



# President Obama in Africa

## Countering Violent Kleptocracies is a Prerequisite for Peace

The Enough Project  
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### Executive Summary

President Barack Obama’s travel to Kenya and Ethiopia offers a unique opportunity to make progress on U.S. commitments to accelerate economic growth, strengthen democratic governance, and promote peace and security across the continent.<sup>1</sup> Achieving these objectives in regions of Africa that have been torn apart by deadly conflict requires a dedicated focus on the core source of instability and autocracy in these places: the violent kleptocracies,<sup>2</sup> or highly corrupt systems that are closely linked to conflict. These systems have taken root and led to full-scale war in South Sudan, Sudan, the Democratic Republic of the Congo, the Central African Republic (CAR), Somalia, and other neighboring countries, as leaders and business partners have amassed significant personal wealth in large part by partnering with armed groups and commanders to extract it.

The administration’s and the broader international community’s engagement to date on conflict mitigation in Africa—including leadership in and support for peace processes, peacekeeping missions, and accountability measures—has not made a dent in disrupting or dismantling the kleptocracies that allow these wars to continue. Highlighting this most vividly are the cases of Sudan and South Sudan, where the calculations of warring parties have not yet shifted despite huge investments in conventional tools by the United States and the broader international community.

The administration’s initiatives on conflict in Africa have, however, made a positive lasting impact in several other areas. Killings by the Lord’s Resistance Army (LRA) have declined by more than 90 percent,

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and LRA attacks have decreased by 30 percent<sup>3</sup> in the time since President Obama authorized U.S. military advisors to deploy to support a regional counter-LRA mission.<sup>4</sup> Concerted U.S. engagement in support of Congo's regional peace process<sup>5</sup> and U.S. pressure on Rwanda<sup>6</sup> played an important role in helping Congo and the United Nations defeat the deadly M23 rebel group in late 2013.<sup>7</sup> Additionally, U.S. support for greater transparency and rule of law in the minerals sector<sup>8</sup> has helped decrease the amount of funding from conflict minerals that is available to armed groups. While the security situation in Somalia remains tenuous, U.S. support to the Somali government and African Union peacekeeping forces deployed in Somalia has helped to push Al-Shabaab out of key towns and create space for the revival of governance and economic recovery.

The international community, however, needs a fresh strategy for addressing the deadly nexus between conflict and corruption, and President Obama's trip to the region can set the tone for prioritizing new policy approaches to conflicts that had once seemed intractable. Kleptocratic systems have developed in the absence of financial, regulatory, and legal accountability for warlords hijacking and looting states<sup>9</sup> and using mass atrocities, including sexual and gender-based violence, to attain or maintain power. Several studies document a strong connection between corruption, state weakness, and social and political instability.<sup>10</sup> This hijacking of states is worsened by the high volume of illicit financial outflows from African economies—tens of billions of dollars annually—that have increased over time.<sup>11</sup> For example, in Congo, an estimated \$4 billion in illicit financial flows leaves the country every year through the manipulation of mining contracts and budgets, in part through flows of minerals from the east of the country, where conflict has continued for the past 22 years.<sup>12</sup>

A new strategy for peace requires a partnership between Africa, the United States, and other influential actors focused on creating accountability for the architects of atrocities and disrupting their access to the means that enable them to wage war. Broad-based partnerships are needed to support those who fight against corruption and for greater transparency and accountability for atrocity crimes and economic crimes. The United States should leverage the diplomatic and economic influence of external partners like China, the European Union, and Persian Gulf states to work with the African Union and sub-regional African organizations to address root causes of these complex emergencies. Such partnerships, and U.S. leadership, can begin to counter violent kleptocracy, accelerate economic growth, strengthen democratic institutions, and improve peace and security.

To buttress such a new strategy, the Enough Project offers the following specific policy recommendations that could be a priority focus of the Obama administration coming out of the president's trip to Africa:

1. The United States, the U.N. Security Council, the African Union, and the European Union should prioritize targeted sanctions against individuals, companies, institutions, and other actors that facilitate grand corruption, participate in illicit natural resource trade (including conflict gold), and commit atrocities in conflict-affected areas in Africa. Particular efforts should be made to craft systemic strategies that leverage counter-terrorist financing, anti-money laundering, and transnational organized crime authorities in order to target entire networks of atrocity financing over the less effective one-off sanctions on individual commanders or companies.

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2. The United States and other donors should expand their existing efforts to build the technical capacity of African regional financial institutions beyond their current emphasis on countering money laundering and terrorist financing to also include a focus on international sanctions enforcement. Existing programs should be expanded to help enhance the operational capacity of regional financial intelligence units (FIUs). These FIUs are central national agencies responsible for receiving, analyzing, and transmitting disclosures on suspicious transactions to the competent authorities, making them the appropriate locus of expanded sanctions implementation activities.
3. The Secretary of the Treasury should direct more resources towards African sanctions enforcement investigations in the Office of Foreign Assets Control (OFAC) and the Financial Crimes Enforcement Network (FinCEN), allowing them to focus on those suspected of facilitating grand corruption, participating in illicit natural resource trades, and committing atrocities in Africa's deadliest conflicts.
4. The United States, along with the European Union, the United Kingdom, and Canada, should lead efforts to disrupt and dismantle the elite networks that steal wealth from conflict-affected African countries. Specifically, the U.S. Department of Justice Asset Forfeiture and Money Laundering Section (AFMLS), in leading the Kleptocracy Asset Recovery Initiative, should investigate and locate the proceeds of grand corruption in conflict countries and use asset forfeiture provisions to recover those assets and return them to the countries and communities from which they were stolen. While in the region, President Obama should urge Kenya and Ethiopia to share intelligence and contribute actively to the asset recovery inter-agency network of eastern Africa to jump-start these efforts.
5. The U.S. Office of Global Criminal Justice should encourage and support efforts to investigate and prosecute the war crime of pillage—theft in the time of war, including large-scale theft of natural resources and wildlife trafficking. The International Criminal Court (ICC), hybrid courts, and national prosecutors could more effectively pursue these pillage investigations and prosecutions with U.S. support. The United States, along with ICC states parties, should encourage ICC Chief Prosecutor Fatou Bensouda to revive the court's financial crimes unit and appoint special advisors on financial forensics and natural resource theft as part of a comprehensive approach to investigating and prosecuting widespread pillage in South Sudan, Sudan, Congo, and CAR.
6. The U.S. government should urge a greater number of African governments—including South Sudan, Rwanda, Uganda, and others—to join international regulatory institutions for high-value natural resources, such as the Extractive Industries Transparency Initiative (EITI). These governments should be encouraged to work to implement the practices of these regulatory institutions and initiatives and increase budget transparency.
7. The United States should increase its democracy and governance support to diverse coalitions of people and nongovernmental organizations (NGOs) in the region that are actively seeking to hold their own leaders to account for economic crimes. The United States has a longstanding commitment to empowering those who advocate together for democratic political transformation, participatory governance, participation in peace processes, and greater

government transparency, but funding for these efforts has fallen in recent years. USAID can support these communities by expanding local groups' access to funding, training, and networking to strengthen their ability to expose mass corruption and the misappropriation of their countries' natural resource wealth.

In the sections that follow, we analyze the Obama administration's initiatives on issues of peace, security, atrocity prevention, democratic governance, investment, and economic growth as they relate to four focus countries where this administration has invested efforts in trying to resolve conflict: South Sudan, Sudan, Congo, and CAR. In each section we assess the administration's initiatives and discuss the particular enduring challenges associated with violent kleptocracy and the perils of not focusing on that root cause. We then present key targeted recommendations relating to the broader recommendations listed above.

