H. CON. RES. 395, H. RES. 398, S. 1453, AND H. RES. 577

MARKUP

BEFORE THE

SUBCOMMITTEE ON
INTERNATIONAL OPERATIONS AND HUMAN RIGHTS

OF THE

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INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES

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H. CON. RES. 395, H. RES. 398, S. 1453, AND H. RES. 577

THURSDAY, SEPTEMBER 21, 2000

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON INTERNATIONAL
OPERATIONS AND HUMAN RIGHTS,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittee met, pursuant to call, at 10:36 a.m. in Room 2200, Rayburn House Office Building, Hon. Christopher H. Smith [Chairman of the Subcommittee] presiding.

Mr. SMITH. The Subcommittee meets pursuant to notice to take up a number of resolutions, and we will begin with H. Con. Res. 395 and then proceed to the Armenian resolution and then to the remainder of the business.

The Chair lays the resolution, H. Con. Res. 395, before the Committee. The Clerk will report the title of the resolution.

CONSIDERATION OF H. CON. RES. 395

Mr. REES. H. Con. Res. 395, Expressing the sense of the Congress condemning the September 6, 2000, militia attack on United Nations refugee workers in West Timor and calling for an end to militia violence in East and West Timor.

Mr. SMITH. Without objection, the Clerk will read the preamble and operative language of the resolution for amendment.

Mr. REES. Concurrent resolution expressing the sense of the Congress condemning the September 6, 2000, militia attack on United Nations refugee workers in West Timor and calling for an end to militia violence in East and West Timor.

Mr. SMITH. Without objection, the resolution is considered as having been read and is open to amendment at any point.

The Chair recognizes himself for just a very brief opening comment and any comments of my Subcommittee colleagues, and then we will go to a vote.

I am very proud to be the principal sponsor of H. Con. Res. 395 relating to the recent killings in Indonesia and the U.S./Indonesia military to military relationship. Over 2 years ago, just before the fall of the corrupt and dictatorial Suharto regime, this Subcommittee held a hearing on human rights in Indonesia.

Our witnesses at that hearing were Indonesian human rights advocates who testified first that powerful elements of the Indonesian military were engaging in torture, extrajudicial executions and other atrocities against human rights defenders in East Timor, West Papua and Aceh, as well as throughout Indonesia.

Second, they were unanimous in their view that the close relationship between the United States and Indonesian militaries, instead of improving the human rights situation, had empowered and emboldened murderers and torturers. We actually heard from one of those witnesses who had been tortured, Pius Lustrilanang, who gave us riveting testimony about what he had endured at the hands of his torturers.

Subsequent to that, my Staff Director, Joseph Rees, and I went over and met with Habibie and many others, including military people, raised issues of human rights, and, while we had some hope, many of those hopes have been dashed in recent days.

Much has changed in Indonesia in the last 2 years, however. The government of President Wahid and Vice-President Megawati is doing its best to bring Indonesia once and for all into the community of democratic nations. East Timor has been given its independence.

Unfortunately, the Indonesian military still has not gotten the message. Instead of accepting civilian control of the military, powerful elements in the military are actively trying to destabilize the government. They are also continuing to train, arm, and support the militias that have terrorized East Timor's refugees in the camps in West Timor, attacked and killed U.N. peacekeepers in border skirmishes, and have now killed three unarmed civilian UNHCR refugee protection workers.

This resolution makes clear that the United States Government should continue to support the civilian government of Indonesia, but it should not resume any relationship at all with the military until the military stops trying to destabilize the government, stops giving aid and comfort to the murderous militias, and allows the murderers and torturers within its ranks to be brought to justice.

Any other policy would send exactly the wrong message to the perpetrators, as well as to the victims, and I do urge my colleagues to support this resolution.

I would like to recognize my friend and colleague, Ms. McKinney, the Ranking Member of our Subcommittee, for any comments she might have.

Ms. MCKINNEY. Mr. Chairman, I would just say that I support this resolution.

Mr. SMITH. Are there any other Members who would like to be heard on this resolution?

If not, then the gentleman from Arizona is recognized to make a motion to move the resolution to the Full Committee.

Mr. SALMON. Thank you, Mr. Chairman.

I move that the Subcommittee report the resolution favorably to the Full Committee.

Mr. SMITH. Without objection, the motion is agreed to and will be favorably to the Committee. I thank the gentleman for moving the resolution.

We now will take up H. Res. 398, and the Chair lays the resolution before the Committee. The Clerk will report the title of the resolution.

CONSIDERATION OF H. RES. 398

Mr. REES. H. Res. 398, Calling upon the President to provide for appropriate training and materials to all Foreign Service officers, United States Department of State officials and any other executive branch employee involved in responding to issues related to human rights, ethnic cleansing and genocide and for other purposes.

Mr. SMITH. Without objection, the Clerk will read the preamble and operative language of the resolution for amendment.

Mr. REES. Resolution calling upon the President to provide for appropriate training and materials to all Foreign Services officers, United States Department of State officials and any other executive branch employee involved in responding to issues related to human rights, ethnic cleansing and genocide and for other purposes.

Mr. SMITH. Without objection, the resolution is considered as having been read and is open to amendment at any point.

At this point, I would like to make a few opening comments and will yield to any Member of the Subcommittee who would like to make any comments and perhaps offer any amendments to the resolution.

The Subcommittee again meets this morning to consider H. Res. 398. It urges the President to start calling the Armenian genocide by its rightful name. It also calls on the Secretary of State to ensure that U.S. diplomats and other officials are familiarized with the facts about the Armenian genocide.

In 1915, there were about 2,000,000 Armenians living in what was then the Ottoman Empire, in a region that they had inhabited for 2,500 years. By 1923, well over 90 percent of these Armenians had disappeared. Most of them, as many as 1,500,000, were dead. The remainder had been forced into exile.

The United States Ambassador to Turkey at the time, Ambassador Henry Morgenthau, accused the government of the empire of a "campaign of race extermination." The British, French and Russian Governments accused the Young Turk Government of "a crime against humanity." Even the government of the Republic of Turkey, the successor state to the Ottoman Empire, tried and convicted a number of high ranking Young Turk officials for what the Turkish Government then called "the massacre and destruction of the Armenians."

When the term genocide was invented in 1944, its author, Raphael Lemkin, illustrated the term by saying it was "The sort of thing Hitler did to the Jews and the Turks did to the Armenians." Unfortunately, memories seem to have faded. The government of the Republic of Turkey, and some of its apologists in the U.S., now deny that the Armenian genocide ever happened.

They do not deny that people died by the hundreds and thousands, but they fall back on the standard arguments used to defend the indefensible. They say it happened during wartime, that the Armenians were being deported because many of them were in sympathy with the enemies of the empire, and that the atrocities were random acts committed by civilians and by soldiers acting without authorization.

These apologists dismiss contrary statements by representatives of the U.S., France, and England by saying that these officials were biased against the Ottoman Empire, but this dismissal ignores similar statements by Ambassadors of Germany and Italy who were allied with the empire in the first world war.

Even among those in this country who do not deny the basic facts of the Armenian genocide, there often seems to be a conspiracy of silence. Whenever the issue threatens to surface in the House or Senate in Congress, we are firmly reminded by executive branch officials that Turkey is a NATO ally and has assisted us in pursuing important strategic objectives in the Middle East and elsewhere.

Germany is also an important ally, and these same officials would never dream of denying or ignoring the Holocaust. Friends do not let friends commit crimes against humanity, or refuse to come to terms with such crimes once they have happened.

Furthermore, H. Res. 398 is not even directed at the Republic of Turkey per se, and it does not call on the United States to urge present day Turkey to do anything.

United States foreign policy must be realistic, and it must be flexible, but it also must not be complicit in a conspiracy of silence about genocide. This resolution is an important step toward ending that silence and deserves to pass because at its core it simply reaffirms that the United States foreign policy should begin by telling the truth.

I would like to thank Congressman Radanovich, Congressman Bonior, and Mr. Rogan for their efforts in introducing this bill, and I strongly urge my Subcommittee colleagues to support it.

I would like to yield to Ms. McKinney for any opening comments she might have.

Ms. MCKINNEY. Thank you, Mr. Chairman.

I would just like to pass a word of warning to those lobbyists who would come here and give us disinformation, misinformation or outright lies. They forever shatter their credibility, at least with this representative.

I have been shocked, outraged and appalled at the things that have been said to me about this resolution. Outrageous things have been said, suggesting that the Armenian genocide never happened or that since Turks were killed too it should not be called a genocide.

In this place, I have vowed to never cast a vote that I regret. I have done that once, and I say I will never do it again. I, quite frankly, do not think this resolution goes far enough, but this is the resolution that we have before us today and so I will proudly cast my aye vote in support of this resolution.

Mr. SMITH. Thank you, gentlelady.

Would any other Member of the Subcommittee—the gentleman from Indiana, Mr. Burton?

Mr. BURTON. Well, I have a prepared statement, which I will read in just a minute, but let me just say that this issue—I have been here 18 years, and I have been involved in this debate I do not know how many times. I have gone to the Floor with historical texts that talk about a genocide, and at the same time I had an

equal or larger number of texts that had opposition views. There is no consistency in the views of all the things that happened.

Now, last week we saw some pictures of people who died during this period. It was heart wrenching, gut wrenching, and there is no question that some human rights violations were violated, but the whole story needs to be told. Three million Turks died during that period of time, and there were many so-called genocide or human rights violations on the other side as well.

Now let me read my statement, and then I want to elaborate just a little bit further, Mr. Chairman. I hope you will bear with me. I am going to try to be brief because I know everybody has to be someplace else.

Members last week heard testimony that established, in my view, beyond a doubt that reasonable people can disagree on this subject. We talked about other genocides that took place like with the American Indians and what is going on in the Sudan with the Christians, what is going on in Kashmir and Punjab at the hands of the Indian Government, what is going on between the Hutus and the Tutsis in Africa. I mean, there is a whole host of them that have been going on, and none of them are mentioned.

I have an amendment in the nature of a substitute, but I am not going to bring it up today. I may bring it up at some point later in the process. For now let it be known that House Resolution 398 is seriously flawed. It is narrow, and it is one-sided; narrow because it puts forward only one example of man's inhumanity to man, and one-sided because it does not even get that example, in my opinion, straight.

The resolution is also unnecessary. The Director General of the Foreign Service appeared before the Subcommittee last week and testified that the training called for in the resolution is already being given to the relevant personnel who serve in Turkey and Armenia.

Finally, Mr. Chairman, let the record show that this resolution is dangerous. It is even more dangerous today than it was a week ago. Since we last met, Saddam Hussein has pushed the level of tension in the Persian Gulf to a level approaching that of the summer of 1990 when we had to go over there with 550,000 people and fight a war.

