



December 16, 2011

President Barack Obama
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President,

We, *Act for Sudan*, wrote to you on November 3, 2011, expressing deep concern about the ongoing government-sponsored genocide in Sudan which spans more than two decades and has resulted in the death and displacement of millions of people. Its targets have included the tribes of Darfur, South Kordofan, Blue Nile, Nubian North, Beja East, and South Sudan. The situation in Sudan has continued to be dire, not only in Darfur, but particularly for the Nuba people and throughout the South Kordofan and Blue Nile regions. Aerial attacks are accompanied by the denial of access to vital humanitarian aid for hundreds of thousands of people.

We continue to believe that strong leadership by the United States government is essential to ending the violence, protecting civilians and bringing the perpetrators to justice.

For some time, the U.S. has been considering removing Sudan from the State Sponsors of Terrorism List.^{1,2,3,4,5} During November, while the Government of Sudan continued its attacks on its own people, the Embassy of Sudan in the U.S. retained The Law Office of Bart S. Fisher "to counsel and assist the Republic of the Sudan in satisfying appropriate U.S. conditions to reduce and to eliminate the sanctions currently imposed on the Sudan; [and] in satisfying appropriate U.S. conditions to have Sudan removed from the list of State Sponsors of Terror of the U.S. Department of State..."⁶ Also during November, Deputy National Security Advisor Denis McDonough and Special Envoy Princeton Lyman visited Khartoum for high level meetings on U.S.-Sudan relations.⁷

We write to you today to explain why we hope that the U.S. is not about to reward the Government of Sudan by removing it from the State Sponsors of Terrorism List. Removing the Government of Sudan from the State Sponsors of Terrorism list would conflict with U.S. interests and policy on international terrorism, present additional dangers for the already endangered people of Sudan, and be incompatible with a "comprehensive strategy" for addressing the ongoing crises in Sudan. With the Government of Sudan continuing to oppress its people and even use food as a weapon in its war against its people, there are millions of Sudanese under attack, in camps without adequate aid, in prison, and enslaved. Now is hardly the time to reward and encourage the regime in Khartoum. We ask the Administration to adopt a "whole of Sudan" policy rather than conflict-specific approaches as all conflicts arise from the same source: Khartoum

First, even if the recent increased U.S. focus on the Lord's Resistance Army (LRA) resulted in clear confirmation that the Government of Sudan (GOS) has ceased support for this international terrorist organization, it is still clear that the GoS continues to support international terrorism in its relationship with and support for Hamas and Iran.

The leader of Iran, Mahmoud Ahmadinejad, recently visited Khartoum, Sudan. Ahmadinejad and Bashir announced their increased partnership and continuing mutual support, including military cooperation.⁸ Bashir announced Sudan's support for Iran's right to develop nuclear technology, and their joint communiqué ominously declared that Iran was "ready to transfer its experience in the science and manufacturing sectors."⁹ Iran has long been recognized as an arms supplier to Hamas and to Sudan. Recent news reports confirm that Sudan continues to be a major delivery route for arms to Hamas.^{10,11,12} The leader of Hamas, Khalid Mishaal, visited Khartoum and spoke at the annual Al Quds conference on Hamas continuing jihad against Israel.¹³ Mishaal and Bashir announced their continuing strong mutual commitment and support. Mishaal visited Khartoum again in November.^{14,15} These close and growing ties of both Hamas and Iran with Sudan are troubling, not only because of the implications for terrorism, but also in the larger strategic context of the realignment of radical forces in the Middle East.

In addition, the U.N. confirmed reports of Sudan bombing the refugee camp in Yida, South Sudan.¹⁶ Sudan's deliberate attack across a recognized international border, against a civilian camp of refugees from Sudan's earlier attacks in South Kordofan, must be recognized as an international version of the terror tactics Sudan has employed for years within its own borders.

Second, keeping the GoS on the State Sponsor of Terror (SST) list has real impact and importance.