## Peace and security in South Sudan, Sudan, DRC, and CAR

### South Sudan

The U.S. government, under the Obama administration, has been the largest donor to South Sudan's ballooning humanitarian response.<sup>13</sup> Since conflict reignited in December 2013, the U.S. Department of State and USAID have provided more than \$1.2 billion<sup>14</sup> to respond to the emergency in South Sudan. U.S. Special Envoy for Sudan and South Sudan Donald Booth has been actively engaged with the Intergovernmental Authority on Development's mediation team in the efforts to broker peace between the warring parties and push for a more inclusive process that gave civil society a place at the table. This mediation effort has brokered nine agreements to cease hostilities,<sup>15</sup> but unfortunately each agreement has been violated within days.<sup>16</sup>

In addition to its work at the negotiation table, the Obama administration has invested significantly in communicating directly with the people of South Sudan, instead of just engaging with their leaders. Within days of the outbreak of the conflict, President Obama recorded an audio message, which was translated into local languages, for broadcast on South Sudan radio. U.S. funding supports Eye Radio Juba as it seeks to bring information about the peace talks in Addis Ababa to remote parts of the country. Most recently, National Security Advisor Susan Rice recorded a video message to the people of South Sudan on the occasion of their fourth independence day.

Nevertheless, the conflict persists with devastating repercussions. Resurgent violence and restricted access for aid workers has left large swathes of the country facing famine conditions. Leaders on both sides of South Sudan's conflict have faced little personal consequence for their actions as millions of their people suffer mass displacement,<sup>17</sup> grave human rights abuses,<sup>18</sup> and severe food insecurity.<sup>19</sup> While in East Africa, President Obama should lead a global effort to increase financial pressure on those who fund and fuel the conflict. By raising targeted

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sanctions enforcement in the meetings that focus in part on South Sudan, President Obama can help to create needed leverage for success at the peace table and ensure that the South Sudanese people are not the only ones to bear the cost of war.

During his trip, President Obama should build on the momentum generated by the unanimous adoption of six sanctions designations by the U.N. Security Council<sup>20</sup> and calls by the African Union for targeted sanctions and an arms embargo<sup>21</sup> to urge South Sudan's neighbors to enforce global asset freezes and travel bans against those designees. At the same time, President Obama should use his discussions with regional heads of state to cultivate support for a second round of targets for multilateral sanctions with a focus on two groups: the high-level political elites who are responsible for prolonging the war and the facilitators who are providing financial and material support to the warring parties. To utilize sanctions as an instrument of real financial pressure in support of human rights accountability and the peace process, we recommend that the United Nations keep three factors in mind when reviewing candidates for designation: (1) their political influence and role in the leadership structure of each warring side, (2) their connections with the formal financial system outside South Sudan, (3) their susceptibility to a travel ban based on their lifestyle and travel history.

## **Sudan**

In Sudan, the Obama administration's reliance on traditional engagement in the African Union-led peace process has not yielded significant dividends on Darfur, South Kordofan, or Blue Nile. While southern Sudan's peaceful referendum and subsequent secession was an important moment for conflict prevention, the focus on securing South Sudan's independence left a violent kleptocratic system intact in Khartoum.

To better address these underlying issues, the United States, along with its international partners in the European Union and the Persian Gulf should coordinate their efforts to curtail illicit financial flows from Sudan by using existing sanctions, anti-money laundering practices, and counter-terrorist financing mechanisms to target banks, shell companies, sanctions evaders and busters, and other entities enabling those who stoke conflict.

Halting the financial flows to and from violent and kleptocratic actors fomenting conflict in Sudan requires investigating Darfur's gold trade and expanding and better enforcing international sanctions. U.S. policymakers at the United Nations should urge the U.N. Sudan Sanctions Committee to task the Panel of Experts with investigating connections between gold and all armed groups operating in Darfur, including the Sudanese government's security services. Because he is already on the U.N. list of individuals designated for sanctions,<sup>22</sup> the local leader and infamous Janjaweed commander Musa Hilal and his associates should receive special attention from both OFAC and the U.N. Panel for their connections to the gold trade, which has uprooted hundreds of thousands of Darfurians in yet another violent money grab by elites.<sup>23</sup> While in the region, U.S. diplomats should make it clear that unless traders stop purchasing gold from conflict-affected supply chains originating in Darfur, any traders who

import from Sudan may also be investigated for U.S. sanctions designations under the premise that the gold trade destabilizes the region.

More generally, the interpretation of activity that constitutes a threat to peace, stability, and security should be extended to encompass the illicit trade in natural resources in Darfur, as the gold trade provides a significant source of financing for armed groups and threatens the region's stability.

### **Democratic Republic of the Congo, the Great Lakes region, and the LRA**

The Obama administration has had some notable successes on peace, security, and atrocity prevention in the Great Lakes region. Its counter-LRA policy, including the deployment of U.S. Special Forces advisors to the African Union Regional Task Force in October 2011, has helped lead to a 90 percent decrease in LRA killings and a 30 percent decrease in attacks.<sup>24</sup> While the LRA is not yet fully defeated, those achievements have improved human security and significantly weakened a group that has abducted more than 66,000 youths and is responsible for more than 100,000 deaths over the past 28 years.<sup>25</sup> In addition, the administration's strong support to the regional peace process on Congo and the Great Lakes region, under leadership from U.S. Special Envoy Russ Feingold, has helped Congo and the United Nations defeat the powerful M23 rebel group in 2013. The administration's work on combating the conflict minerals trade has also been very important in helping take away critical sources of finance from armed groups (see "economic growth and investment" below for more detail).

Ending violent conflict and addressing mass corruption in Congo and the Great Lakes region requires an enhancement of the administration's policy to focus on accountability, law enforcement, the disrupting of illicit trafficking networks, and transparency policies. Elites in Congo and neighboring countries, and their business partners, have for decades personally enriched themselves and worked with violent armed groups that commit atrocities in a climate of impunity that has not been countered. U.S. policy should aim to make it more costly for individuals and businesses to commit or finance war crimes or engage in corrupt high-value business transactions. Raising these costs should occur through an increased focus on targeted sanctions, investigations, and prosecutions of those who commit atrocities and economic crimes—for example actors in the conflict gold supply chain that continues to fund deadly armed groups.<sup>26</sup>

In this same vein, U.S. support on accountability efforts has been helpful, but efforts could be further enhanced to create more significant disincentives for actors engaging in violence and corruption. The United States should urge the International Criminal Court (ICC) to investigate the most egregious cases of pillage of natural resources as they relate to atrocity crimes. The United States should pressure Congo's mining ministry to launch a comprehensive anti-corruption initiative that includes prosecutions and the purging from government of those

convicted of corruption. The United States should also support the tightening of airport checks for conflict resources in regional smuggling hubs such as Entebbe, Uganda and Dar es Salaam, Tanzania.

The United States should also urge the Congolese government to create specialized mixed chambers in Congo, an institution which holds unique promise for ending the climate of impunity. U.S. leaders should also ensure that the Justice Department's Kleptocracy Asset Recovery Initiative, an Obama administration initiative that investigates and prosecutes asset recovery cases against corrupt leaders, gets greater interagency support to help it identify actionable instances of grand corruption and the war crime of pillage in Congo and the Great Lakes. The Initiative should recover the proceeds from pillage and return them to Congo. Finally, the U.S. government should urge Congo to cooperate with the United Nations on a comprehensive campaign against the Democratic Forces for the Liberation of Rwanda (FDLR). This comprehensive campaign should include a focus on protecting civilians, disrupting the FDLR's income streams, and the arrest and prosecution of Congolese army officers who collaborate with the FDLR.

### **Central African Republic**

The Obama administration has supported peace and security in CAR in several ways, including providing assistance with airlifting African Union troops from Burundi into CAR in December 2013,<sup>27</sup> financially supporting the U.N. peacekeeping missions that include the force in CAR,<sup>28</sup> and providing justice sector support.<sup>29</sup> U.S. sanctions and U.S. support for U.N. sanctions on warring parties in CAR<sup>30</sup> are other positive steps. These responses, however, have not effectively countered the way violent armed groups finance and sustain their operations through extortion and illicit trade in diamonds, gold, and other resources.<sup>31</sup> U.S. engagement would benefit from several enhancements, including more robust measures to counter those involved in atrocity crimes, economic crimes, and the illicit trade of natural resources.