The press was reporting last weekend that there have been Iraqi incursions of Kuwaiti air space. Saddam has escalated the rhetoric using the same justification to invade Kuwait that he used in 1990, and military forces, our forces over there, are on heightened alert.

I will tell you one thing for sure. If Saddam has an October surprise for the American people, the importance of Turkey as an ally and a strategic partner will once again be self-evident to everyone, and we may rue the day that we passed this resolution.

Let me just say we have bases in Turkey that we are enforcing the no fly zone right now. We have hundreds of troops in Turkey that are working as support troops to make sure that we enforce the no fly zone. If Turkey were to close down our bases over there and not allow us to use the no fly zone and have our troops leave for some reason, then I want to tell you it would be a green light for Saddam Hussein. We would have to put more aircraft carriers

over there and prepare, and I do not think we are ready to do that again.

You know, back in 1990, the first foreign leader President Bush spoke to after Saddam Hussein invaded Kuwait was Margaret Thatcher. The second one he spoke to was Turgut Ozal, the president of Turkey. We could not have waged the Desert Shield and Desert Storm War without Turkey. They were an integral part of that, and we are not going to contain Saddam today without Turkey.

Let me just end up by saying this. They have been a NATO ally with us for a long, long time. They have been with us in every conflict I can think of. They have always been an ally. They have stuck with us through thick and thin.

We are going back 85 years, and there are historical differences of opinion on this whole issue. We are going to go back 85 years, and if we pass this resolution we are going to kick a very strong ally that is very necessary for our purposes because we get about 50 percent of our oil from that part of the world. We are going to kick them right where it hurts, and we are supposed to expect them to just say oh, that is okay.

I do not think you are going to get that result. We have all been lobbied on this, as has been mentioned by the gentlelady a few minutes ago. Some do not like it. Some do not agree with some of the things that have been said, but the one thing the lobbying has done is shown that Turkey is very, very upset and concerned about this, and they are a big ally.

To do this right now in the last 2 weeks of this session or last 3 weeks I think is a great mistake, and it could come back to haunt us.

I yield my time.

Mr. SMITH. Thank you, Mr. Burton.

Mr. Faleomavaega?

Mr. FALEOMAVAEGA. Mr. Chairman, I think whenever we mention the word genocide, to me it is an ugly word in the English language not only as a matter of history what happened to the Armenian people, but I think something that happens to any group of people or any race or nationality.

Whatever may have happened in that course of history during the Ottoman Empire, I would be the last Member of this Committee to say that I am an expert on what happened during those early years of the 1900's in the Ottoman Empire, what happened to what then was known as part of the Ottoman Empire.

I do not know if we should place the series of events that occurred in that period of time to the current government, for which I understand, it is my understanding, when you say Turkish people does it mean by ethnicity? Does it mean by revision? Does it mean by culture? Because it is my understanding the Balkans, Armenia and all those areas—it gets a little too complicated for me as to who is a Turk and who is not.

It is my understanding for almost some 100 years some 5,000,000 Muslim Turks were killed out of starvation or because of the tremendous amount of wars that took place in that region of the world.

I do not know if this resolution goes far enough, in my humble opinion, in addressing the needs of the concerns of the Armenian community here in America, no more than I would suggest to the genocide if I were to suggest it happened to the Native American Indians, the genocide against African-Americans, the genocide, if this is the word that we use so loosely.

When do we put the word genocide? Two hundred and fifty thousand people murdered and tortured? Six million Jews? Twenty-five million Russians during the Stalin era? Shall we put the onus on the Russian Government of what Stalin did to some 25,000,000 people who were tortured and murdered at that period of time?

This is the thing that troubles me about the substance of the resolution. If we are going to be putting something on the Armenians, for which I do not think there is any question in anybody's mind. We recognize that. It is my understanding President Clinton every year makes an official proclamation throughout our nation to recognize this terrible act committed against the Armenian.

No more than I would suggest about the genocide of the Japanese military regime during World War II, the genocide. If we have a criteria or number here that we are talking about, to then consider something as genocide. If 5,500,000 millions Turks were murdered in a 100 year period because they were Muslims, is that considered a genocide?

Again my limited knowledge of history, but to suggest if it was just the Armenians who were killed, my understanding is that some Armenians sided with the Russians, and was the bitter enemy of the Ottoman Empire where wars were constantly fought between the Ottoman Empire and the Austrian Empire and the Russian Empire. There were many empires during that period of time.

There is no question that the Ottoman Empire died after World War I, and as of 1923 the Republic of Turkey was founded. I think if we were to fully examine the substance of the people who now live in Turkey, they are not all Turks. There are Armenians living there, too, and people from all different areas in the Balkans. I am having a problem here with the resolution to that extent, Mr. Chairman.

If we are going to be addressing a genocide that has occurred toward the Armenians, let us also address the issues that are genocidal—I do not know if there is such a word in the English language. Let us talk about Pol Pot and the 2,000,000 Cambodians that he murdered and tortured, the piles and mountains of skeletons and skulls that we see so often in the pictures. So if we are going to be passing this resolution to approve the situation to relate to the sufferings of the Armenian people, let us also do it for all these other people.

Something also that is happening, Mr. Chairman, that I want to share. Never once did Turkey, throughout the 40 year period in our relationship during the height of the Cold War, never once did this country flinch in its commitment and responsibility in fighting against Communism, in allowing us to put up our strategic and military resources to fight Communism, if that was our national policy during that period of time.

Never once did I hear Turkey say well, maybe not. France did. France did. Our own democratic ally supposedly was constantly giving us a hard time during that 40-year period. Turkey never once flinched in that responsibility.

I am not trying to put some kind of a defense mechanism with whatever happened during that time to the Ottoman Empire. My question is if we are going to go back to the Ottoman Empire, let us go back to those eras. I have suggested earlier that we should also consider resolutions in total. Let us review. Let us hold hearings. Let us do something here so that there is a sense of fairness in what we are doing here.

If we are singling out Armenia and the things that happens, and God bless them. I am totally for the concept that the genocide that was committed against Armenia ought to be rectified in some way, but let us also talk about fairness on other events that transpired 50 years ago or maybe 100 years ago, and this is where my concern comes in, Mr. Chairman, that the resolution does not go far enough. I just wanted to note that for the record.

Mr. SMITH. Thank you, Mr. Faleomavaega.

I would like to recognize the gentleman from California, Mr. Sherman.

Mr. SHERMAN. I would like to address what I think are the two principal issues brought up by speakers questioning the wisdom of this resolution.

The first is that this resolution does not describe all the genocides. Just a few miles from here is the Holocaust Museum. Funded in part by this Congress every year, every year this Congress recognizes the genocides that are memorialized there, most especially the Holocaust.

What happened to the Tutsi people in Africa, what happened to so many peoples around the world is well taught to our diplomats and is part of every history course in America, at least at the college level.

This is the one genocide as to which the last element of the genocide is in progress now because the last element of a genocide is genocide denial; first to kill off people and then to kill off the memory that they were killed.

Hitler tried to kill all the Jews of Europe, and a few misguided officials of a now defunct empire tried to kill the Armenians of Eastern Anatolia. We ought to recognize it precisely because so much effort is being put into denying it.

We will pass other resolutions. Keep in mind the argument that a resolution is not complete can be used to defeat every resolution that comes before our Committee and Subcommittee. We are going to commend Slovakia I believe on the conclusion of democratic elections. What about the elections in Britain or Canada? We are not going to mention those in that particular resolution. Every resolution we deal with deals with a particular international issue and does not deal with necessarily similar issues in other parts of the world.

The second argument is that the exigencies and practicalities of current American policy in the Middle East should control our behavior; that recognizing a genocide is less important than military bases. Let us remember that Germany played a critical role in our

success in the Cold War and in our success in the Gulf War. Bases on German soil were just as important as those in any other country, and if Germany told us that in order to get along for the future we should go down to that Holocaust Museum and tear it down brick by brick, that some future German Government wanted to deny what the German Government did in the 1930's and 1940's, we would say no, and that no would be deafening.

We cannot deny a genocide in the past because it provides us with some slight political benefit at the present, some opportunity to base our planes here or there, because ultimately America's power in the world is not based on bases. It is based upon the image that the United States can be trusted as the world's only superpower because to a greater extent than any other superpower that has existed on this planet, we have our decisions grounded in values, and if we start denying genocides because of current practical considerations then the Holocaust Museum could be torn down brick by brick if only the political mood in Germany was different.

I would hope that the Turkish Government would join so many other governments around the world in recognizing that its predecessor governments committed some terrible acts. The first step in repairing the problems in this area would be for the Turkish Government to acknowledge what our government ought to acknowledge with this resolution, and that is that a genocide occurred. It occurred. It was perpetrated by people who are no longer alive, by a government no longer in existence. Let us acknowledge that, and then let us move on.

Thank you.

Mr. SMITH. Thank you, Mr. Sherman.

The Chairman announced that there is a vote occurring on the Floor. Mr. Radanovich, who was the prime sponsor of H. Res. 398, had intended to speak to the Subcommittee and has waived that in lieu of the fact that some Members have to get on to other Committee assignment work.

Mr. Crowley, too. I had invited him to say a few words, but in the interest of time we are going to move right to a vote. We would welcome your statement for the record.

Are there any other Members seeking recognition? If not, the gentlelady from Georgia is recognized for a motion.

Ms. MCKINNEY. I move that the Subcommittee report the resolution favorably to the Full Committee, Mr. Chairman.

Mr. SMITH. Without objection, the motion is agreed to.

The question is on the motion from the gentlelady from Georgia. All those in favor of the motion say aye.

[Chorus of ayes.]

Mr. SMITH. All those opposed say no.

[Chorus of noes.]

Mr. SMITH. The ayes have it, and the motion is agreed to.

Mr. BURTON. Mr. Chairman, I hope the record will reflect my opposition to the resolution.

Mr. SMITH. Without question.

Without objection, the chief of staff may make technical, conforming and grammatical amendments to the measure and may

prepare a substitute reflecting the Committee's action as a single amendment.

The Subcommittee will stand in recess for about 10 minutes or so so Members can make the vote.

[Recess.]

Mr. SMITH. The Committee will resume its hearing on the markup of S. 1453, the Sudan Peace Act.

The Chair lays the bill before the Committee, and the Clerk will report the title of the bill.

CONSIDERATION OF S. 1453

Mr. REES. S. 1453, An Act to facilitate famine relief efforts and a comprehensive solution to the war in Sudan.

Mr. SMITH. Without objection, the Clerk will read the preamble and the operative language.

