ongoing effort by the

1 Government of Sudan to subdue areas of Sudan out-
2 side of the Government's control.

3 (10) The efforts of the United States and other
4 donors in delivering relief and assistance through
5 means outside OLS have played a critical role in ad-
6 dressing the deficiencies in OLS and offset the Gov-
7 ernment of Sudan's manipulation of food donations
8 to advantage in the civil war in Sudan.

9 (11) While the immediate needs of selected
10 areas in Sudan facing starvation have been ad-
11 dressed in the near term, the population in areas of
12 Sudan outside of the control of the Government of
13 Sudan are still in danger of extreme disruption of
14 their ability to sustain themselves.

15 (12) The Nuba Mountains and many areas in
16 Bahr al Ghazal, Upper Nile, and Blue Nile regions
17 have been excluded completely from relief distribu-
18 tion by OLS, consequently placing their populations
19 at increased risk of famine.

20 (13) At a cost which has sometimes exceeded
21 \$1,000,000 per day, and with a primary focus on
22 providing only for the immediate food needs of the
23 recipients, the current international relief operations
24 are neither sustainable nor desirable in the long
25 term.

1 (14) The ability of populations to defend them-
2 selves against attack in areas outside the Govern-
3 ment of Sudan's control has been severely com-
4 promised by the disengagement of the front-line
5 sponsor states, fostering the belief within officials of
6 the Government of Sudan that success on the battle-
7 field can be achieved.

8 (15) The United States should use all means of
9 pressure available to facilitate a comprehensive solu-
10 tion to the war in Sudan, including—

11 (A) the multilateralization of economic and
12 diplomatic tools to compel the Government of
13 Sudan to enter into a good faith peace process;

14 (B) the support or creation of viable demo-
15 cratic civil authority and institutions in areas of
16 Sudan outside government control;

17 (C) continued active support of people-to-
18 people reconciliation mechanisms and efforts in
19 areas outside of government control;

20 (D) the strengthening of the mechanisms
21 to provide humanitarian relief to those areas;
22 and

23 (E) cooperation among the trading part-
24 ners of the United States and within multilat-
25 eral institutions toward those ends.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) GOVERNMENT OF SUDAN.—The term “Gov-
4 ernment of Sudan” means the National Islamic
5 Front government in Khartoum, Sudan.

6 (2) OLS.—The term “OLS” means the United
7 Nations relief operation carried out by UNICEF, the
8 World Food Program, and participating relief orga-
9 nizations known as “Operation Lifeline Sudan”.

10 **SEC. 4. CONDEMNATION OF SLAVERY, OTHER HUMAN**
11 **RIGHTS ABUSES, AND TACTICS OF THE GOV-**
12 **ERNMENT OF SUDAN.**

13 Congress hereby—

14 (1) condemns—

15 (A) violations of human rights on all sides
16 of the conflict in Sudan;

17 (B) the Government of Sudan’s overall
18 human rights record, with regard to both the
19 prosecution of the war and the denial of basic
20 human and political rights to all Sudanese;

21 (C) the ongoing slave trade in Sudan and
22 the role of the Government of Sudan in abet-
23 ting and tolerating the practice; and

24 (D) the Government of Sudan’s use and
25 organization of “murahalliin” or
26 “mujahadeen”, Popular Defense Forces (PDF),

1 and regular Sudanese Army units into orga-
2 nized and coordinated raiding and slaving par-
3 ties in Bahr al Ghazal, the Nuba Mountains,
4 Upper Nile, and Blue Nile regions; and

5 (2) recognizes that, along with selective bans on
6 air transport relief flights by the Government of
7 Sudan, the use of raiding and slaving parties is a
8 tool for creating food shortages and is used as a sys-
9 tematic means to destroy the societies, culture, and
10 economies of the Dinka, Nuer, and Nuba peoples in
11 a policy of low-intensity ethnic cleansing.