The United States and United Nations should expand widely and enforce more aggressively the targeted sanctions in place currently for those who threaten peace and security and those who participate in economic activities that sustain and equip violent armed actors. An expanded comprehensive sanctions strategy that addresses entire financing networks, particularly those engaged in the illicit trade in diamonds and gold would have greater impact. A strong independent monitoring system that keeps conflict diamonds from entering the global trade can complement a sanctions regime that targets those who enable the illicit diamond trade. The Kimberley Process, the international scheme to stem the flow of conflict diamonds, recently adopted an independent monitoring process for CAR that will need strong support and rigorous follow-up to ensure that it functions properly.

U.S. leaders should strongly support CAR's new Special Criminal Court (SCC) to bring an end to impunity for atrocity crimes in CAR. In particular, U.S. leaders should help ensure that the SCC carries out robust independent cases, provides adequate witness protection, and conducts

public outreach. In partnership with European donors—particularly France, Belgium, and the European Union—the United States should contribute financial and expert support to the SCC. The SCC’s investigators and prosecutors should develop a strategy for investigating and prosecuting the pillage of natural resources, especially diamonds, as part of their overall approach to serving justice for atrocity crimes.

## Democratic governance in South Sudan, Sudan, DRC, and CAR

### South Sudan

To date, the Obama administration’s efforts to promote democratic governance in South Sudan have been stymied by the internal dysfunction of the ruling Sudan People’s Liberation Movement and the system of violent kleptocracy that has grown entrenched in South Sudan. Although the Envoy’s office supported civil society workshops in 2014, in an attempt to include alternate perspectives in the peace process, these messages were sidelined due to the intransigence of both warring sides.

Going forward, the United States and international partners engaged in South Sudan’s peace process should prioritize funding to civil society organizations in South Sudan that are dedicated to combating impunity for economic crimes, pursuing transparency agendas, and urging regional sanctions enforcement. South Sudan’s ratification of the U.N. Convention Against Corruption<sup>32</sup> provides an entry point for support to civil society, as article 13 of the convention explicitly recognizes the role for civil society in anti-corruption work.<sup>33</sup> Additionally, in South Sudan, U.S. support for the dissemination of information on the scope of targeted individual sanctions will be essential in countering government misinformation campaigns that imply that people at the grassroots level will suffer from the effects of sanctions enforcement.<sup>34</sup>

U.S. efforts to strengthen democratic institutions in South Sudan should also consider the need to support a feedback loop between the peace process in Addis Ababa, Ethiopia and conflict-affected communities in South Sudan. Right now, funding has been directed toward helping to make rural and remote populations better aware of the status of negotiations. However, the reciprocal commitment is necessary as well. Efforts to amplify and transmit grassroots perspectives to those at the negotiating table are equally important to ensure that South Sudan’s leaders are confronted by and responsive to their populations’ needs and perspectives.

### Sudan

The Obama administration has made an important commitment to providing the Sudan Revolutionary Front’s political wing with much-needed capacity-building assistance, particularly on formulating a political platform. As Sudan’s armed and unarmed opposition groups coalesce around a unified vision, this type of assistance is critical.

U.S. officials should increase support to the groups, parties, movements, and individuals who are best positioned to support a democratic transformation in Sudan. U.S. engagement now can ensure that these Sudanese civil society actors, women's associations, youth groups, and political parties are better equipped, more representative, more transparent, and more accountable to their constituencies. Local actors should be supported and empowered to organize themselves, monitor human rights violations, and distribute humanitarian assistance.

### **Democratic Republic of the Congo and the Great Lakes region**

In Congo, President Obama, U.S. Secretary of State John Kerry, and U.S. Special Envoy Russ Feingold have all raised the issue of President Joseph Kabila unconstitutionally extending his tenure.<sup>35</sup> The United States has not, however, followed through with meaningful election funding, pressure, or sanctions against corrupt officials. In neighboring Rwanda and Uganda, U.S. pressure on leaders who have stayed in power for over 20 years has been very limited, which has undermined democracy in the region. Those same regimes have been closely involved in stoking and benefiting from the conflict in eastern Congo.

U.S. policymakers can continue their efforts to help strengthen democratic institutions in Congo with action on several fronts. This is highly important, as increasing democratic processes can be one of the tools to help Congolese people hold their leaders accountable for poor governance and pillage. As Congo confronts major uncertainty in the upcoming electoral process,<sup>36</sup> the United States, with the help of new Special Envoy Tom Perriello, should strongly encourage a free, fair, and non-violent election. The U.S. must increase support for the groups, individuals, and institutions that promote and defend participatory political decision-making processes and strengthen calls for an end to state repression against pro-democracy groups and arbitrary arrests and violence related to non-violent protests and workshops.<sup>37</sup>

While there have been significant steps forward in Congo's democratic process, the coming months will be critical. Years of international efforts to help the Congolese build more accountable and effective government institutions are at stake. Strong, steadfast support from the United States and other international actors for Congo's civil society groups is essential. More is needed to support the participation and representation of women in decision-making roles and forums. Special Envoy Perriello should build on the momentum created by Special Envoy Feingold's engagement with political actors and civil society groups and deepen that role. Sustained U.S. support for local groups fighting against government corruption and for transparency and participation in political decision-making can provide a bulwark against violent kleptocracy by state and non-state actors in Congo.

### **Central African Republic**

The Obama administration has supported the development of democratic governance institutions in CAR in several ways that would benefit from continued U.S. support. The appointment of U.S. Special Representative for CAR, Ambassador Stuart Symington, the

resumption of operations at the U.S. embassy in Bangui in September 2014, the nomination of a U.S. ambassador to CAR, and the sustained U.S. engagement and support in the political transition<sup>38</sup> have all been positive steps. Engagement and outreach associated with the Young African Leaders Initiatives (YALI) program has helped bring together individuals and communities within CAR and also between Central African and American stakeholders.<sup>39</sup> U.S. policymakers and international partners must continue to support the extension of state authority and administration across CAR and the strengthening of civil society and participatory political institutions that counter and resist the violent capture and hijacking of state institutions by corrupt and at times armed actors. U.S. leaders and partners should place particular emphasis on promoting access to participation and decision-making for women and civil society leaders at all levels of government and political transition mechanisms. Continued strong U.S. support for a free, fair, credible electoral process and for the individuals and groups that act in the public interest for peace, security, and participatory governance is critical, particularly as CAR prepares for elections in October 2015.<sup>40</sup>

## Economic growth and investment in South Sudan, Sudan, DRC, and CAR

### South Sudan

To better connect South Sudan with its neighbors in the region, the US government has helped to build and rehabilitate kilometers of road and significant bridges across South Sudan. In 2012, USAID completed construction of the Juba-Nimule road—the largest infrastructure project ever built in South Sudan and the young nation’s first paved highway. Now, after 19 months of fighting, much of that infrastructure has been destroyed.

Recognizing the link between regional interests and the continuing conflict, U.S. should work with China and regional governments to more closely align the economic development and peace and security agendas in the region. The conflict in South Sudan has already drawn in Uganda and Sudan as key backers of the warring sides,<sup>41</sup> and these regional interests threaten to further undermine regional cooperation.<sup>42</sup> In light of the regional dynamics at play in the conflict mitigation process, the United States should conduct a comprehensive review of all bilateral and multilateral funds earmarked for regional development and assess the viability of such projects if the region is unable or unwilling to take strong action against the warring parties in South Sudan.

President Obama should make it clear that U.S. investor and donor confidence in the region is linked to steps by regional states to ensure they are enforcing U.N. sanctions designations as U.N. member states. To support this, the United States should expand existing capacity-building efforts in the region beyond the current focus on anti-money laundering and counter-terrorist financing to help strengthen legal, regulatory and technical capacities in Kenya, Ethiopia, and

Uganda to enforce U.N. sanctions. Tracing the assets of key influential elites on both sides of South Sudan's civil war and assisting international and regional partners to do the same would ensure that the right people can be identified and sanctions can be effectively enforced.