Mr. REES. Be it enacted by the Senate and House representatives of the United States of America in Congress assembled, Section 1, Short Title. This action may be——

Mr. SMITH. Without objection, the resolution is considered as having been read and is open to amendment at any point.

I do have an amendment at the desk. I am going to ask the Clerk to report the amendment.

Mr. REES. Amendment to S. 1453 offered by Mr. Smith of New Jersey. Page 10, strike line 14 and all that follows through line 16 on page 11 and insert the following. Section 7,——

Mr. SMITH. Without objection, the objection is considered as having been read.

The Chair recognizes himself for an opening statement and then yield to my good friend Mr. Payne, a Member of the Full Committee, and a very active Member of this Subcommittee, even though he is not on it.

The Government of Sudan's genocidal religious war against the non-Muslim peoples of southern Sudan have turned the south into, in the words of one Sudanese priest, "the hell of the earth." Enslavement, calculated starvation, forced conversion and the aerial bombardment of civilian targets such as schools, churches, and hospitals are still methods of terror favored by the National Islamic Front Government.

Unfortunately, Khartoum has also begun generating the revenue it needs to extend its self-described jihad by developing Sudanese oil resources.

S. 1453, the Sudan Peace Act, is an important first step toward addressing the crisis in that war torn region. Among other things, the bill condemns slavery and other human rights violations perpetrated by the Khartoum regime, expresses support for the IGAD sponsored peace process, expresses a sense of Congress on several subjects relating to the improvement of relief services in the south of Sudan, authorizes an additional $16,000,000 for rehabilitation assistance to areas of Sudan not controlled by the government in the north, and requires the President to report to Congress on several aspects of the conflict, as well as options available to the U.S. for providing non-lethal assistance to members of the National Democratic Alliance.

These are all good things, but the horrors of the Sudan have already claimed more than 2,000,000 lives and demand more than an expression of concern and new reporting requirements. They require concrete action.

For this reason, I strongly support an amendment that I will be offering momentarily which reinstates certain sanctions that were present in both the House and Senate introduced versions of the bill.

Unless the President can certify that Khartoum has made significant progress toward peace and respect for human rights, the amendment would impose certain trade and financial sanctions intended to keep the government of Sudan from raising funds in U.S. capital markets. The robust U.S. economy should not be used to underwrite an ongoing genocide.

I would like to yield to my good friend Mr. Payne for any comments he might have.

Mr. PAYNE. Thank you very much, Mr. Chairman, and thank you for allowing me to continually sit in on your Committee. I commend you for any work that you have done.

I would like to thank you for calling this markup on S. 1453, the Sudan Peace Act, which replaces Representative J.C. Watts' bill, of which I am a co-sponsor. I have been supportive of peace in Sudan, as you know, for some time now, just as you have.

This amendment will codify those comprehensive sanctions the Administration placed on Sudan November 4, 1997, and is in line with what Senator Brownback introduced in the Senate Conference Committee. The sanctions cover the sale of stocks and other financial instruments that support financial transactions with Sudan. This has proven very effective with Talisman Energy, Inc., a Canadian firm operating in Sudan whose stocks have plummeted because of public outrage on this issue. Similar leverage was placed on South Africa during the height of apartheid in the 1980's and early 1990's.

The people of Sudan continue to suffer under the brutal dictatorship of the extremist National Islamic Fund Government. Over the past decade, an estimated 2,000,000 people have died due to famine and war related causes. In 1998 alone, an estimated 100,000 people died because the NIF Government denied United Nations humanitarian much needed food aid to be delivered into the needy parts of the south.

As we debate this bill, many more people will die due to the National Islamic Fund Government's deliberate and indiscriminate bombing of civilian targets, including hospitals and schools.

During my trips there, we were warned that the bombs might come, and we, as I have mentioned before, watched the chickens because they could hear the planes, the Antinoffs, old Russian planes that would be coming. Then the children would run, and then people would try to go under trees or wherever they can to be out of sight. The last time they simply bombed a hospital and a school. In the past several months alone, the Sudan Government has bombed over a dozen civilian targets, including a hospital run by the Samaritan Purse in Lee in southern Sudan.

A whole generation of southern Sudanese is dying, Mr. Chairman, while the international community turns a blind eye to the

suffering of the helpless. An entire generation of children are not being educated, which in itself is a human travesty. What does it take to get the attention of the international community to end this unnecessary suffering of the innocent?

In 1994, the United States and the rest of the world watched while 1,000,000 were being hacked to death in Rwanda. We could have done something to save the lives, but we did not. We can make a difference in Sudan if we act now.

Mr. Chairman, I am tired of simply talking about the number of people being maimed, killed, enslaved and forcibly displaced in Sudan, for it has gotten us nowhere. I am also weary of making false promises to the people of southern Sudan that their suffering will come to an end, their children will be emancipated from slavery, and the bombs will cease to fall from the sky.

I am sickened and saddened to see an innocent child blown to pieces in school while the international community watches with indifference. I am pleading with you and the people of the world and the United States and our Congress and our Administration to do the right thing. Let us help bring an end to the suffering of the helpless.

Mr. Chairman, the least we can do is to assist those protecting the defenseless citizens. The least we can do is to provide funds for non-lethal assistance, such as medicine, vehicles, field hospitals and communications equipment, including a radio transmitter to counter the NIF propaganda.

The NIF Government is using its newfound oil revenues to buy arms to destroy the opposition. We should not allow the extremists to win. We must help create a level playing field if there is going to be meaningful negotiations and a just settlement to this conflict.

We must do more to bring a just peace in Sudan. I urge my colleagues to support this resolution, which calls for support for groups protecting civilians against indiscriminate bombings, slavery and terror.

Thank you very much, Mr. Chairman. Let me commend you again for your steadfastness on this issue. With that, I yield back the balance of my time.

Mr. SMITH. Thank you very much I say to my good friend from New Jersey for his ongoing and longstanding support of human rights around the world and especially for Africa, which gets scant attention in Congress and from the executive branch, whether Republican or Democrat. Again, I think this resolution helps, but it certainly is not a panacea. It is a step in the right direction.

The question occurs on the amendment, the Chairman's amendment. All those in favor of the amendment will say aye.

[Chorus of ayes.]

Mr. SMITH. All those opposed say no.

[No response.]

Mr. SMITH. The ayes appear to have it, and the amendment is agreed to.

I now move that this bill, S. 1453, as amended, be reported favorably to the Full Committee.

The question is on my motion. All those in favor of the motion say aye.

[Chorus of ayes.]

Mr. SMITH. All those opposed say no.

[No response.]

Mr. SMITH. The ayes have it, and the motion is agreed to.

Without objection, the chief of staff may make technical, conforming and grammatical amendments to the bill as passed.

Again, I want to thank my good friend very much for participating and for his great work.

We have one final piece of business for the Subcommittee to address. We will now consider H. Res. 577, and the Clerk will report the measure.

CONSIDERATION OF H. RES. 577

Mr. REES. H. Res. 577, To honor the United Nations High Commissioner for Refugees [UNHCR] for its role as a protector of the world's refugees, to celebrate UNHCR's 50th anniversary and to praise the High Commissioner Sadako Ogata for her work with UNHCR for the past 10 years.

Mr. SMITH. Without objection, the Clerk will read the preamble and operative language of the resolution and open it for amendment.

Mr. REES. A resolution to honor the United Nations High Commissioner for Refugees UNHCR for its role as a protector of the world's refugees——

Mr. SMITH. Without objection, the resolution is considered having been read and is open to amendment at any point.

I would just like to make a very few brief comments on this resolution, H. Res. 577. I am proud to be a co-sponsor of this resolution introduced by my good friend and colleague, Tony Hall, whose commitment to human rights and humanitarian principles is well known. The resolution celebrates the 50th anniversary of the office of the United Nations High Commissioner for Refugees, commends the UNHCR for its good work over the years, and congratulates the present High Commissioner, Dr. Ogata, who will be retiring in December.

As the resolution points out, it is important that the UNHCR never forget that at the heart of its mandate is protection. Donor countries like the United States often forget this. Our contributions for refugee protection around the world is about 20 percent lower than it was 5 years ago, and most of the countries have done even worse.

Countries of first asylum, to which refugees have fled from persecution or the fear of persecution, often wish that they would just go away, and sometimes the brutal regimes from which they fled are only too happy to have them back, so there is always pressure on UNHCR to pretend that mass repatriation would be safe, when it is in fact very dangerous, or to pretend that repatriation is voluntary, when in fact the refugees and asylum seekers are given no choice.

Occasionally, as in the so-called Comprehensive Plan of Action for asylum seekers from Indochina, the UNHCR has yielded to this pressure. On these occasions, I and other Members of Congress have been among UNHCR's strongest critics. On many other occasions, however, UNHCR has stood up for the principle of protection even at great risk to its own institutional interest. This resolution

celebrates those instances of courage and compassion over the last 50 years and particularly during the stewardship of Dr. Ogata.

I will be offering a technical to perfect the amendment that was drafted with the assistance of the bill sponsor, and I urge that the resolution be reported favorably.

Mr. Payne?

Mr. PAYNE. Thank you, Mr. Chairman. I would like to commend you and Mr. Hall for your support of this resolution honoring Mrs. Ogata.

I have had the privilege of working in the area of refugees for many, many years as a member of the National Board of the YMCA in its International Division. I was elected to the YMCA's World Alliance Committee and work with refugees and rehabilitation back in 1969, and I served on that Committee up until 1981 and as its chair from 1972 to 1981.

Our sole responsibility of our three times we would meet in Geneva would be dealing with refugees and trying to rehabilitate them, so there is a job that many people realized to understand the magnitude of the problems of refugees. It is enormous.

I have had the good fortune to meet with Ms. Ogata on a number of occasions. We were in Goma together when the refugees from Rwanda went into Goma in eastern Zaire back in the early 1980's or early 1990's. She has been there fighting for the rights of refugees saying that they have a right to be out of a country. They should not be forced back. She has made some very strong stands, and so I could not agree with you more.

Just the other day she went to the Taliban up in Afghanistan, and she personally went up to the leadership of that very brutal organization and chastised them on their treatment of women. She is a brave, brave person, very committed, and I would like to add my support about her great work and the work of the UNHCR in its 50th anniversary, Mr. Chairman.

Mr. SMITH. Thank you, Mr. Payne.

Just so the record will reflect it, we are working right now on trying to beef up the appropriations for the refugee budget. As you know, M. Payne, because you were very helpful in the language, the legislation in the State Department reauthorization bill and Embassy Security Act, of which I was the prime author, had $750,000,000 for fiscal year 2001. It was signed by the President. It beefs it up substantially, more than $50,000,000 from what was appropriated last year, and now we are trying to get the appropriators to go up to that authorized level.

