

## MEMORANDUM

To: Members of Congress

From: Undersigned International Human Rights Organizations

Date: June 17, 2014

**RE: Congressional Action on Sudan and South Sudan**

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The wars in both Sudan and South Sudan are escalating, and the cross-border conflict connections between the two are deepening. Deadly violence in Darfur now rivals the intensity that triggered global outrage in 2003-2005, and a relentless campaign of aerial bombardment and military attacks by the government in the Nuba Mountains and Blue Nile continues. In South Sudan, war persists and state collapse is still possible, despite the May 9 agreement to end the conflict and the June 10 agreement to a sixty day deadline to form a transitional government. Pockets of famine and genocidal targeting are threatening in both countries and their intensifying conflicts are pulling in neighboring states, from the Sahel to the Horn to East Africa.

For peace to stand a chance in Sudan and South Sudan, the U.S. must significantly enhance its approach. In Sudan, peace talks between various rebel movements, civil society actors, opposition parties and the ruling National Congress Party must be unified together under a single framework focused on a peaceful, negotiated and inclusive transition. The U.S. has insufficient diplomatic capacity and leverage to help achieve this critical objective, so both need to be augmented. Similarly, in South Sudan, a long-term peace strategy will require expanded representation by U.S. diplomats and experts and stronger tools for influencing outcomes. For both countries, the U.S. will need an expanded team in the region focused on supporting negotiations and building international coalitions to increase leverage.

The U.S. must invest in cultivating deeper influence on government and rebel actors that orchestrate war crimes or obstruct humanitarian aid, including supporting neighboring countries to freeze assets and intensifying efforts at legal accountability. In both countries, the international community must be prepared to deploy incentives and pressures in support of serious negotiations and to counter mass atrocities. In Sudan, cash-strapped Khartoum sees gold, in part, as its new oil. As part of a multilateral commitment to target the Sudanese government's economic lifelines, stigmatizing Sudan's gold as "conflict-affected," would lower the price it commands in the global marketplace, increasing leverage on the Sudanese government. H.R. 1692, the Sudan Peace, Security and Accountability Act, could be adapted to address a number of these issues, including broadening its scope to South Sudan.

### **Congress can make a difference in Sudan and South Sudan by taking action on the following:**

1. **Allocating** additional resources for the Department of Treasury's Office of Foreign Assets Control to increase capacity for sanctions investigations, implementation and enforcement for both Sudan and South Sudan, and advising the administration to specifically support investigations and enforcement in this region.
2. **Passing** a measure to provide authority to the State Department to support the Sudan Revolutionary Front's capacity to participate more effectively in peace negotiations, including developing its political platform, and to improve its human rights record in the areas it operates, notwithstanding existing legal prohibitions to the contrary.
3. **Supporting** a senior, ambassador-level deputy in the Department of State's Office of the Special Envoy to Sudan and South Sudan to lead the specific efforts on Sudan, as well as the creation of discrete teams located in the region with experts and senior diplomats to support the peace processes in both countries, and **increasing** humanitarian assistance for both countries.
4. **Urging** the Department of State's Office of Global Criminal Justice to support an international effort to ensure transitional justice mechanisms are established to address grave human rights abuses, war crimes and crimes against humanity committed in South Sudan during the violence beginning in December 2013, including the creation of a hybrid court for South Sudan, as well as other mechanisms of restorative and transitional justice.

5. **Highlighting** how Sudan's gold exports are fueling its wars and that a significant portion of gold being sold abroad is linked to recent deadly conflicts over gold in Jebel Amer in North Darfur, **calling for** the amendment of existing Executive Orders on Sudan to include gold sanctions, **encouraging** the global gold industry - both refiners and the London Bullion Market Association - to label gold exported from Sudan as "conflict-affected" as they conduct responsible gold audits and due diligence, and putting a new emphasis on civilian protection for those where the conflicts are occurring, both because of gold and more generally.
6. **Calling on** the administration and U.S. allies to pressure Qatar and other Gulf states to stop providing unconditional aid to the Government of Sudan, **and making clear** that any Paris Club decision on debt relief to the Government of Sudan is made contingent on peace throughout Sudan.
7. **Addressing** peacekeeping cap-related arrears and mission shortfalls in the FY'15 budget request, to enable the United States to fund as approved the peacekeeping mission in South Sudan

Signed:

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