While in East Africa, President Obama will be well placed to raise the importance of asset recovery and return. He should urge Kenyan and Ethiopian authorities to share intelligence and leads on the location of stolen assets from South Sudan through the Asset Recovery InterAgency Network of Southern Africa (ARINSA), which has observer status in the globally influential Camden Assets Recovery Interagency Network (CARIN) network of practitioners that focus on aspects of recovering the proceeds of crimes. At the same time, given the transnational nature of these investigations, active U.S. Department of Justice cooperation with Asset Recovery Focal Point, the Metropolitan Police's Proceeds of Corruption Unit, the UK's newly formed National Crime Agency and the Royal Canadian Mounted Police will be essential as law enforcement agencies undertake joint investigations into stolen assets from South Sudan. Because our research shows that most corrupt deals and transactions in South Sudan occur in U.S. dollars and that elites tend to offshore their assets and maintain homes and families in the United States, finding a nexus that would allow the Department of Justice's Kleptocracy Asset Recovery Initiative to act under its existing mandate is possible.

## **Sudan**

Notwithstanding two decades of unilateral economic sanctions on the government of Sudan and regime controlled efforts, Sudan's kleptocratic economic system has allowed the al-Bashir regime to fund war and to abuse and deprive the Sudanese public.<sup>43</sup> The U.S. should support the continued economic isolation of the Sudanese regime through smart targeted sanctions while also increasing economic pressure with several non-punitive measures, including those that leverage international due diligence practices and industry regulation of high-value natural resources.

Because the vast majority of Sudan's gold is purchased, consolidated, and exported by the government, it is almost impossible to distinguish which gold comes from conflict-affected areas and which gold comes from other sources. In light of this ambiguity, the United States should urge international gold industry leaders to red-flag all gold shipments from Sudan as "conflict gold" under existing auditing programs and to demand that those buying Sudanese gold trace it to its mine of origin. Unless gold from Sudan can be verifiably traced to a conflict-free mine of origin, it should be flagged as high risk during audits and excluded from responsible buyers' supply chains.

U.S. government conflict minerals experts should work with their counterparts in Kenya and Ethiopia to make sure that regional audits designate Sudanese gold as high-risk when conducting conflict-free audits. Given the consolidation of all gold mined in Sudan by the Central Bank, all exports coming from the country should be considered high risk for

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connections to conflict. Specifically, both the London Bullion Market Association and the Dubai Multi-Commodities Centre should be encouraged to avoid adding Sudan's state-owned refinery to good delivery lists. Supporting these measures and institutions would collectively reduce the market value that any conflict-affected Sudanese gold can command.

### **Democratic Republic of the Congo and the Great Lakes region**

The U.S. government's work to help end the deadly conflict minerals trade in Congo has had important successes. Since President Obama signed the Dodd-Frank Wall Street Reform and Consumer Protection Act in 2010, which included a section on conflict minerals,<sup>44</sup> there has been a 70 percent reduction in the number of conflict-affected tin, tantalum, and tungsten mines in eastern Congo.<sup>45</sup> The U.S. Department of State has followed this up with direct support for a responsible minerals trade.<sup>46</sup> However, much more must be done to address the conflict gold trade and increase livelihoods aid to affected mining communities.

Overall, pervasive corruption and violence in Congo's governance institutions and trade systems impede inclusive growth, responsible investment, and the development of a conflict-free, formalized trade for natural resources from Congo.<sup>47</sup> U.S. leadership, partnership, and intervention can leverage global market forces and support local actors to counteract these challenges. The United States should enhance its support for a responsible minerals trade in Congo and enforce the full implementation of the Dodd-Frank act, particularly through the U.S. Securities and Exchange Commission (SEC) conflict minerals rule<sup>48</sup> and with robust support for livelihood programs for mining communities. USAID could draw on its Development Credit Authority and help empower artisanal mining communities with livelihoods programs that include microfinance initiatives, agriculture projects, and vocational training. The U.S. should also urge Congo's Mining Ministry to begin a comprehensive anti-corruption initiative, including prosecuting high-level corruption cases and consolidating the many government agencies that regulate the minerals trade. Finally, the U.S. government should press Congo and regional governments to fully implement its regional minerals certification process, that of the International Conference on the Great Lakes Region (ICGLR), particularly to investigate smuggling between Congo and Rwanda.

### **Central African Republic**

CAR's weak state institutions and economic collapse with violent conflict have undermined its ability to grow, build trade ties, and attract investment. The U.S. government should support efforts to stabilize CAR and restore peace, security, and market activity with particular focus on supporting a transparent, well-regulated diamond sector and sustainable livelihoods for artisanal miners and ex-combatants.

The United States should continue to support international efforts in partnership with the Central African government to formalize CAR's trade in valuable natural resources, particularly diamonds. In June 2015 the Kimberley Process established a multi-stakeholder monitoring

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system, with a robust mandate, which U.N. peacekeepers will support.<sup>49</sup> Further support and follow-up by U.S. leaders and international partners, including the European Union, for implementing this monitoring system will be critical. The monitors will only allow diamond exports to resume from compliant mining zones designated by stringent criteria when that team establishes that diamond production is inspected and verified as conflict-free. U.S. and EU support for such measures is vital for efforts to build a clean trade for a valuable sector and formalize commercial activity for a country needing state revenues and a precedent for using state funds for public services needed throughout the country.

## Conclusion

Addressing the violent kleptocracies that threaten peace and security, the viability of democratic institutions, and economic growth is necessary and possible with enhancements to U.S. policy. Leadership, strong partnerships, and comprehensive approaches that address grand corruption, transnational crime and terror, and the pillaging and trafficking of minerals, ivory, diamonds, and other natural resources can counter authoritarianism and violence in Africa's deadliest conflicts. A combination of new and preexisting tools, authorities, and policy approaches can be leveraged to target and counter illicit financial flows that sustain violent actors who commit mass atrocities.

## Endnotes

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<sup>1</sup> This focus has been made explicit in White House statements about President Obama's travel, and these themes have dominated White House policy and strategy statements toward sub-Saharan Africa for several years. For recent White House statements about the trip see The White House Office of the Press Secretary, "Statement by the Press Secretary on the President's Travel to Ethiopia," June 19, 2015, available at <https://www.whitehouse.gov/the-press-office/2015/06/19/statement-press-secretary-president%E2%80%99s-travel-ethiopia>; The White House Office of the Press Secretary, "Statement by the Press Secretary on the Global Entrepreneurship Summit and the President's Travel to Africa," March 30, 2015, available at <https://www.whitehouse.gov/the-press-office/2015/03/30/statement-press-secretary-global-entrepreneurship-summit-and-president-s>. For a selection of White House policy and strategy statements on atrocity prevention and on U.S. policy toward sub-Saharan Africa see The White House, "National Security Strategy," February 2015, available at [https://www.whitehouse.gov/sites/default/files/docs/2015\\_national\\_security\\_strategy.pdf](https://www.whitehouse.gov/sites/default/files/docs/2015_national_security_strategy.pdf); The White House Office of the Press Secretary, "Statement by the Chair of the U.S.-Africa Leaders Summit," Washington, D.C., August 4-6, 2014, Press release, August 6, 2014, available at <https://www.whitehouse.gov/the-press-office/2014/08/06/statement-chair-us-africa-leaders-summit>; The White House Office of the Press Secretary, "Fact Sheet: The President's Young African Leaders Initiative," June 29, 2013 available at <https://www.whitehouse.gov/the-press-office/2013/06/29/fact-sheet-president-s-young-african-leaders-initiative>; The White House Office of the Press Secretary, "Fact Sheet: Obama Administration Accomplishments in Sub-Saharan Africa," June 14, 2012, available at <https://www.whitehouse.gov/the-press-office/2012/06/14/fact-sheet-obama-administration-accomplishments-sub-saharan-africa>; The White House, "U.S. Strategy Toward Sub-Saharan Africa," June 14, 2012, available at [https://www.whitehouse.gov/sites/default/files/docs/africa\\_strategy\\_2.pdf](https://www.whitehouse.gov/sites/default/files/docs/africa_strategy_2.pdf); The White House Office of the Press Secretary, "Fact Sheet: A Comprehensive Strategy and New Tools to Prevent and Respond to Atrocities," April 23, 2012, available at <https://www.whitehouse.gov/the-press-office/2012/04/23/fact-sheet-comprehensive-strategy-and-new-tools-prevent-and-respond-atro>; The White House Office of the Press Secretary, "Remarks by President Obama and President John Atta Mills of Ghana," Press release, March 8, 2012, available at <https://www.whitehouse.gov/the-press-office/2012/03/08/remarks-president-obama-and-president-john-atta-mills-ghana>; The White House Office of the Press Secretary, "Presidential Study Directive on Mass Atrocities," August 4, 2011, available at <https://www.whitehouse.gov/the-press-office/2011/08/04/presidential-study-directive-mass-atrocities>; The White House Office of the Press Secretary, "Remarks by the President to the Ghanaian Parliament, Accra International Conference Center, Accra, Ghana," July 11, 2009, available at <https://www.whitehouse.gov/blog/A-New-Moment-of-Promise-in-Africa>; The White House Office of the Press Secretary, "Remarks by the President at the U.S.-Africa Business Forum, Mandarin Oriental Hotel, Washington, D.C." August 5, 2014, available at <https://www.whitehouse.gov/photos-and-video/video/2014/08/05/president-obama-delivers-remarks-us-africa-leaders-summit#transcript>. For analysis on outcomes of the 2014 U.S.-Africa Leaders Summit see Monde Muyangwa, "Reflections on the Summit: Whither US-Africa Relations," (Washington: Africa Program at the Woodrow Wilson International Center for Scholars, June 2014), available at [http://www.wilsoncenter.org/sites/default/files/Muyangwa\\_US\\_Africa\\_Summit\\_Special\\_Report\\_2014\\_5.pdf](http://www.wilsoncenter.org/sites/default/files/Muyangwa_US_Africa_Summit_Special_Report_2014_5.pdf).