We are awash in refugees, and to think that there is not enough money when it has been authorized and we have huge surpluses is not even penny wise. It is just pound foolish.

Mr. PAYNE. That is right.

Mr. SMITH. So we are going to do what we can to get the appropriators to reach that.

I have an amendment at the desk, and the chief of staff will report that amendment.

Mr. REES. Amendment in the nature of a substitute to H. Res. 577 offered by Mr. Smith of New Jersey.

Mr. SMITH. Without objection, the reading of the amendment will be dispensed with. Just to make a point, this is a technical amend-

ment. It beefs up the language in the resolution. There were some grammatical errors in the original draft, which now have been rectified.

Mr. Payne, I guess you have already had your say. Do you want to speak on this?

Mr. PAYNE. No. That is fine. Thank you.

Mr. SMITH. I move that the Subcommittee adopt my amendment in the nature of a substitute. The question occurs on the amendment in the nature of a substitute. All those in favor of the amendment say aye.

[Chorus of ayes.]

Mr. SMITH. All those opposed say no.

[No response.]

Mr. SMITH. The ayes have it, and the amendment is agreed to.

I move that the Subcommittee report the resolution, as amended, favorably to the Full Committee.

The question is on the motion of the gentleman from New Jersey, the Chairman of the Subcommittee. All those in favor of the motion say aye.

[Chorus of ayes.]

Mr. SMITH. All those opposed say no.

[No response.]

Mr. SMITH. The ayes have it, and the motion is agreed to.

Without objection, the chief of staff may make technical, conforming and grammatical amendments to the bill just passed.

My good friend from Colorado, Mr. Tancredo, is recognized.

Mr. TANCREDO. Thank you, Mr. Chairman.

I just wanted to make a statement with regard to the Sudan Peace Act and my sincere appreciation for your, number one, taking up the issue and, number two, for inserting the language with regard to sanctions into the bill.

I could not help but be struck by the irony of the fact that a short time ago the United States Government was threatening sanctions against Peru, economic sanctions against Peru, because of concerns we had about their electoral process, and yet we were unable to come up with that same degree of fortitude when it comes to the conditions in Sudan. As I say, I could not escape the irony in that.

I recognize full well that the inclusion of that particular provision makes the passage of the bill more difficult, certainly more problematic, but it makes the bill meaningful. Frankly, without it it is nothing more than a resolution, and so I just really came specifically to thank you very much for, number one, having the hearing; number two, for including that provision and making this a meaningful piece of legislation, which I recognize makes it more difficult, as I said.

With your leadership and with other Members who I know, Mr. Payne especially, I have a feeling that we are going to get a lot farther with this than others had anticipated. That is all I really have to add.

Mr. SMITH. I thank the gentleman for his comments.

Let me say and let the record reflect that the amendment just offered was authored by Mr. Tancredo. He wrote it, and Mr. Payne made a major contribution to it. It was very much a bipartisan res-

olution on the sanctions, and I want to thank him and Mr. Payne for their leadership on that.

Mr. PAYNE. I would also like to thank Mr. Tancredo for his first codel. His first trip as a Member of Congress was to go to the south of Sudan where he witnessed also where the Antonovs came. You remember when we hear the stories about the bombings. He stayed in a hut like we do all the time and sit around the fires and talk, listen to the people and our good friend, Father—what is his name?

Mr. SMITH. Father Dan.

Mr. PAYNE. Father Dan, who I see, who has been there for years and years. He is a former priest. He has given his life for refugees in Sudan and the opportunity to just meet so many strong people.

I would like to commend the gentleman from Colorado for his strong interest in this issue.

Mr. TANCREDO. Thank you. Thank you.

Mr. SMITH. Without any further comments, that concludes the business of the Subcommittee. I want to thank our Members for being here.

This markup is adjourned.

[Whereupon, at 11:51 a.m. the Subcommittee was adjourned.]

APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD

106TH CONGRESS
2D SESSION

H. CON. RES. 395

Expressing the sense of the Congress condemning the September 6, 2000, militia attack on United Nations refugee workers in West Timor and calling for an end to militia violence in East and West Timor.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 2000

Mr. SMITH of New Jersey (for himself, Mr. KENNEDY of Rhode Island, Mr. PORTER, Mr. MCGOVERN, Mr. WOLF, Mr. HALL of Ohio, Mr. PITTS, Mr. KUCINICH, Ms. MCKINNEY, Mrs. LOWEY, Ms. PELOSI, Mr. CROWLEY, and Mr. EVANS) submitted the following concurrent resolution, which was referred to the Committee on Interntional Relations

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CONCURRENT RESOLUTION

Expressing the sense of the Congress condemning the September 6, 2000, militia attack on United Nations refugee workers in West Timor and calling for an end to militia violence in East and West Timor.

Whereas, on September 6, 2000, a militia mob attacked the Atambua, West Timor offices of the United Nations High Commissioner for Refugees (UNHCR) and brutally murdered three humanitarian aid workers, including a United States citizen, Carlos Caceres, as well as a number of East and West Timorese victims, while Indonesian armed forces and police stood by;

Whereas armed militias were responsible for widespread violence and destruction in East Timor both before the August 30, 1999, United Nations (UN) referendum and thereafter;

Whereas, notwithstanding this campaign of terror, 98 percent of registered voters in East Timor risked their lives to cast ballots in the United Nations sponsored referendum and 78.5 percent of those voting chose independence from Indonesia;

Whereas, after the September 4, 1999, announcement of the independence vote, Indonesian police, military, and militias escalated their attacks upon the people of East Timor, razing entire towns, killing at least 1,000 civilians, destroying 70 percent of the country's infrastructure, driving hundreds of thousands of people into the mountains, and forcing several hundred thousand more across the border into West Timor;

Whereas Indonesian armed forces trained, organized, and armed militia forces and, according to evidence gathered by UN personnel and local sources in West Timor, continue to provide the militias with military, economic, and logistical support;

Whereas the September 6, 2000, attack was the worst of over 100 such attacks on aid workers assisting East Timorese refugees in West Timor camps;

Whereas Indonesian military and police forces, which are solely responsible for the security of humanitarian workers and East Timorese refugees in West Timor, have repeatedly allowed militia forces to terrorize refugee camps in West Timor;

Whereas it is estimated that more than 100,000 East Timorese remain in refugee camps in West Timor, trapped by ongoing militia violence and threats of violence;

Whereas, since the September 6, 2000 attack, all UNHCR staff and other international aid workers have been evacuated from West Timor, leaving the remaining East Timorese refugees, local human rights activists, and aid workers at the mercy of the militia groups;

Whereas in recent weeks militia forces have infiltrated independent East Timor, fomenting insecurity and causing many East Timorese to flee their homes once again for the safety of larger towns;

Whereas militia attacks have claimed the lives of two United Nations peacekeepers during border operations;

Whereas elsewhere in Indonesia, particularly in Aceh, Papua, Kalimantan, and Maluku, Indonesian military and militia violence has recently increased to disturbing levels and resembles the brutal methods used to terrorize the people of East Timor and of West Timor;

Whereas Jafar Siddiq Hamzah, a New York-based Acehnese human rights lawyer who testified before the House Subcommittee on International Operations and Human Rights on May 7, 1998, was murdered after disappearing from Medan, Indonesia on August 5, 2000, in circumstances that strongly suggest the involvement of Indonesian security forces;

Whereas in September of 1999, in response to the devastation and violence in East Timor, President Clinton announced a suspension of United States military assistance to Indonesia, warning that the Government of Indo-

nesia must stop the violence against the people of East Timor;

Whereas in section 589 of the Foreign Operations Appropriations Act, Fiscal Year 2000, the Congress prohibited United States military training and foreign military financing for the Indonesian armed forces until six important human rights conditions (relating to refugee return, border security, and accountability for violence in East Timor) have been met;

Whereas none of those six conditions has yet been fulfilled;

Whereas more than a year after East Timor's independence vote, known militia leaders continue to wage war against the people of East Timor with impunity and militia forces have not been disarmed and disbanded, notwithstanding repeated promises by the Government of Indonesia to do so, and despite the pleas of United Nations officials, foreign governments, and human rights organizations;

Whereas the people of East Timor are diligently preparing for full self-determination and are working toward social, economic, and political redevelopment, including national elections targeted for August of 2001; and

Whereas the United States Government has committed its support to this redevelopment process, which requires peace and security: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That the Congress—
3 (1) expresses sincere condolences to the families
4 and co-workers of Carlos Caceres of Puerto Rico,
5 Samson Aregahegn of Ethiopia, and Pero Simundza

1 of Croatia, the UNHCR staff members killed in the
2 September 6 attack;
3 (2) calls upon the United States Government
4 and the Government of Indonesia to do everything
5 possible to ensure thorough and transparent inves-
6 tigations of these murders and to bring the per-
7 petrators to justice;
8 (3) believes that the United States should sus-
9 pend all military relations and cooperation with the
10 armed forces of Indonesia, including a cutoff of all
11 security assistance and joint training programs,
12 until—
13 (A) the six conditions set forth in section
14 589 of the Foreign Operations Appropriations
15 Act, Fiscal Year 2000 are fulfilled;
16 (B) the disarming and disbanding of all
17 militias operating in East Timor and West
18 Timor is accomplished; and
19 (C) civilian rule and the rule of law have
20 been established in Indonesia;
21 (4) calls upon the United States Government to
22 persist in urging the Government of Indonesia to
23 disarm and disband all militias in West Timor, ar-
24 rest known militia leaders, and extradite to East

1 Timor those who committed crimes in that country;
2 and
3 (5) believes that the United States Government
4 should continue economic and development assist-
5 ance and other similar support for the people of
6 East Timor and of Indonesia.

○

106TH CONGRESS
1ST SESSION

H. RES. 398

Calling upon the President to provide for appropriate training and materials to all Foreign Service officers, United States Department of State officials, and any other executive branch employee involved in responding to issues related to human rights, ethnic cleansing, and genocide, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 1999

Mr. RADANOVICH (for himself and Mr. BONIOR) submitted the following resolution; which was referred to the Committee on International Relations

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RESOLUTION

Calling upon the President to provide for appropriate training and materials to all Foreign Service officers, United States Department of State officials, and any other executive branch employee involved in responding to issues related to human rights, ethnic cleansing, and genocide, and for other purposes.

Resolved,

SECTION. 1. SHORT TITLE.

This resolution may be cited as the "United States Training on and Commemoration of the Armenian Genocide Resolution".

1 **SEC. 2. FINDINGS.**

2 The House of Representatives finds the following:

3 (1) The Armenian Genocide was conceived and
4 carried out by the Ottoman Empire from 1915 to
5 1923, resulting in the deportation of nearly
6 2,000,000 Armenians, of whom 1,500,000 men,
7 women, and children were killed, 500,000 survivors
8 were expelled from their homes, and which succeeded
9 in the elimination of the over 2,500-year presence of
10 Armenians in their historic homeland.