1. The GoS has long sought to be removed from the SST list. Therefore, removing Sudan from the SST list is real leverage that must not be given up lightly. Removal, particularly when it appears not to have been earned, deprives the U.S. of this leverage.
2. Sudan's economy is grinding to a halt. GoS officials have stated in the Sudanese media that many investors from the Middle East, Turkey and Asia are leaving Sudan, partially because of the indirect effects of Sudan being on the SST list.
3. Sudanese believe the National Congress Party (NCP) needs Sudan removed from the SST list to alleviate its political and financial isolation due to its pariah status. Removal would send the wrong message to the Arab League, the African Union and the larger international community. It would signal U.S. tolerance of the NCP's war crimes, crimes against humanity and genocide against its own citizens, for which International Criminal Court (ICC) arrest warrants are outstanding. Removal would undermine justice and the possibilities for the arrest and prosecution of the accused.
4. Removal would embolden the NCP in its attacks on and oppression of the marginalized Sudanese (which constitute a majority of the population). The NCP likely would use the increased foreign investments that would follow the U.S. lifting of the SST designation to purchase and build more weapons to annihilate its perceived enemies, not to provide for the people.
5. Removing Sudan from the SST list would have extremely negative effects on Sudanese civilians, not only in South Kordofan and Blue Nile which are most affected today by the GoS tactic of using food as a weapon of war against its people, but also in Darfur, Abyei, Eastern Sudan and any other region the NCP chooses to attack.
6. Removal would signal that the U.S. tolerates Sudan's attacks on South Sudan and Sudan's imposition of its tax" on South Sudan's oil, which China has publicly declared could endanger the region.^{17,18,19,20,21}
7. Removal would signal that the U.S. tolerates Sudan's continued bombing and denial of humanitarian aid in South Kordofan and Blue Nile, and Sudan's rejection of negotiations and of ceasefires with the people in those regions.

The U.S. policy on Sudan, published on October 19, 2009,²² clearly stated the need for a "comprehensive approach" designed to work for progress in three areas: ending human rights abuses and conflict, implementing agreements such as the CPA and stopping support for international terrorism. That policy

rejected the idea that the U.S. use the possibility of removing Sudan from the SST list as a “bargaining chip” that allowed Sudan to avoid its responsibility to stop human rights abuses. “We have to see significant, tangible, concrete progress across the board. It is not a quid pro quo for completion in one area. We have to see progress in all three areas for that to occur.”²³

Since 2009, human rights crises have not only continued in Sudan, but the GoS has created and pursued new, wide scale abuses by attacking its people in South Kordofan and Blue Nile and denying access to humanitarian aid workers.

Valerie Amos, U.N. Under Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, stated on December 6, 2011, “Given the continued denial of [humanitarian] access to South Kordofan and Blue Nile States, we must now plan for a major deterioration in the condition of people there, including rising malnutrition, food insecurity and the dangers of unexploded ordnance and landmines.” Sudanese Air Force bombing continues in the New Guffa and Yida areas, entry points into South Sudan for escaping refugees.²⁴ On December 3, 2011, the GoS blocked Ms. Amos from visiting Khartoum to discuss access for humanitarian aid workers.²⁵ The NCP is skilled and experienced in “negotiating” agreements they have no intention of honoring while it continues to slaughter its people.

The U.S. must adhere to the lessons it stated in 2009. Rather than reacting to the GoS in a piecemeal way, focusing only on the latest crisis, the U.S. and the international community must deal with Sudan as a whole.

Sixty-two members of Congress, including the co-chairs of the Sudan Caucus, recognize that this Sudan policy is not working and ask for a “whole of Sudan” approach:

“The current model of addressing Sudan’s conflicts through individual mediation processes – effectively stove-piping each conflict – is not working. The Government of Sudan has successfully pitted conflict areas against each other. This cynical tactic has allowed it to avoid making any broader, more comprehensive changes. Constitutional reform and inclusive governance are central to the prospect of real and lasting change. Longtime Sudan watchers assert that U.S. policy should immediately press for a central, comprehensive process that pulls in all parties in conflict across Sudan to seek peace and structural democratic reform.”²⁶

We respectfully request that the Administration implement as urgent matters:

1. Civilian Protection and Humanitarian Aid. Take the necessary actions immediately to protect the Nuba, Blue Nile, and Darfuri populations from air attacks. Please seriously consider the destruction of offensive aerial assets and/or (as long requested by the affected Sudanese civilians and most recently by South Sudan) imposition of a no-fly zone over Blue Nile, South Kordofan and Darfur and between Sudan and South Sudan. Please initiate immediately a cross border emergency aid program from the South to the Nuba Mountains, Blue Nile and Abyei regions and a separate cross border aid program to Darfur.
2. End Impunity; Support Justice. As the Government of Sudan has blocked almost all independent reporting from these affected areas, please lead on the actions required to (a) establish independent commissions of inquiry into the South Kordofan and Blue Nile attacks, ongoing attacks in Darfur, and cross border bombing of South Sudan, and (b) reconstitute a body similar to the previous UN Panel of Experts on Darfur but for each or all of the affected areas that reports on a regular, timely and unedited basis.