<sup>2</sup> "Kleptocracy," understood widely to mean "rule by thieves" from its Greek roots, is defined by Webster's New World College Dictionary as "a corrupt political regime characterized by widespread theft of its nation's wealth and resources."

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<sup>3</sup> The Enough Project took figures for documented monthly attacks and killings by the Lord's Resistance Army from the LRA Crisis Tracker, which has recorded data from December 2007 to the present. Enough calculated the average figures for LRA attacks and killings from both before (December 2007 to November 2011) and after the U.S. advisors deployed (December 2011 to June 2015). We found a total of 1,219 LRA attacks (an average of 25.4 per month) before U.S. advisors deployed and a total of 767 attacks (an average of 17.84 per month) after the deployment. We found a total of 2,979 documented killings (an average of 62.06 per month) before deployment and a total of 151 documented killings (an average of 3.51 per month) after deployment. Our calculations for the difference in average monthly attack rates before and after deployment:  $25.4 - 17.84 / 25.4 = 0.297$ , or a 30 percent decrease. Our calculations for the difference in average monthly killing rates before and after deployment:  $62.06 - 3.51 / 62.06 = 0.943$ , or a 94 percent decrease. When we removed LRA attack and killings figures from December 2008 and January 2009 from our calculations—to control for violence rates associated with a significant counter-LRA operation—our re-calculated rates indicated monthly average attack rates were 25.5 and the average monthly killing rates were 44.7—the latter a significant decrease from the un-adjusted figure of 62.06. Recalculating with these figures, we again found attacks fell by 30 percent and average monthly killing rates fell by 92 percent. Our adjusted calculations for attacks:  $25.5 - 17.84 / 25.5 = 0.300$ , or a 30 percent decrease. Our adjusted calculations for killings:  $3.51 - 44.7 / 44.7 = 0.921$ , or a 92 percent decrease. Spreadsheets with calculations on file with the Enough Project and available upon request. Data available from LRA Crisis Tracker at <http://lra-crisistracker.com/> (last accessed July 2015). For news reporting indicating that the U.S. advisors authorized by President Obama in October 2011 deployed in October and November 2011 see Jake Tapper and Luis Martinez, "Obama Sends 100 US Troops to Uganda to Help Combat Lord's Resistance Army," ABC News, October 14, 2011, available at <http://abcnews.go.com/blogs/politics/2011/10/obama-sends-100-us-troops-to-uganda-to-combat-lords-resistance-army/>. For reports surrounding the December 2008 counter-LRA operation see Jeffrey Gettleman and Eric Schmitt, "U.S. Aided a Failed Plan to Rout Ugandan Rebels," *The New York Times*, February 6, 2009, available at [http://www.nytimes.com/2009/02/07/world/africa/07congo.html?pagewanted=all&\\_r=1&](http://www.nytimes.com/2009/02/07/world/africa/07congo.html?pagewanted=all&_r=1&); Grace Matsiko, Paul Amoru, and Risdel Kasasira, "UPDF attacks Kony," *Daily Monitor*, December 15, 2008, available at <http://www.monitor.co.ug/News/Education/-/688336/761130/-/10grnno/-/index.html>.

<sup>4</sup> The deployment of U.S. advisors was authorized by President Obama in October 2011 following passage in Congress in May 2010 of the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009, which expressed support for U.S. efforts to counter the LRA threat to the region. The White House Office of the Press Secretary, "Letter from the President to the Speaker of the House of Representatives and the President Pro Tempore of the Senate Regarding the Lord's Resistance Army," October 14, 2011, available at <https://www.whitehouse.gov/the-press-office/2011/10/14/letter-president-speaker-house-representatives-and-president-pro-tempore>.

<sup>5</sup> U.S. Department of State, "Prospects for Peace in the Democratic Republic of Congo and Great Lakes Region: Russell D. Feingold Testimony Before the Senate Foreign Relations Committee," February 26, 2014, available at [http://www.state.gov/s/greatlakes\\_drc/releases/2014/222630.htm](http://www.state.gov/s/greatlakes_drc/releases/2014/222630.htm).

<sup>6</sup> Joe Bavier, "U.S. cuts military aid to Rwanda over Congo rebel support," Reuters, July 21, 2012, available at <http://www.reuters.com/article/2012/07/21/us-congo-rwanda-usa-idUSBRE86K0AY20120721>; David Smith, "US blocks military aid to Rwanda over alleged backing of M23 child soldiers," *The Guardian*, October 4, 2013, available at <http://www.theguardian.com/global-development/2013/oct/04/us-military-aid-rwanda-m23-child-soldiers>.

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<sup>7</sup> For analysis and reactions at the time see Timo Mueller and Fidel Bafilemba, “Policy Alert: Rebels Surrendering in Eastern Congo - Time for Feingold and Robinson to Act,” Enough Said blog, December 18, 2013, available at <http://www.enoughproject.org/blogs/rebels-surrendering-eastern-congo-time-feingold-and-robinson-act>; Integrated Regional Information Networks, “Making sense of the DRC declarations on M23,” December 17, 2013, available at <http://www.irinnews.org/report/99345/making-sense-of-the-drc-declarations-on-m23>. For additional perspective and more recent analysis and coverage on the M23 from Congolese sources see Le Potentiel, “L’opération de rapatriement des ex-rebelles du M23 va se clôturer définitivement dans trois mois, à la fin du mois d’août 2015!” DigitalCongo.net, June 15, 2015, available at <http://www.digitalcongo.net/article/107842>; Radio Kivu 1, “Nord-Kivu: Des ex-M23 témoignent sur Kivu1,” April 25, 2015, available at <http://www.radiokivu1.org/index.php?action=articleread&tokena=804&&auteur=admin&&token=1429943897>; Radio Okapi, “François Muamba: «Dans quelques semaines, on n’entendra plus parler d’ex-M23.»” February 11, 2015, available at <http://radiookapi.net/actualite/2015/02/11/francois-muamba-dans-quelques-semaines-nentendra-plus-parler-dex-m23/#more-201873>; Radio Okapi, “Kinshasa et Kigali signent un communiqué commun pour le rapatriement des ex-M23,” February 5, 2015, available at <http://radiookapi.net/actualite/2015/02/05/kinshasa-kigali-signent-communique-commun-pour-le-rapatriement-des-m23/>.