11 (2) On May 24, 1915, the Allied Powers, Eng-
12 land, France, and Russia, jointly issued a statement
13 explicitly charging for the first time ever another
14 government of committing "a crime against human-
15 ity".

16 (3) This joint statement stated "[i]n view of
17 these new crimes of Turkey against humanity and
18 civilization, the Allied Governments announce pub-
19 licly to the Sublime Porte that they will hold person-
20 ally responsible for these crimes all members of the
21 Ottoman Government, as well as those of their
22 agents who are implicated in such massacres".

23 (4) The post-World War I Turkish Government
24 indicted the top leaders involved in the "organization
25 and execution" of the Armenian Genocide and in the
26 "massacre and destruction of the Armenians".

1 (5) In a series of courts-martial, officials of the
2 Young Turk Regime were tried and convicted, as
3 charged, for organizing and executing massacres
4 against the Armenian people.
5 (6) The chief organizers of the Armenian Geno-
6 cide, Minister of War Enver, Minister of the Interior
7 Talaat, and Minister of the Navy Jemal were all
8 condemned to death for their crimes, however, the
9 verdicts of the courts were not enforced.
10 (7) The Armenian Genocide and these domestic
11 judicial failures are documented with overwhelming
12 evidence in the national archives of Austria, France,
13 Germany, Great Britain, Russia, the United States,
14 the Vatican and many other countries, and this vast
15 body of evidence attests to the same facts, the same
16 events, and the same consequences.
17 (8) The United States National Archives and
18 Record Administration holds extensive and thorough
19 documentation on the Armenian Genocide, especially
20 in its holdings under Record Group 59 of the United
21 States Department of State, files 867.00 and
22 867.40, which are open and widely available to the
23 public and interested institutions.
24 (9) The national archives of Turkey should also
25 include all of the records pertaining to the indict-

1 ment, trial, and conviction of the Ottoman authori-
2 ties responsible for the Armenian Genocide.
3 (10) The Honorable Henry Morgenthau, United
4 States Ambassador to the Ottoman Empire from
5 1913 to 1916, organized and led protests by officials
6 of many countries, among them the allies of the
7 Ottoman Empire, against the Armenian Genocide.
8 (11) Ambassador Morgenthau explicitly de-
9 scribed to the United States Department of State
10 the policy of the Young Turk government as "a cam-
11 paign of race extermination", and was instructed on
12 July 16, 1915, by United States Secretary of State
13 Robert Lansing that the "Department approves your
14 procedure . . . to stop Armenian persecution".
15 (12) Senate Concurrent Resolution 12 of Feb-
16 ruary 9, 1916, resolved that "the President of the
17 United States be respectfully asked to designate a
18 day on which the citizens of this country may give
19 expression to their sympathy by contributing funds
20 now being raised for the relief of the Armenians",
21 who at the time were enduring "starvation, disease,
22 and untold suffering".
23 (13) President Wilson concurred and also en-
24 couraged the formation of the organization known as
25 Near East Relief, chartered by an Act of Congress,

1 which contributed some $116,000,000 from 1915 to
2 1930 to aid the Armenian Genocide survivors, in-
3 cluding 132,000 orphans who became foster children
4 of the American people.

5 (14) Senate Resolution 359, dated May 11,
6 1920, stated in part, "the testimony adduced at the
7 hearings conducted by the sub-committee of the Sen-
8 ate Committee on Foreign Relations have clearly es-
9 tablished the truth of the reported massacres and
10 other atrocities from which the Armenian people
11 have suffered".

12 (15) The resolution followed the April 13, 1920,
13 report to the Senate of the American Military Mis-
14 sion to Armenia led by General James Harbord, that
15 stated "[m]utilation, violation, torture, and death
16 have left their haunting memories in a hundred
17 beautiful Armenian valleys, and the traveler in that
18 region is seldom free from the evidence of this most
19 colossal crime of all the ages".

20 (16) Setting the stage for the Holocaust, Adolf
21 Hitler, on ordering his military commanders to at-
22 tack Poland without provocation in 1939, dismissed
23 objections by saying "[w]ho, after all, speaks today
24 of the annihilation of the Armenians?".

1 (17) Raphael Lemkin, who coined the term
2 "genocide" in 1944, and who was the earliest pro-
3 ponent of the Genocide Convention, invoked the Ar-
4 menian case as a definitive example of genocide in
5 the 20th century.
6 (18) Raphael Lemkin described the crime as
7 "the systematic destruction of whole national, racial
8 or religious groups. The sort of thing Hitler did to
9 the Jews and the Turks did to the Armenians".
10 (19) The first resolution on genocide adopted
11 by the United Nations at Lemkin's urging, the De-
12 cember 11, 1946, United Nations General Assembly
13 Resolution 96(1) and the United Nations Genocide
14 Convention itself recognized the Armenian Genocide
15 as the type of crime the United Nations intended to
16 prevent by codifying existing standards.
17 (20) In 1948 the United Nations War Crimes
18 Commission invoked the Armenian Genocide "pre-
19 cisely . . . one of the types of acts which the modern
20 term 'crimes against humanity' is intended to cover"
21 as a precedent for the Nuremberg tribunals.
22 (21) The Commission stated that "[t]he provi-
23 sions of Article 230 of the Peace Treaty of Sévres
24 were obviously intended to cover, in conformity with
25 the Allied note of 1915 . . ., offenses which had been

1 committed on Turkish territory against persons of
2 Turkish citizenship, though of Armenian or Greek
3 race. This article constitutes therefore a precedent
4 for Article 6c and 5c of the Nuremberg and Tokyo
5 Charters, and offers an example of one of the cat-
6 egories of 'crimes against humanity' as understood
7 by these enactments".

8 (22) The United Nations Commission on
9 Human Rights adopted in 1985 a report entitled
10 "Study of the Question of the Prevention and Pun-
11 ishment of the Crime of Genocide", which stated
12 "[t]he Nazi aberration has unfortunately not been
13 the only case of genocide in the twentieth century.
14 Among other examples which can be cited as quali-
15 fying are . . . the Ottoman massacre of Armenians
16 in 1915-1916".

17 (23) This report also explained that "[a]t least
18 1 million, and possibly well over half of the Arme-
19 nian population, are reliably estimated to have been
20 killed or death marched by independent authorities
21 and eye-witnesses. This is corroborated by reports in
22 United States, German and British archives and of
23 contemporary diplomats in the Ottoman Empire, in-
24 cluding those of its ally Germany".

1 (24) The tragedy of the Armenian Genocide has
2 been acknowledged by countries and international
3 bodies such as Argentina, Belgium, Canada, the
4 Council of Europe, Cyprus, the European Par-
5 liament, France, Great Britain, Greece, Lebanon,
6 Russia, the United Nations, the United States, and
7 Uruguay.
8 (25) The United States Holocaust Memorial
9 Council, an independent Federal agency, unani-
10 mously resolved on April 30, 1981, that the United
11 States Holocaust Memorial Museum would include
12 the Armenian Genocide in the Museum and has
13 since done so.
14 (26) President Reagan in proclamation number
15 4838, dated April 22, 1981, stated in part "like the
16 genocide of the Armenians before it, and the geno-
17 cide of the Cambodians, which followed it—and like
18 too many other persecutions of too many other peo-
19 ple—the lessons of the holocaust must never be for-
20 gotten".
21 (27) President Bush, in 1988, speaking of the
22 Armenian Genocide, stated "we must consciously
23 and conscientiously recognize the genocides of the
24 past—the enormous tragedies that have darkened
25 this century and that haunt us still. We must not

1 only commemorate the courage of the victims and of
2 their survivors, but we must also remind ourselves
3 that civilization cannot be taken for granted. . . . We
4 must all be vigilant against this most heinous crime
5 against humanity".
6 (28) President Bush, in 1988, stated further
7 "[t]he United States must acknowledge the at-
8 tempted genocide of the Armenian people in the last
9 years of the Ottoman Empire, based on the testi-
10 mony of survivors, scholars, and indeed our own rep-
11 resentatives at the time, if we are to insure that
12 such horrors are not repeated".
13 (29) President Clinton, on August 13, 1992,
14 stated "[t]he Genocide of 1915, years of communist
15 dictatorship, and the devastating earthquake of
16 1988 have caused great suffering in Armenia during
17 this century".
18 (30) Reviewing an aberrant 1982 expression
19 (later retracted) by the United States Department of
20 State asserting that the facts of the Armenian Geno-
21 cide may be ambiguous, the United States Court of
22 Appeals for the District of Columbia in 1993, after
23 a review of documents pertaining to the policy
24 record of the United States, noted that the assertion
25 on ambiguity in the United States record about the

1 Armenian Genocide "contradicted longstanding
2 United States policy and was eventually retracted".
3 (31) Despite the international recognition and
4 affirmation of the Armenian Genocide, the failure of
5 the domestic and international authorities to punish
6 those responsible for the Armenian Genocide is a
7 reason why similar genocides have recurred and may
8 recur in the future, and that a proper judicial and
9 firm response, holding the guilty accountable and re-
10 quiring the prompt enforcement of verdicts would
11 have spared humanity needless suffering.
12 (32) In a commendable letter on April 9, 1999,
13 Ambassador Stuart Eizenstat, then Under Secretary
14 of State for Economic, Business, and Agricultural
15 Affairs, pledged that the administration would raise
16 with the Republic of Turkey the issue of the recov-
17 ery of Armenian assets from the genocide period
18 held by the Imperial Ottoman Bank.
19 (33) It is important that all Foreign Service of-
20 ficers, officials of the United States Department of
21 State, and any other executive branch employee in-
22 volved in responding to issues related to human
23 rights, ethnic cleansing, and genocide are made fa-
24 miliar with the United States record relating to the
25 Armenian Genocide and the consequences of the fail-

1 ure to enforce the judgments of the Turkish courts
2 against the responsible officials.

3 **SEC. 3. DECLARATION OF POLICY.**

4 The House of Representatives—

5 (1) calls upon the President to provide for ap-
6 propriate training and materials to all Foreign Serv-
7 ice officers, officials of the United States Depart-
8 ment of State, and any other executive branch em-
9 ployee involved in responding to issues related to
10 human rights, ethnic cleansing, and genocide by fa-
11 miliarizing them with the United States record relat-
12 ing to the Armenian Genocide and the consequences
13 of the failure to enforce the judgments of the Turk-
14 ish courts against the responsible officials; and

15 (2) calls upon the President in the President's
16 annual message commemorating the Armenian
17 Genocide issued on or about April 24 to characterize
18 the systematic and deliberate annihilation of
19 1,500,000 Armenians as genocide and to recall the
20 proud history of United States intervention in oppo-
21 sition to the Armenian Genocide.