12 **SEC. 5. SUPPORT FOR AN INTERNATIONALLY SANCTIONED**
13 **PEACE PROCESS.**

14 (a) FINDINGS.—Congress hereby recognizes that—

15 (1) a single viable, internationally and region-
16 ally sanctioned peace process holds the greatest op-
17 portunity to promote a negotiated, peaceful settle-
18 ment to the war in Sudan; and

19 (2) resolution to the conflict in Sudan is best
20 made through a peace process based on the Declara-
21 tion of Principles reached in Nairobi, Kenya, on July
22 20, 1994.

23 (b) UNITED STATES DIPLOMATIC SUPPORT.—The
24 Secretary of State is authorized to utilize the personnel
25 of the Department of State for the support of—

1 (1) the ongoing negotiations between the Gov-
2 ernment of Sudan and opposition forces;

3 (2) any necessary peace settlement planning or
4 implementation; and

5 (3) other United States diplomatic efforts sup-
6 porting a peace process in Sudan.

7 **SEC. 6. MULTILATERAL PRESSURE ON COMBATANTS.**

8 It is the sense of Congress that—

9 (1) the United Nations should be used as a tool
10 to facilitating peace and recovery in Sudan; and

11 (2) the President, acting through the United
12 States Permanent Representative to the United Na-
13 tions, should seek to—

14 (A) revise the terms of Operation Lifeline
15 Sudan to end the veto power of the Government
16 of Sudan over the plans by Operation Lifeline
17 Sudan for air transport of relief flights and, by
18 doing so, to end the manipulation of the deliv-
19 ery of those relief supplies to the advantage of
20 the Government of Sudan on the battlefield;

21 (B) investigate the practice of slavery in
22 Sudan and provide mechanisms for its elimi-
23 nation; and

1 (C) sponsor a condemnation of the Govern-
2 ment of Sudan each time it subjects civilians to
3 aerial bombardment.

4 **SEC. 7. REPORTING REQUIREMENT.**

5 Section 116 of the Foreign Assistance Act of 1961
6 (22 U.S.C. 2151n) is amended by adding at the end the
7 following:

8 “(g) In addition to the requirements of subsections
9 (d) and (f), the report required by subsection (d) shall
10 include—

11 “(1) a description of the sources and current
12 status of Sudan’s financing and construction of oil
13 exploitation infrastructure and pipelines, the effects
14 on the inhabitants of the oil fields regions of such
15 financing and construction, and the Government of
16 Sudan’s ability to finance the war in Sudan;

17 “(2) a description of the extent to which that
18 financing was secured in the United States or with
19 involvement of United States citizens;

20 “(3) the best estimates of the extent of aerial
21 bombardment by the Government of Sudan forces in
22 areas outside its control, including targets, fre-
23 quency, and best estimates of damage; and

24 “(4) a description of the extent to which hu-
25 manitarian relief has been obstructed or manipu-

1 lated by the Government of Sudan or other forces
2 for the purposes of the war in Sudan.”.

3 **SEC. 8. CONTINUED USE OF NON-OLS ORGANIZATIONS FOR**
4 **RELIEF EFFORTS.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that the President should continue to increase the
7 use of non-OLS agencies in the distribution of relief sup-
8 plies in southern Sudan.

9 (b) REPORT.—Not later than 90 days after the date
10 of enactment of this Act, the President shall submit a de-
11 tailed report to Congress describing the progress made to-
12 ward carrying out subsection (a).

13 **SEC. 9. CONTINGENCY PLAN FOR ANY BAN ON AIR TRANS-**
14 **PORT RELIEF FLIGHTS.**

15 (a) PLAN.—The President shall develop a contin-
16 gency plan to provide, outside United Nations auspices if
17 necessary, the greatest possible amount of United States
18 Government and privately donated relief to all affected
19 areas in Sudan, including the Nuba Mountains, Upper
20 Nile, and Blue Nile, in the event the Government of Sudan
21 imposes a total, partial, or incremental ban on OLS air
22 transport relief flights.

23 (b) REPROGRAMMING AUTHORITY.—Notwith-
24 standing any other provision of law, in carrying out the
25 plan developed under subsection (a), the President may

- 1 reprogram up to 100 percent of the funds available for
- 2 support of OLS operations (but for this subsection) for
- 3 the purposes of the plan.

○