<sup>8</sup> *Dodd-Frank Wall Street Reform and Consumer Protection Act*, H.R. 4173, 111 Cong. 2 sess., available at <https://www.sec.gov/about/laws/wallstreetreform-cpa.pdf>, pp. 838-843; U.S. Department of State Office of the Spokesperson, “Public-Private Alliance for Responsible Minerals Trade,” Fact sheet, November 15, 2011, available at <http://www.state.gov/r/pa/prs/ps/2011/11/177214.htm>; U.S. Securities Exchange Act of 1934, Section 13p, effective beginning November 13, 2012. Summary and details available at <http://www.sec.gov/rules/final/2012/34-67716.pdf> (last accessed July 2015).

<sup>9</sup> Research and analysis by The Sentry, a newly announced initiative of the Enough Project, with its supporting partners Center for Advanced Defense Studies (C4ADS) and Not On Our Watch (NOOW), has identified several patterns of illicit economic activities in South Sudan, Sudan, Congo, and CAR that fuel and facilitate violent kleptocracies. These types of activities include (1) the convergence of licit and illicit economic systems; (2) patterns of regulatory and sanctions evasion; (3) disguised beneficial ownership practices; (4) the violent control of extractive industries, natural resource trafficking, and pillage (theft in war); (5) corruption and illicit financial flows; (6) security sector capture, fraud, and abuse; (7) the use of elite financing and offshoring of elite assets. The Sentry, a collaborative effort between financial investigators, regional analysts, and policy advocates, seeks to disrupt and ultimately dismantle the networks of perpetrators, facilitators, and enablers who fund and profit from Africa’s deadliest conflicts. For more see [thesentry.org](http://thesentry.org).

<sup>10</sup> The 2015 Fragile States Index issued by the Fund for Peace in June 2015 ranked South Sudan, Somalia, Central African Republic, and Sudan as “very high alert” countries, followed by the Democratic Republic of the Congo and Chad as “high alert” countries. The 2015 Corruption Risk Index compiled by Verisk Maplecroft and also released in June ranked the Democratic Republic of Congo, Somalia, CAR, Sudan, Equatorial Guinea, and South Sudan as the world’s most corrupt countries. Fund for Peace, “Fragile States Index 2015,” available at <http://fsi.fundforpeace.org/> (last accessed June 2015); Verisk Maplecroft, “Corruption: Global index reveals which countries pose the highest risk,” June 17, 2015, available at <http://maplecroft.com/portfolio/new-analysis/2015/06/17/global-corruption-ranking-which-countries-pose-highest-risk/>.

<sup>11</sup> Volumes and values of illicit financial flows are difficult to estimate, particularly for conflict-affected countries with little reliable data, but several studies have sought to compile the available data and provide estimates. See in particular Joseph Spanjers and Håkon Frede Foss, “Illicit Financial Flows and Development Indices: 2008–2012” (Washington: Global Financial Integrity, June 2015), available at <http://www.gfintegrity.org/wp-content/uploads/2015/05/Illicit-Financial-Flows-and-Development-Indices-2008-2012.pdf>; African Union Commission / United Nations Economic Commission (AU/ECA) for Africa Conference of Ministers of Finance, Planning and Economic Development, “Illicit Financial Flows: Report of the High Level Panel on Illicit Financial Flows from Africa” (2015), available at

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[http://www.uneca.org/sites/default/files/PublicationFiles/iff\\_main\\_report\\_26feb\\_en.pdf](http://www.uneca.org/sites/default/files/PublicationFiles/iff_main_report_26feb_en.pdf); Dev Kar and Joseph Spanjers, "Illicit Financial Flows from Developing Countries: 2003-2012" (Washington: Global Financial Integrity, December 2014), available at <http://www.gfintegrity.org/wp-content/uploads/2015/05/Illicit-Financial-Flows-and-Development-Indices-2008-2012.pdf>. See, in particular, AU/ECA, "Illicit Financial Flows," pp. 33-34.

<sup>12</sup> Pierre Englebert, "Democratic Republic of Congo: Challenges and Opportunities for a New Economic Future: Growth for All?" (Johannesburg: The Brenthurst Foundation, September 2014), available at [http://www.thebrenthurstfoundation.org/Files/Brenthurst\\_Commissioned\\_Reports/Brenthurst-paper-201406-Growth-for-All.pdf](http://www.thebrenthurstfoundation.org/Files/Brenthurst_Commissioned_Reports/Brenthurst-paper-201406-Growth-for-All.pdf).

<sup>13</sup> See records for "Total Humanitarian Funding per Donor" from 2011 to present, U.N. Office for the Coordination of Humanitarian Affairs Financial Tracking Service, "South Sudan," available at <http://fts.unocha.org/pageloader.aspx?page=emerg-emergencyDetails&appealID=1071>.

<sup>14</sup> U.S. Department of State Office of the Spokesperson, "U.S. Pledges Additional Humanitarian Assistance for People Affected by the South Sudan Crisis," Media note, June 16, 2015, available at <http://www.state.gov/r/pa/prs/ps/2015/06/243889.htm>.

<sup>15</sup> These agreements include the following: (1) "Agreement on Cessation of Hostilities Between the Government of the Republic of South Sudan (GRSS) and the Sudan People's Liberation Movement/Army (In Opposition) (SPLM/A In Opposition)," January 23, 2014, available at <http://southsudan.igad.int/attachments/article/250/cessation%20of%20hostilities.pdf>; (2) "Implementation Modalities in Support of the Agreement on Cessation of Hostilities Between the Government of the Republic of South Sudan (GRSS) and the Sudan People's Liberation Movement/Army (In Opposition) (SPLM/A IO)," February 24, 2014, available at

<http://southsudan.igad.int/attachments/article/251/Implementation%20Modalities%20for%20CoH.pdf>; (3) "Recommitment on Humanitarian Matters in the Cessation of Hostilities Between the Government of the Republic of South Sudan (GRSS) and the Sudan People's Liberation Movement/Army (In Opposition) (SPLM/A IO)," May 5, 2014, available at

<http://southsudan.igad.int/attachments/article/252/Recommittment%20to%20Humanitarian%20Matters%20of%20COH,%205%20May'2014.pdf>; (4) "Agreement to Resolve the Crisis in South Sudan," May 9, 2014, available at <http://southsudan.igad.int/attachments/article/249/Agreement%20to%20Resolve%20the%20crisis%20in%20S.20Sudan,%209%20May'14.pdf>; (5) "Re-Dedication of and Implementation Modalities for the Cessation of Hostilities Agreement signed on 23rd January 2014 between the Government of the Republic of South Sudan and the Sudan People's Liberation Movement / Army (In Opposition)," August 25, 2014; agreement text (not signed by Riek Machar but signed by all regional heads of state) referenced in Intergovernmental Authority on Development, "IGAD Mediation Calls on South Sudan Parties to Respect Cessation of Hostilities Agreement," Press release, August 30, 2014, available at

<http://southsudan.igad.int/attachments/article/262/30%20Aug%20Press%20Release%20Statement%20from%20the%20Mediation.pdf>; (6) "Re-Dedication of and Implementation Modalities for the Cessation of Hostilities Agreement signed on 23rd January 2014 between the Government of the Republic of South Sudan and the Sudan People's Liberation Movement / Army (In Opposition)," November 9, 2014, available at

<http://southsudan.igad.int/attachments/article/272/CoH%20Implementation%20Matrix%20and%20Addendum%20signed%209%20%20November.pdf>; (7) January 12, 2015 recommitment by South Sudanese representatives in a one-day special consultation in Khartoum initiated by the Chinese government; Government of Ethiopia, "Special Consultation in Support of IGAD-Led South Sudan Peace Process Concluded in Khartoum," AllAfrica.com, January 14, 2015, available at <http://allafrica.com/stories/201501150268.html>; Ministry of Foreign Affairs of the People's Republic of China, "Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on January 13, 2015,"