O

106TH CONGRESS
2D SESSION

S. 1453

IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 2000

Referred to the Committee on International Relations

AN ACT

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sudan Peace Act".

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) With clear indications that the Government
4 of Sudan intends to intensify its prosecution of the
5 war against areas outside of its control, which has
6 already cost nearly 2,000,000 lives and has displaced
7 more than 4,000,000, a sustained and coordinated
8 international effort to pressure combatants to end
9 hostilities and to address the roots of the conflict of-
10 fers the best opportunity for a comprehensive solu-
11 tion to the continuing war in Sudan.

12 (2) A viable, comprehensive, and internationally
13 sponsored peace process, protected from manipula-
14 tion, presents the best chance for a permanent reso-
15 lution of the war, protection of human rights, and
16 a self-sustaining Sudan.

17 (3) Continued strengthening of humanitarian
18 relief operations in Sudan is an essential element in
19 the effort to bring an end to the war.

20 (4) Continued leadership by the United States
21 is critical.

22 (5) Regardless of the future political status of
23 the areas of Sudan outside of the control of the Gov-
24 ernment of Sudan, the absence of credible civil au-
25 thority and institutions is a major impediment to
26 achieving self-sustenance by the Sudanese people

1 and to meaningful progress toward a viable peace
2 process.
3 (6) Through manipulation of traditional rival-
4 ries among peoples in areas outside their full con-
5 trol, the Government of Sudan has effectively used
6 divide and conquer techniques to subjugate their
7 population, and Congress finds that internationally
8 sponsored reconciliation efforts have played a critical
9 role in reducing the tactic's effectiveness and human
10 suffering.
11 (7) The Government of Sudan is increasingly
12 utilizing and organizing militias, Popular Defense
13 Forces, and other irregular troops for raiding and
14 slaving parties in areas outside of the control of the
15 Government of Sudan in an effort to severely disrupt
16 the ability of those populations to sustain them-
17 selves. The tactic is in addition to the overt use of
18 bans on air transport relief flights in prosecuting the
19 war through selective starvation and to minimize the
20 Government of Sudan's accountability internation-
21 ally.
22 (8) The Government of Sudan has repeatedly
23 stated that it intends to use the expected proceeds
24 from future oil sales to increase the tempo and

1 lethality of the war against the areas outside its con-
2 trol.
3 (9) Through its power to veto plans for air
4 transport flights under the United Nations relief op-
5 eration, Operation Lifeline Sudan (OLS), the Gov-
6 ernment of Sudan has been able to manipulate the
7 receipt of food aid by the Sudanese people from the
8 United States and other donor countries as a dev-
9 astating weapon of war in the ongoing effort by the
10 Government of Sudan to subdue areas of Sudan out-
11 side of the Government's control.
12 (10) The efforts of the United States and other
13 donors in delivering relief and assistance through
14 means outside OLS have played a critical role in ad-
15 dressing the deficiencies in OLS and offset the Gov-
16 ernment of Sudan's manipulation of food donations
17 to advantage in the civil war in Sudan.
18 (11) While the immediate needs of selected
19 areas in Sudan facing starvation have been ad-
20 dressed in the near term, the population in areas of
21 Sudan outside of the control of the Government of
22 Sudan are still in danger of extreme disruption of
23 their ability to sustain themselves.
24 (12) The Nuba Mountains and many areas in
25 Bahr al Ghazal, Upper Nile, and Blue Nile regions

1 have been excluded completely from relief distribu-
2 tion by OLS, consequently placing their populations
3 at increased risk of famine.

4 (13) At a cost which can exceed $1,000,000 per
5 day, and with a primary focus on providing only for
6 the immediate food needs of the recipients, the cur-
7 rent international relief operations are neither sus-
8 tainable nor desirable in the long term.

9 (14) The ability of populations to defend them-
10 selves against attack in areas outside the Govern-
11 ment of Sudan's control has been severely com-
12 promised by the disengagement of the front-line
13 sponsor states, fostering the belief within officials of
14 the Government of Sudan that success on the battle-
15 field can be achieved.

16 (15) The United States should use all means of
17 pressure available to facilitate a comprehensive solu-
18 tion to the war, including—

19 (A) the maintenance and
20 multilateralization of sanctions against the Gov-
21 ernment of Sudan with explicit linkage of those
22 sanctions to peace;

23 (B) the support or creation of viable demo-
24 cratic civil authority and institutions in areas of
25 Sudan outside government control;

1 (C) continued active support of people-to-
2 people reconciliation mechanisms and efforts in
3 areas outside of government control;
4 (D) the strengthening of the mechanisms
5 to provide humanitarian relief to those areas;
6 (E) cooperation among the trading part-
7 ners of the United States and within multilat-
8 eral institutions toward those ends; and
9 (F) the use of any and all possible unilat-
10 eral and multilateral economic and diplomatic
11 tools to compel Ethiopia and Eritrea to end
12 their hostilities and again assume a constructive
13 stance toward facilitating a comprehensive solu-
14 tion to the ongoing war in Sudan.

15 **SEC. 3. DEFINITIONS.**

16 In this Act:
17 (1) GOVERNMENT OF SUDAN.—The term "Gov-
18 ernment of Sudan" means the National Islamic
19 Front government in Khartoum, Sudan.
20 (2) IGAD.—The term "IGAD" means the
21 Inter-Governmental Authority on Development.
22 (3) OLS.—The term "OLS" means the United
23 Nations relief operation carried out by UNICEF, the
24 World Food Program, and participating relief orga-
25 nizations known as "Operation Lifeline Sudan".

1 **SEC. 4. CONDEMNATION OF SLAVERY, OTHER HUMAN**
2 **RIGHTS ABUSES, AND NEW TACTICS BY THE**
3 **GOVERNMENT OF SUDAN.**

4 Congress hereby—

5 (1) condemns—

6 (A) violations of human rights on all sides
7 of the conflict in Sudan;

8 (B) the Government of Sudan's overall
9 human rights record, with regard to both the
10 prosecution of the war and the denial of basic
11 human and political rights to all Sudanese;

12 (C) the ongoing slave trade in Sudan and
13 the role of the Government of Sudan in abet-
14 ting and tolerating the practice; and

15 (D) the Government of Sudan's increasing
16 use and organization of "murahalliin" or
17 "mujahadeen", Popular Defense Forces (PDF),
18 and regular Sudanese Army units into orga-
19 nized and coordinated raiding and slaving par-
20 ties in Bahr al Ghazal, the Nuba Mountains,
21 Upper Nile, and Blue Nile regions; and

22 (2) recognizes that, along with selective bans on
23 air transport relief flights by the Government of
24 Sudan, the use of raiding and slaving parties is a
25 tool for creating food shortages and is used as a sys-
26 tematic means to destroy the societies, culture, and

1 economies of the Dinka, Nuer, and Nuba peoples in
2 a policy of low-intensity ethnic cleansing.

3 **SEC. 5. SUPPORT FOR THE IGAD PEACE PROCESS.**

4 (a) SENSE OF CONGRESS.—Congress hereby—
5 (1) declares its support for the efforts by execu-
6 tive branch officials of the United States and the
7 President's Special Envoy for Sudan to lead in a re-
8 invigoration of the IGAD-sponsored peace process;
9 (2) calls on IGAD member states, the European
10 Union, the Organization of African Unity, Egypt,
11 and other key states to support the peace process;
12 and
13 (3) urges Kenya's leadership in the implementa-
14 tion of the process.
15 (b) RELATION TO UNITED STATES DIPLOMACY.—It
16 is the sense of Congress that any such diplomatic efforts
17 toward resolution of the conflict in Sudan are best made
18 through a peace process based on the Declaration of Prin-
19 ciples reached in Nairobi, Kenya, on July 20, 1994, and
20 that the President should not create any process or diplo-
21 matic facility or office which could be viewed as a parallel
22 or competing diplomatic track.
23 (c) 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 secretariat of IGAD;

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

4 (3) any peace settlement planning to be carried
5 out by the National Democratic Alliance and IGAD
6 Partners' Forum (IPF); and

7 (4) other United States diplomatic efforts sup-
8 porting a peace process in Sudan.

9 **SEC. 6. INCREASED PRESSURE ON COMBATANTS.**

10 It is the sense of Congress that the President, acting
11 through the United States Permanent Representative to
12 the United Nations, should—

13 (1) sponsor a resolution in the United Nations
14 Security Council to investigate the practice of slav-
15 ery in Sudan and provide recommendations on meas-
16 ures for its eventual elimination;

17 (2) sponsor a condemnation of the human
18 rights practices of the Government of Sudan at the
19 United Nations conference on human rights in Gene-
20 va in 2000;

21 (3) press for implementation of the rec-
22 ommendations of the United Nations Special
23 Rapporteur for Sudan with respect to human rights
24 monitors in areas of conflict in Sudan;

1 (4) press for UNICEF, International Com-
2 mittee of the Red Cross, or the International Fed-
3 eration of Red Cross and Red Crescent Societies, or
4 other appropriate international organizations or
5 agencies to maintain a registry of those individuals
6 who have been abducted or are otherwise held in
7 bondage or servitude in Sudan;
8 (5) sponsor a condemnation of the Government
9 of Sudan each time it subjects civilian populations to
10 aerial bombardment; and
11 (6) sponsor a resolution in the United Nations
12 General Assembly condemning the human rights
13 practices of the Government of Sudan.
14 **SEC. 7. REPORTING REQUIREMENT.**
15 Beginning 3 months after the date of enactment of
16 this Act, and every 3 months thereafter, the President
17 shall submit a report to Congress on—
18 (1) the specific sources and current status of
19 Sudan's financing and construction of oil exploi-
20 tation infrastructure and pipelines;
21 (2) the extent to which that financing was se-
22 cured in the United States or with involvement of
23 United States citizens;

1 (3) such financing's relation to the sanctions
2 described in subsection (a) and the Executive Order
3 of November 3, 1997;
4 (4) the extent of aerial bombardment by the
5 Government of Sudan forces in areas outside its con-
6 trol, including targets, frequency, and best estimates
7 of damage;
8 (5) the number, duration, and locations of air
9 strips or other humanitarian relief facilities to which
10 access is denied by any party to the conflict; and
11 (6) the status of the IGAD-sponsored peace
12 process and any other ongoing effort to end the con-
13 flict, including the specific and verifiable steps taken
14 by parties to the conflict, the members of the IGAD
15 Partners Forum, and the members of IGAD toward
16 a comprehensive solution to the war.