Lead effective international coordination to (a) apprehend individuals subject to outstanding and any future ICC arrest warrants, (b) actively support the work of the ICC, and (c) develop a deterrence plan to prevent retaliation against civilians in the event the ICC issues an arrest warrant for Defense Minister Abdelrahim Mohamed Hussein.

Impose draconian financial sanctions against officials (and their associated businesses) responsible for attacks against civilians.

3. Secure Peace, Leading to Democratic Transition. Refocus the disparate ongoing “peace” negotiations toward one comprehensive process including all marginalized populations and their concerns.

Provide tangible political, logistical and financial support for Sudanese organizations urging democratic reform, the rule of law and civil rights.

Coordinate the necessary regional and multinational support for internationally observed elections.

Thank you for considering our views. We respectfully ask that the National Security Council and State Department focus on both the urgent and longer term matters summarized in this letter. We note that each day countless lives are lost and people displaced without the means to sustain themselves. We hope that this Administration promptly takes the actions necessary to end this decades-long approach to “governing” Sudan and to avoid war between Sudan and South Sudan.

Sincerely,



Eric Cohen
Act for Sudan, Co-founder
ericcohen@actforsudan.org

CC:

Secretary Hillary Clinton, Secretary of State

Denis McDonough, Deputy National Security Advisor, National Security Council

Ambassador Princeton Lyman, U.S. Special Envoy to Sudan, U.S. Department of State

Karen E. Richardson, Assistant Director, Office of Public Engagement, The White House

¹ Philip J. Crowley Background Briefing, November 8, 2010, accessed December 12:
<http://www.state.gov/r/pa/prs/ps/2010/11/150556.htm>

² “Terrorism sponsor no more? Obama hints at taking Sudan from the list,” Christian Science Monitor, February 7, 2011, accessed December 12, 2011, <http://www.csmonitor.com/USA/Foreign-Policy/2011/0207/Terrorism-sponsor-no-more-Obama-hints-at-taking-Sudan-from-the-list>

³ NPR interview with U.S. Special Envoy Princeton Lyman, April 27, 2011, accessed December 12, 2011,
<http://www.npr.org/2011/04/27/135773231/the-u-s-role-in-setting-up-south-sudan>

⁴ White House Statement by the Press Secretary on Travel by John Brennan, June 1, 2011, accessed December 12, 2011, <http://www.whitehouse.gov/the-press-office/2011/06/01/statement-press-secretary-travel-john-brennan>

⁵ “US decision to drop Sudan from terror list imminent: FM,” Sudan Tribune, August 17, 2011, accessed December 12, 2011, <http://www.sudantribune.com/US-decision-to-drop-Sudan-from,39869>

⁶ U.S. Department of Justice, Foreign Agents Registration Act filings November 10, 2011, accessed December 12, 2011, <http://www.fara.gov/docs/6076-Exhibit-AB-20111110-1.pdf>, <http://www.fara.gov/docs/6076-Registration-Statement-20111110-1.pdf>, <http://www.fara.gov/docs/6076-Short-Form-20111110-2.pdf>

⁷ White House Statement from NSC Spokesman Tommy Vietor on Deputy National Security Advisor McDonough’s visit to Sudan and South Sudan, November 21, 2011, accessed December 12, 2011, http://photos.state.gov/libraries/sudan/302712/whitehouse/Whitehouse_press_release_112011.pdf,

⁸ “Iran and Sudan stand together against western pressures – Ahmadinejad,” Sudan Tribune, September 26, 2011, accessed December 12 2011, <http://www.sudantribune.com/Iran-and-Sudan-stand-together,40257>