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<sup>16</sup> At the time of publication, 46 violations of the cessation of hostilities agreement had been documented and published by the Intergovernmental Authority on Development Monitoring & Verification Mechanism. For documentation of violations 1 to 12 see "Summary of Reports of Cessation of Hostilities (COHs) Violations (as at 21 August 2014)," available at <http://southsudan.igad.int/attachments/article/258/Summary%20of%20Reports%20of%20Cessation%20of%20Hostilities%20%28COHs%29%20Violations%20%28as%20at%2021August%202014%29.pdf>. For documentation of violations 13 to 17 see "Summary of Reports of Cessation of Hostilities (COHs) Violations (22 August – 7 November 2014)," available at <http://southsudan.igad.int/attachments/article/273/Summary%20of%20Reports%20of%20Cessation%20of%20Hostilities%20%22%20Aug-7%20%20Nov.pdf>. For documentation of violation 18 see "Addendum to Summary of Reports of Cessation of Hostilities (COH) Violations (22 August – 7 November 2014)," available at <http://southsudan.igad.int/attachments/article/274/Addendum%20to%20Summary%20of%20Reports%20of%20Cessation%20of%20Hostilities%20%20%20%2022%20Aug-7%20Nov.pdf>. For documentation of violations 19 to 21 see "Summary of Reports of Cessation of Hostilities (COH) Violations (8 November - 14 December 2014) and Update on Incident of 23 August 2014," available at <http://southsudan.igad.int/attachments/article/275/Summary%20of%20Reports%20of%20Cessation%20of%20Hostilities%20%20Nov%20-%2014%20%20Dec%202014.pdf>. For documentation of violations 22 to 24 see "Summary of Reports of Cessation of Hostilities (COH) Violations (15 December 2014 – 31 January 2015)," available at <http://southsudan.igad.int/attachments/article/277/Summary%20of%20Reports%20of%20Cessation%20of%20Hostilities%2015%20Dec%202014%20-%2031%20Jan%202015.pdf>. For documentation of violations 25 to 26 see "Addendum to Summary of Reports of Cessation of Hostilities (COH) Violations (15 December 2014 – 31 January 2015)," available at <http://southsudan.igad.int/attachments/article/279/02062015Addendum%20to%20Summary%20of%20Reports%20of%20Cessation%20of%20Hostilities%20Jan%202015.pdf>. For documentation of violations 27 to 31 see "Summary of Latest Reports of Violations of the Cessation of Hostilities Agreement (COHA) of 23 January 2014 Investigated and verified by the IGAD Monitoring and Verification Mechanism in South Sudan From 31 January – 28 February 2015," available at <http://southsudan.igad.int/attachments/article/283/0317Website%20Violations%20Summary%20V27-31%20v2.pdf>. For documentation of violations 32 to 35 see "Summary of Latest Reports of Violations of the Cessation of Hostilities Agreement (COHA) Investigated and verified by the IGAD Monitoring and Verification Mechanism in South Sudan From 1 March 2015 – 16 March 2015," available at [http://southsudan.igad.int/attachments/article/284/Violations\\_Summary\\_V32-35\\_ENG.pdf](http://southsudan.igad.int/attachments/article/284/Violations_Summary_V32-35_ENG.pdf). For documentation of violations 36 to 38 see "Summary of Latest Reports of Violations of the Cessation of Hostilities Agreement (COHA) Investigated and verified by the IGAD Monitoring and Verification Mechanism in South Sudan Reporting Period: 17 March 2015 – 31 March 2015," available at <http://southsudan.igad.int/attachments/article/286/Violations%20Summary%20V36-38%20ENG%20Final.pdf>. For documentation of violation 39 see "Summary of Latest Reports of Violations of the Cessation of Hostilities Agreement (COHA) Investigated and verified by the IGAD Monitoring and Verification Mechanism in South Sudan Reporting Period: 31 March – 30 April 2015," available at

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<http://southsudan.igad.int/attachments/article/290/Website%20Violations%20Summary%20V39%20ENG.pdf>. For documentation of violation 40 see “Summary of Latest Reports of Violations of the Cessation of Hostilities Agreement (COHA) Investigated and verified by the IGAD Monitoring and Verification Mechanism in South Sudan Reporting Period: 1-27 May 2015,” available at

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<sup>17</sup> U.N. Office for the Coordination of Humanitarian Affairs and Partners in South Sudan, “Key Figures” June 5, 2015, available at <http://www.unocha.org/south-sudan/>; U.N. Office for the Coordination of Humanitarian Affairs and Partners in South Sudan, “South Sudan Humanitarian Response Plan 2015: Midyear Update” June 12, 2015, available at

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<sup>18</sup> Human Rights Watch, “World Report 2015: South Sudan: Events of 2014” (New York: 2015), available at <https://www.hrw.org/world-report/2015/country-chapters/south-sudan>; Human Rights Watch, “South Sudan’s New War: Abuses by Government and Opposition Forces” (New York: August 2014), available at <http://www.hrw.org/reports/2014/08/07/south-sudan-s-new-war>; Amnesty International, “Nowhere safe: Civilians under attack in South Sudan” (London: May 2014), available at <https://www.amnesty.org/en/documents/afr65/003/2014/en/>.

<sup>19</sup> U.N. Office for the Coordination of Humanitarian Affairs and Partners in South Sudan, “Key Figures,” June 5, 2015, available at <http://www.unocha.org/south-sudan/>; Famine Early Warning Systems Network (FEWSNet), “Some households face Catastrophe as food aid delivery remains blocked and prices spike,” June 24, 2015, available at <http://www.fews.net/east-africa/south-sudan/alert/june-24-2015>; Famine Early Warning Systems Network (FEWSNet), “Food Security Outlook Update: Heavy fighting causes large-scale displacement and suspension of humanitarian assistance in Unity and Upper Nile States,” May 2015, available at <http://www.fews.net/east-africa/south-sudan/food-security-outlook-update/may-2015>.

<sup>20</sup> U.N. Security Council Committee established pursuant to resolution 2206 (2015) concerning South Sudan, “2206 Sanctions List: Narrative Summaries of Reasons for Listing,” available at <http://www.un.org/sc/committees/2206/Individuals.shtml>. See also, for reference, U.N. Security Council, “Resolution 2206 (2015) Adopted by the Security Council at its 7396th meeting, on 3 March 2015,” S/RES/2206, arts. 6-15, March 3, 2015, available at [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/2206%20\(2015\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2206%20(2015)); U.N. Security Council, “7396th meeting, Tuesday, 3 March 2015, 10.45 a.m.,” S/PV.7396, p. 2, March 3, 2015, available at [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/PV.7396](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PV.7396).

<sup>21</sup> African Union Peace and Security Council, “Communiqué of the Peace and Security Council of the African Union (AU) on the developments on the situation in South Sudan,” May 23, 2015, available at <http://peaceau.org/en/article/communique-of-the-peace-and-security-council-of-the-african-union-au-on-the-developments-on-the-situation-in-south-sudan>.

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<sup>22</sup> U.N. Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan, “Narrative Summaries of Reasons for Listing,” available at <http://www.un.org/sc/committees/1591/Individuals.shtml> (last accessed July 2015).

<sup>23</sup> Akshaya Kumar, “Fool’s Gold: The Case for Scrutinizing Sudan’s Conflict Gold Trade” (Washington: The Enough Project, March 2015), available at <http://www.enoughproject.org/reports/fools-gold-case-scrutinizing-sudans-conflict-gold-trade>; Omer Ismail and Akshaya Kumar, “Darfur’s Gold Rush: State-Sponsored Atrocities 10 Years After the Genocide” (Washington: The Enough Project, May 2013), available at [http://www.enoughproject.org/files/Darfur\\_Gold\\_Rush.pdf](http://www.enoughproject.org/files/Darfur_Gold_Rush.pdf); Radio Dabanga, “Darfur gold concession winner warned-off by Hilal,” April 17, 2014, available at <https://www.dabangasudan.org/en/all-news/article/darfur-gold-concession-winner-warned-off-by-hilal>; Radio Dabanga, “Musa Hilal’s Council forms ‘Jebel ‘Amer Administration,’ calls for intifada in Sudan,” December 16, 2014, available at <https://www.dabangasudan.org/en/all-news/article/musa-hilal-s-council-forms-jebel-amer-administration-calls-for-intifada-in-sudan>.

<sup>24</sup> See calculations provided in earlier endnote.