17 **SEC. 8. REFORM OF OPERATION LIFELINE SUDAN (OLS).**

18 It is the sense of Congress that the President should
19 organize and maintain a formal consultative process with
20 the European Union, its member states, the members of
21 the United Nations Security Council, and other relevant
22 parties on coordinating an effort within the United Na-
23 tions to revise the terms of OLS to end the veto power
24 of the Government of Sudan over the plans by OLS for
25 air transport relief flights.

1 **SEC. 9. CONTINUED USE OF NON-OLS ORGANIZATIONS FOR**
2 **RELIEF EFFORTS.**

3 (a) FINDING.—Congress recognizes the progress
4 made by officials of the executive branch of Government
5 toward greater utilization of non-OLS agencies for more
6 effective distribution of United States relief contributions.

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

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

15 **SEC. 10. CONTINGENCY PLAN FOR ANY BAN ON AIR TRANS-**
16 **PORT RELIEF FLIGHTS.**

17 (a) PLAN.—The President shall develop a detailed
18 and implementable contingency plan to provide, outside
19 United Nations auspices, the greatest possible amount of
20 United States Government and privately donated relief to
21 all affected areas in Sudan, including the Nuba Moun-
22 tains, Upper Nile, and Blue Nile, in the event the Govern-
23 ment of Sudan imposes a total, partial, or incremental ban
24 on OLS air transport relief flights.

25 (b) ELEMENT OF PLAN.—The plan developed under
26 subsection (a) shall include coordination of other donors

1 in addition to the United States Government and private
2 institutions.

3 (c) REPORT.—Not later than 2 months after the date
4 of enactment of this Act, the President shall submit a clas-
5 sified report to Congress on the costs and startup time
6 such a plan would require in the event of a total ban on
7 air transport relief flights or in the event of a partial or
8 incremental ban on such flights if the President has made
9 the determination required by subsection (a)(2).

10 (d) REPROGRAMMING AUTHORITY.—Notwith-
11 standing any other provision of law, in carrying out the
12 plan developed under subsection (a), the President may
13 reprogram up to 100 percent of the funds available for
14 support of OLS operations (but for this subsection) for
15 the purposes of the plan.

16 **SEC. 11. NEW AUTHORITY FOR USAID'S SUDAN TRANSITION**
17 **ASSISTANCE FOR REHABILITATION (STAR)**
18 **PROGRAM.**

19 (a) SENSE OF CONGRESS.—Congress hereby ex-
20 presses its support for the President's ongoing efforts to
21 diversify and increase effectiveness of United States as-
22 sistance to populations in areas of Sudan outside of the
23 control of the Government of Sudan, especially the long-
24 term focus shown in the Sudan Transition Assistance for
25 Rehabilitation (STAR) program with its emphasis on pro-

1 moting future democratic governance, rule of law, building
2 indigenous institutional capacity, promoting and enhanc-
3 ing self-reliance, and actively supporting people-to-people
4 reconciliation efforts.

5 (b) ALLOCATION OF FUNDS.—Of the amounts made
6 available to carry out chapter 1 of part I of the Foreign
7 Assistance Act of 1961 (22 U.S.C. 2151 et seq:, relating
8 to development assistance) for the period beginning on Oc-
9 tober 1, 2000, and ending on September 30, 2003,
10 $16,000,000 shall be available for development of a viable
11 civil authority, and civil and commercial institutions, in
12 Sudan, including the provision of technical assistance, and
13 for people-to-people reconciliation efforts.

14 (c) ADDITIONAL AUTHORITIES.—Notwithstanding
15 any other provision of law, the President is granted au-
16 thority to undertake any appropriate programs using Fed-
17 eral agencies, contractual arrangements, or direct support
18 of indigenous groups, agencies, or organizations in areas
19 outside of control of the Government of Sudan in an effort
20 to provide emergency relief, promote economic self-suffi-
21 ciency, build civil authority, provide education, enhance
22 rule of law and the development of judicial and legal
23 frameworks, support people-to-people reconciliation ef-
24 forts, or implementation of any programs in support of

1 any viable peace agreement at the local, regional, or na-
2 tional level.

3 (d) IMPLEMENTATION.—It is the sense of Congress
4 that the President should immediately and to the fullest
5 extent possible utilize the Office of Transition Initiatives
6 at the Agency for International Development in an effort
7 to pursue the type of programs described in subsection
8 (c).

9 (e) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that enhancing and supporting education and the
11 development of rule of law are critical elements in the
12 long-term success of United States efforts to promote a
13 viable economic, political, social, and legal basis for devel-
14 opment in Sudan. Congress recognizes that the gap of 13–
15 16 years without secondary educational opportunities in
16 southern Sudan is an especially important problem to ad-
17 dress with respect to rebuilding and sustaining leaders and
18 educators for the next generation of Sudanese. Congress
19 recognizes the unusually important role the secondary
20 school in Rumbek has played in producing the current
21 generation of leaders in southern Sudan, and that priority
22 should be given in current and future development or tran-
23 sition programs undertaken by the United States Govern-
24 ment to rebuilding and supporting the Rumbek Secondary
25 School.

1 (f) PROGRAMS IN AREAS OUTSIDE GOVERNMENT
2 CONTROL.—Congress also intends that such programs in-
3 clude cooperation and work with indigenous groups in
4 areas outside of government control in all of Sudan, to
5 include northern, southern, and eastern regions of Sudan.

6 **SEC. 12. ASSESSMENT AND PLANNING FOR NUBA MOUN-**
7 **TAINS AND OTHER AREAS SUBJECT TO BANS**
8 **ON AIR TRANSPORT RELIEF FLIGHTS.**

9 (a) FINDING.—Congress recognizes that civilians in
10 the Nuba Mountains, Red Sea Hills, and Blue Nile regions
11 of Sudan are not receiving assistance through OLS due
12 to restrictions by the Government of Sudan.

13 (b) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that the President should—

15 (1) conduct comprehensive assessment of the
16 humanitarian needs in the Nuba Mountains, Red
17 Sea Hills, and Blue Nile regions of Sudan;

18 (2) respond appropriately to those needs based
19 on such assessment; and

20 (3) report to Congress on an annual basis on
21 efforts made under paragraph (2).

1 **SEC. 13. OPTIONS OR PLANS FOR NONLETHAL ASSISTANCE**
2 **FOR NATIONAL DEMOCRATIC ALLIANCE PAR-**
3 **TICIPANTS.**

4 (a) REPORT.—Not later than 90 days after the date
5 of enactment of this Act, the President shall submit to
6 the appropriate congressional committees a report, in clas-
7 sified form if necessary, detailing possible options or plans
8 of the United States Government for the provision of non-
9 lethal assistance to participants of the National Demo-
10 cratic Alliance.

11 (b) CONSULTATIONS.—Not later than 30 days after
12 submission of the report required by subsection (a), the
13 President should begin formal consultations with the ap-
14 propriate congressional committees regarding the findings
15 of the report.

16 (c) DEFINITION.—In this section, the term "appro-
17 priate congressional committees" means the Committee on
18 Foreign Relations and the Committee on Appropriations
19 of the Senate and the Committee on International Rela-
20 tions and the Committee on Appropriations of the House
21 of Representatives.

Passed the Senate November 19, 1999.

Attest: GARY SISCO,

Secretary.

AMENDMENT TO S. 1453

OFFERED BY MR. SMITH OF NEW JERSEY

Page 10, strike line 14 and all that follows through line 16 on page 11 and insert the following:

1 **SEC. 7. SUPPORTING SANCTIONS AGAINST SUDAN.**

2 (a) SANCTIONS.—Until the President determines,
3 and so certifies to Congress, that the Government of
4 Sudan has—

5 (1) fully committed to and has made verifiable
6 progress toward a comprehensive, peaceful solution
7 to the war or has otherwise committed to and made
8 verifiable progress in a good faith effort with both
9 northern and southern opposition toward a com-
10 prehensive solution to the conflict based on the Dec-
11 laration of Principles reached in Nairobi Kenya, on
12 July 20, 1994,

13 (2) made substantial and verifiable progress in
14 controlling the raiding and slaving activities of
15 allregular and irregular forces, including Popular
16 Defense Forces and other militias and murahalliin,

17 (3) instituted credible reforms with regard to
18 providing basic human and civil rights to all Suda-
19 nese, and

1 (4) ceased aerial bombardment of civilian tar-
2 gets,
3 the following are prohibited, except to the extent provided
4 in section 203(b) of the International Emergency Eco-
5 nomic Powers Act (50 U.S.C. 1702(b)) and in regulations,
6 orders, directives, or licenses that may be issued pursuant
7 to this section:
8 (A) The facilitation by a United States
9 person, including but not limited to brokering
10 activities of the exportation or reexportation of
11 goods, technology, or services from Sudan to
12 any destination, or to Sudan from any location.
13 (B) The performance by any United States
14 person of any contract, including a financing
15 contract, or use of any other financial instru-
16 ment, in support of an industrial, commercial,
17 public utility, or governmental project in Sudan.
18 (C) Any transaction by any United States
19 person or within the United States that evades
20 or avoids, or has the purpose of evading or
21 avoiding, or attempts to violate, any of the pro-
22 hibitions set forth in this section.
23 (b) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that the sanctions in subsection (a), and in the
25 President's Executive Order of November 4, 1997, should

1 be applied to include the sale of stocks in the United
2 States or to any United States person, wherever located,
3 or any other form of financial instruments or derivatives,
4 in support of a commercial, industrial, public utility, or
5 government project or transaction in or with Sudan.

6 (c) NATIONAL SECURITY WAIVER.—The President
7 may waive the application of any of the sanctions de-
8 scribed in subsection (a) if he determines and certifies to
9 Congress that it is important to the national security of
10 the United States to do so.

11 (d) REPORT.—Beginning 3 months after the date of
12 enactment of this Act, and every 3 months thereafter, the
13 President shall submit a report to Congress on—

14 (1) the specific sources and current status of
15 Sudan's financing and construction of oil exploi-
16 tation infrastructure and pipelines;

17 (2) the extent to which that financing was se-
18 cured in the United States or with involvement of
19 United States citizens;

20 (3) such financing's relation to the sanctions
21 described in subsection (a) and the Executive Order
22 of November 4, 1997;

23 (4) the extent of aerial bombardment by the
24 Government of Sudan forces in areas outside its con-

1 trol, including targets, frequency, and best estimates
2 of damage;
3 (5) the number, duration, and locations of air
4 strips or other humanitarian relief facilities to which
5 access is denied by any party to the conflict; and
6 (6) the status of the IGAD-sponsored peace
7 process or any other ongoing efforts to end the con-
8 flict, including the specific and verifiable steps taken
9 by parties to the conflict, the members of the IGAD
10 Partners Forum, and the members of IGAD toward
11 a comprehensive solution to the war.
12 (e) STATUTORY CONSTRUCTION.—Nothing in this
13 section shall prohibit—
14 (1) transactions for the conduct of the official
15 business of the Federal Government or the United
16 Nations by employees thereof;
17 (2) transactions in Sudan for journalistic activ-
18 ity by persons regularly employed in such capacity
19 by a news-gathering organization; or
20 (3) legitimate humanitarian operations.
21 (f) DEFINITIONS.—In this section—
22 (1) the term "entity" means a partnership, as-
23 sociation, trust, joint venture, corporation, or other
24 organization;

1 (2) the term "Government of Sudan" includes
2 the Government of Sudan, its agencies, instrumen-
3 talities and controlled entities, and the Central Bank
4 of Sudan;
5 (3) the term "person" means an individual or
6 entity; and
7 (4) the term "United States person" means any
8 United States citizen, permanent resident alien, enti-
9 ty organized under the laws of the United States
10 (including foreign branches), or any person in the
11 United States.