-
- ⁹ “Ahmadinejad says Iran, Sudan are allies against powers of arrogance,” CNN, September 26, 2011, accessed December 12, 2011, http://articles.cnn.com/2011-09-26/world/world_sudan-ahmadinejad_1_sudanese-president-omar-al-bashir-technology-for-peaceful-purposes-arrogance?_s=PM:WORLD
- ¹⁰ Report of Al-Arabiya, April 4, 2011, accessed December 12, 2011, confirming that a senior Hamas military commander was killed in what Sudan's foreign minister said was “an Israeli attack.” <http://www.jpost.com/MiddleEast/Article.aspx?id=215411>
- ¹¹ Jerusalem Post referencing the Al-Arabiya report, April 6, 2011, accessed December 12, 2011, “Israel assassinated a senior Hamas weapons smuggler late Tuesday night when it bombed a rental car in Sudan, the Al-Arabiya news channel reported on Wednesday...Sudan is a known stop on the smuggling route from Iran to Gaza. ... Ships reportedly sail from the Iranian port of Bandar Abbas, controlled by the Revolutionary Guards Corps, and dock at an Iranian-controlled port in Sudan. There, the weaponry is unloaded onto the back of trucks that travel North into Egypt and through the Sinai Peninsula, eventually unloading their cargo along the border with the Gaza Strip.” <http://www.jpost.com/Defense/Article.aspx?id=215448>
- ¹² Safa News Agency, reported by France 24, April 7, 2011, accessed December 12, 2011, “Hamas MP Ismail al-Ashqar told the Gaza-based Safa news agency his nephew Abdel Latif al-Ashqar, whom he described as a ‘big military leader’ within the group's armed wing, was present at the time of the attack but survived.” <http://www.france24.com/en/20110407-sudan-israel-hamas-militant-target-deadly-air-strike-gaza-mp>
- ¹³ “Sudan hosts the eighth annual Al-Quds conference in Khartoum,” March 6, 2011, accessed December 12, 2011, Hamas chief Khaled Meshaal was a leading speaker, saying, “The first step (to liberating Jerusalem from Israeli occupation) is refusal to negotiate with Israel.” Bashir also spoke: “What is going in the region is a prelude to the battle for Jerusalem. And we are committed to supporting the (Palestinian) people of Jerusalem in their jihad,” he told the conference in Khartoum.” http://www.france24.com/en/20110306-egypt-revolt-gave-us-back-lives-hamas-chief?quicktabs_1=0
- ¹⁴ Hamas leader briefs Sudan's president on Palestinian reconciliation,” November 27, 2011, accessed December 12, 2011, http://www.sudantribune.com/Hamas-leader-briefs-Sudan-s_40844
- ¹⁵ Sudan's Ministry of Information website, November 27, 2011, accessed December 12, 2011, http://minic.gov.sd/english/index.php?option=com_content&view=article&id=462:al-bashir-renews-sudans-position-towards-the-palestinian-issue&catid=71:home&Itemid=95
- ¹⁶ “UN blames Khartoum for bombing S. Sudan refugee camp,” Reuters, November 11, 2011, accessed December 12, 2011, <http://www.reuters.com/article/2011/11/11/us-southsudan-bombing-un-idUSTRE7AA4KT20111111>
- ¹⁷ “Darfur: The Genocide the World Got Tired Of,” Eric Reeves, November 24, 2011, accessed December 12, 2011, <http://www.sudanreeves.org/2011/11/24/darfur-the-genocide-the-world-got-tired-of/>
- ¹⁸ “The History of Sudan's Third Civil War,” Eric Reeves, December 10, 2011, accessed December 12, 2011, <http://www.sudanreeves.org/2011/12/10/the-history-of-sudans-third-civil-war/>
- ¹⁹ “Sudan: Security ‘Volcano’ Ready to Blow in the East.”, All Africa, December 8, 2011, accessed December 12, 2011, <http://allafrica.com/stories/201112081527.html>
- ²⁰ “South Sudan Demands Sudan Forces ‘Withdraw from Jau’,” BBC, December 7, 2011, accessed December 12, 2011, www.bbc.co.uk/news/world-africa-16077689
- ²¹ “Chinese envoy warns of serious consequences if no oil deal reached between Sudan, South Sudan,” Associated Press, December 10, 2011, accessed December 12, 2011, http://www.washingtonpost.com/business/chinese-envoy-warns-of-serious-consequences-if-no-oil-deal-reached-between-sudan-south-sudan/2011/12/10/gIQAWMJpkO_story.html
- ²² “Sudan: A Critical Moment, A Comprehensive Approach,” U.S. Department of State, October 19, 2011, accessed December 12, 2011, <http://www.state.gov/r/pa/prs/ps/2009/oct/130672.htm>
- ²³ “Background Briefing on Sudan,” U.S. Department of State, October 19, 2009, accessed December 12, 2011, <http://www.state.gov/p/af/rls/spbr/2009/130696.htm>
- ²⁴ IRIN, “SUDAN-SOUTH SUDAN: Humanitarian crisis warning as thousands flee fighting,” December 9, 2011, accessed December 12, 2011, <http://www.irinnews.org/printreport.aspx?reportid=94431>
- ²⁵ Lynch, Colum “Is Sudan Heading Toward a Worsening Civil War?,” December 6, 2011, accessed December 12, 2011, <http://turtlebay.foreignpolicy.com/category/region/africa>
- ²⁶ Press Release, Sudan Caucus Urges New Approach in Dealing With Khartoum, November 21, 2011, accessed December 12, 2011, <http://wolf.house.gov/index.cfm?sectionid=34&parentid=6§iontree=6,34&itemid=1831>