106TH CONGRESS
2D SESSION

H. RES. 577

To honor the United Nations High Commissioner for Refugees (UNHCR) for its role as a protector of the world's refugees, to celebrate UNHCR's 50th anniversary, and to praise the High Commissioner Sadako Ogata for her work with UNHCR for the past ten years.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 14, 2000

Mr. HALL of Ohio (for himself, Mr. GILMAN, Mr. GEJDENSON, Mr. SMITH of New Jersey, and Mr. LANTOS) submitted the following resolution; which was referred to the Committee on International Relations

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RESOLUTION

To honor the United Nations High Commissioner for Refugees (UNHCR) for its role as a protector of the world's refugees, to celebrate UNHCR's 50th anniversary, and to praise the High Commissioner Sadako Ogata for her work with UNHCR for the past ten years.

Whereas since the founding of the United Nations High Commissioner for Refugees (UNHCR) in December 1950, it has become one of the world's principal humanitarian agencies with 244 offices in 118 countries and helps nearly 23,000,000 people in more than 140 countries;

Whereas on December 14, 2000, UNHCR marks a half-century of helping millions of the world's most vulnerable and courageous people;

Whereas UNHCR has fulfilled the mandate in Article 22 of the United Nations Charter by assisting states to provide protection and assistance to refugees around the world and seeking durable solutions to their problems;

Whereas UNHCR has worked to ensure respect of refugees basic human rights and adherence to the principle of nonrefoulement, which prohibits the expulsion and return of refugees to countries or territories where their lives or freedom would be threatened;

Whereas the United States and its citizens have long welcomed refugees to our shores;

Whereas, although UNHCR's responsibilities under its original mandate do not include internally displaced persons, it plays a critical role in assisting and protecting internally displaced populations in many situations, particularly where refugees and internally displaced persons are intertwined;

Whereas the heart of UNHCR's mandate is protection, and UNHCR must continue to emphasize protection in choosing durable solutions for refugees, including voluntary return, local integration in countries of first asylum, and resettlement;

Whereas refugee women and children face special protection and assistance needs and UNHCR must continue to emphasize their needs in its policy and program efforts;

Whereas, in collaboration with other international agencies and nongovernmental organizations, UNHCR has shaped policies on which the international community can agree to move forward on peacefully resolving refugee situations;

Whereas under the leadership of High Commissioner Sadako Ogata and her predecessors, UNHCR has made invaluable contributions for humanity by helping to promote peace and respect for human rights for all uprooted peoples; and

Whereas UNHCR has twice been awarded the Nobel Peace Prize for its service to humanity: Now, therefore, be it

1 *Resolved*, That the United States House of
2 Representatives—
3 (1) recognizes and honors the United Nations
4 High Commissioner for Refugees (UNHCR) on the
5 occasion of its 50th anniversary for its contributions
6 on behalf of the world's refugees;
7 (2) expresses its support for the continued ef-
8 forts of UNHCR;
9 (3) affirms its support for international protec-
10 tion for the victims of persecution and human rights
11 abuse and durable solutions for refugees; and
12 (4) calls on the international community to
13 work together with UNHCR in efforts to ensure that
14 host countries uphold humanitarian and human
15 rights principles for refugees, to lessen the impact of
16 refugees on host countries, and to promote the safe
17 voluntary repatriation, local integration, or resettle-
18 ment of refugees.

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H. RES. 577 OFFERED BY MR. SMITH OF NEW JERSEY

Amend the preamble to read as follows:

Whereas since the founding of the United Nations High Commissioner for Refugees (UNHCR) in December 1950, it has become one of the world's principal humanitarian agencies with 244 offices in 118 countries and helps nearly 22,000,000 people in more than 140 countries;

Whereas on December 14, 2000, UNHCR marks a half-century of helping millions of the world's most vulnerable and courageous people;

Whereas UNHCR continues to fulfill its mandate, as adopted by the United Nations General Assembly on December 14, 1950, to provide international protection to refugees and persons seeking asylum and to seek durable solutions to their problems;

Whereas UNHCR has worked to ensure respect of refugees' basic human rights and adherence to the principle of nonrefoulement, which prohibits the expulsion and return of refugees to countries or territories where their lives or freedom would be threatened;

Whereas the United States and its citizens have long welcomed refugees to our shores;

Whereas, although UNHCR's responsibilities under its original mandate do not include internally displaced persons, it plays a critical role in assisting and protecting internally displaced populations in many situations, particu-

larly where refugee and internally displaced populations are mixed;

Whereas the heart of UNHCR's mandate is protection, and UNHCR must continue to emphasize protection in choosing durable solutions for refugees, including voluntary return, local integration in countries of first asylum, and resettlement;

Whereas vulnerable refugees, particularly women, children, and the elderly, face special protection and assistance needs and UNHCR must continue to emphasize their needs in its policy and program efforts;

Whereas, in collaboration with other international agencies and nongovernmental organizations, UNHCR has shaped policies on which the international community can agree to move forward on peacefully resolving refugee situations;

Whereas under the leadership of High Commissioner Sadako Ogata and her predecessors, UNHCR has made invaluable contributions for humanity by helping to promote peace and respect for human rights for all uprooted peoples; and

Whereas UNHCR has twice been awarded the Nobel Peace Prize for its service to humanity: Now, therefore, be it

Strike all after the resolving clause and insert the following:

1 *Resolved*, That the United States House of
2 Representatives—
3 (1) recognizes and honors the United Nations
4 High Commissioner for Refugees (UNHCR) on the

1 occasion of its 50th anniversary for its contributions
2 on behalf of the world's refugees;
3 (2) expresses its support for the continued ef-
4 forts of UNHCR;
5 (3) affirms its support for international protec-
6 tion for the victims of persecution and human rights
7 violations and for the achievement of durable solu-
8 tions for refugees; and
9 (4) calls on the international community to
10 work together with UNHCR in efforts to ensure that
11 host countries uphold humanitarian principles and
12 the human rights of refugees, to lessen the impact
13 of refugees on host countries, and to promote the
14 safe voluntary repatriation, local integration, or re-
15 settlement of refugees.

Statement of Congressman Crowley- Subcommittee on International Operations and Human Rights

September 21, 2000

Mr. Chairman, I thank you for the opportunity to address the Subcommittee this morning, to add my voice to those who have expressed deep concern over the recent acts of violence that have plagued the nation of Indonesia.

During the past several months, volunteers and other humanitarian workers have been forced to live in constant peril as a result of the unchecked aggression committed by militias in East and West Timor. Earlier this month, a militia attacked the West Timor offices of the United Nations High Commissioner for Refugees (UNHCR) in Atambua, brutally murdering three humanitarian aid workers, including a United States citizen, Carlos Caceres.

In Aceh, serious human rights violations are routine occurrences. A strong and active independence movement has resulted in the death of more than 300 civilians this year. The suppression and violence in Aceh, however, is not limited to its citizens who desperately struggle for independence. It seems that no one in Indonesia is exempt from the harsh treatment of the militias.

On August 5th, the atrocities taking place in Aceh and elsewhere in Indonesia, once seeming far away, suddenly hit very close to home. A constituent of mine, Jafar Siddiq Hamzah, disappeared from the town of Medan in Northern Sumatra. Jafar was a well-respected human rights lawyer who devoted his life to helping those who could not help themselves.

One month later, Jafar's body was discovered in a mass grave in Medan. The post-mortem evidence revealed that he had been tortured and beaten throughout his abduction. A man who was known the world over for his contributions to peace and respect for human rights, was shown neither by his captors. This situation cannot be tolerated.

In response to the death of Jafar Siddiq Hamzah, I have introduced House Resolution 580, which unequivocally condemns Jafar's murder. In addition, it demands a full investigation into his death, and requests swift action to ensure the accountability of those responsible.

I applaud my colleagues: Representatives Chris Smith, Joe Pitts, Nita Lowey, Dennis Kuchinich, Anthony Weiner, Tony Hall, and Cynthia McKinney for joining me in an effort to bring the perpetrators of this tragedy to justice. I respectfully request that the Chairman bring this measure before the committee as soon as possible.

I wish to express my wholehearted support for House Concurrent Resolution 395, introduced by Congressman Smith of New Jersey, and I urge my colleagues in the committee to mark-up House Resolution 580 in a timely manner.

Acts of aggression, like that which was inflicted on Jafar, occur every day throughout the world. Let us act now, and do our part to put an end to this violence.

Thank you.

Statement of Congressman Crowley on Armenian Genocide
Subcommittee on International Operations and Human Rights

September 21, 2000

Mr. Chairman, I would like to take a moment to address the Armenian Genocide resolution. The tragic occurrences perpetrated on the Armenian people between 1915 and 1925 by the Ottoman Turkish Empire is of great concern to me and members of my constituency.

During this relatively brief time frame, over 1.5 million Armenians were massacred and over 5,000 were exiled. Unfortunately, the Turkish government has not recognized these brutal acts as acts of genocide, nor is willing to come to terms with its participation in these horrific events.

Prior to the Armenian genocide, these brave people with a history of over 3,000 years in the region were subject to numerous indignities and periodic massacres by the Sultans of the Ottoman Empire. The worst of these massacres occurred in 1895 when as many as 300,000 Armenian civilians were murdered, and those who survived were left completely destitute. Despite these events, Armenians have survived as a people and a culture throughout Europe and the United States. The Turkish government needs to come to terms with the past and work toward improving the future.

I believe that by failing to recognize such barbaric acts, one becomes complicit in them. That is why as a New York State Assemblyman, I was proud to support legislation adding lessons on human rights and genocide to the state education curricula. I am also a proud sponsor of H. Res. 398, that is before us today.

I urge my colleagues to support this very important resolution, and I thank you all for your time.

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