<sup>25</sup> Evidence from a 2006 study by the Survey for War Affected Youth (SWAY) estimates that at least 66,000 youths between the ages of 14 and 30 were abducted. A U.N. report estimates that the LRA is responsible for more than 100,000 deaths. Jeannie Annan, Christopher Blattman, and Roger Horton, “The State of Youth and Youth Protection in Northern Uganda: Findings from the Survey for War Affected Youth,” p. 55 (Survey of War Affected Youth, September 2006) available at <http://www.chrisblattman.com/documents/policy/sway/SWAY.Phase1.FinalReport.pdf>; U.N. Security Council, “Report of the Secretary-General on the activities of the United Nations Regional Office for Central Africa and on the Lord’s Resistance Army-affected areas,” S/2013/297, para. 68, May 20, 2013, available at [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/2013/297](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2013/297).

<sup>26</sup> Fidel Bafilemba and Sasha Lezhnev, “Congo’s Conflict Gold Rush” (Washington: The Enough Project, April 2015), available at <http://www.enoughproject.org/files/April%2029%202015%20Congo%20Conflict%20Gold%20Rush%20reduced.pdf>

<sup>27</sup> U.S. Department of Defense, “U.S. Responds to French Request for Airlift Support” American Forces Press Service, December 9, 2013, available at <http://www.defense.gov/news/newsarticle.aspx?id=121310>; Craig Whitlock, “U.S. to airlift African troops to Central African Republic,” *The Washington Post*, December 9, 2013, available at [https://www.washingtonpost.com/world/national-security/us-to-airlift-african-troops-to-central-african-republic/2013/12/09/abdd9c64-6107-11e3-bf45-61f69f54fc5f\\_story.html](https://www.washingtonpost.com/world/national-security/us-to-airlift-african-troops-to-central-african-republic/2013/12/09/abdd9c64-6107-11e3-bf45-61f69f54fc5f_story.html).

<sup>28</sup> In an August 2014 statement, the Obama administration said it had committed to providing up to \$100 million to support international forces in CAR and had requested as much as \$428 million in the 2015 fiscal year. The White House Office of the Press Secretary, “Fact Sheet: U.S. Support for Peacekeeping in Africa,” August 6, 2014, available at <https://www.whitehouse.gov/the-press-office/2014/08/06/fact-sheet-us-support-peacekeeping-africa>. The United States is the top provider of funding to U.N. Peacekeeping Operations, providing a share of more than a quarter of the overall 2013-2015 budget—an amount nearly triple that of the second highest contributor, Japan. U.N. Peacekeeping, “How much does peacekeeping cost?” available at <http://www.un.org/en/peacekeeping/operations/financing.shtml> (last accessed July 2015).

<sup>29</sup> American Bar Association Rule of Law Initiative, “Central African Republic Programs,” available at [http://www.americanbar.org/advocacy/rule\\_of\\_law/where\\_we\\_work/africa/central-african-republic/background.html](http://www.americanbar.org/advocacy/rule_of_law/where_we_work/africa/central-african-republic/background.html) (last accessed July 2015). For detailed recent public comments about U.S. support to CAR in local French language media by U.S. chargé d’affaires David Brown see Naïm-Kaélin Zamane, “Le Chargé d’Affaires des Etats-Unis propose le plan de relèvement de l’Etat centrafricain,” Réseau des Journalistes pour les Droits de l’Homme, July 10, 2015, available at <http://rjdh.org/le-charge-daffaires-des-etats-unis-propose-le-plan-de-relevement-de-letat-centrafricain/>.

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<sup>30</sup> Former CAR president François Bozizé and ex-Séléka Front Populaire pour la Renaissance de Centrafrique, (FPRC) leader Nourredine Adam are designated under U.N. sanctions. Bozizé and Nourredine, along with former Séléka leaders Michel Djotodia and Abdoulaye Miskine, along with the late Levi Yakité have been designated under U.S. sanctions. See U.N. Security Council Committee established pursuant to resolution 2127 (2013) concerning the Central African Republic, “Narrative summaries of reasons for listing [individuals],” available at [http://www.un.org/sc/committees/2127/individuals\\_associated\\_with\\_CAR.shtml](http://www.un.org/sc/committees/2127/individuals_associated_with_CAR.shtml) (last accessed July 2015); Executive Order no. 13,667, Code of Federal Regulations, title 3 (May 15, 2014), available at [http://www.treasury.gov/resource-center/sanctions/Programs/Documents/car\\_eo.pdf](http://www.treasury.gov/resource-center/sanctions/Programs/Documents/car_eo.pdf).

<sup>31</sup> Kasper Agger, “Warlord Business: CAR’s Violent Armed Groups and their Criminal Operations for Profit and Power” (Washington: The Enough Project, June 2015) available at <http://www.enoughproject.org/files/Warlord%20Business%20061615.pdf>; Kasper Agger, “Behind the Headlines: Drivers of Violence in the Central African Republic” (Washington: The Enough Project, May 2014), available at <http://www.enoughproject.org/reports/behind-headlines-drivers-violence-central-african-republic>.

<sup>32</sup> South Sudan ratified the U.N. Convention Against Corruption on January 23, 2015. U.N. Office on Drugs and Crime, “United Nations Convention against Corruption Signature and Ratification Status as of 1 April 2015,” available at <https://www.unodc.org/unodc/en/treaties/CAC/signatories.html> (last accessed July 2015).

<sup>33</sup> Article 13 of the U.N. Convention Against Corruption notes, “1. Each State Party shall take appropriate measures, within its means and in accordance with fundamental principles of its domestic law, to promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, in the prevention of and the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption. This participation should be strengthened by such measures as: (a) Enhancing the transparency of and promoting the contribution of the public to decision-making processes; (b) Ensuring that the public has effective access to information; (c) Undertaking public information activities that contribute to nontolerance of corruption, as well as public education programmes, including school and university curricula; (d) Respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information concerning corruption. That freedom may be subject to certain restrictions, but these shall only be such as are provided for by law and are necessary: (i) For respect of the rights or reputations of others; (ii) For the protection of national security or ordre public or of public health or morals. 2. Each State Party shall take appropriate measures to ensure that the relevant anti-corruption bodies referred to in this Convention are known to the public and shall provide access to such bodies, where appropriate, for the reporting, including anonymously, of any incidents that may be considered to constitute an offence established in accordance with this Convention.” U.N. Office of Drugs and Crime, “United Nations Convention Against Corruption,” art. 13, pp.15-16, October 31, 2003, available at [https://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026\\_E.pdf](https://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026_E.pdf).

<sup>34</sup> Radio Tamazuj, “South Sudan warring group protests ‘white man’s’ sanctions,” March 5, 2015, available at <https://radiotamazuj.org/en/article/south-sudan-warring-group-protests-white-man-s-sanctions>; Sudan Tribune, “South Sudan warns of sanction effects on other countries,” September 16, 2014, available at <http://www.sudantribune.com/spip.php?article52407>.

<sup>35</sup> The White House Office of the Press Secretary, “Readout of the President’s Call with President Joseph Kabila of the Democratic Republic of the Congo,” March 31, 2015, available at <https://www.whitehouse.gov/the-press-office/2015/03/31/readout-president-s-call-president-joseph-kabila-democratic-republic-con>; Radio France Internationale, “RDC: Obama exhorte Kabila à respecter le calendrier électoral,” April 2, 2015, available at <http://www.rfi.fr/afrique/20150402-rdc-barack-obama-joseph-kabila-constitution-elections-monusco-fdlr/>; Scott Stearns, “Kerry Calls on Congo’s Kabila to Honor Constitution,” Voice of America, May 4, 2014, available at <http://www.voanews.com/content/us-offers-congo-30-million-for-upcoming-elections/1907189.html>; Associated Press, “US ready to give Congo \$30m but Kabila must not seek re-election,” *The Guardian*, May 4, 2014, available at <http://www.theguardian.com/world/2014/may/04/congo-kerry-kabila-us-democratic-republic>; Peter Jones, “U.S. envoy urges Congo’s Kabila to respect law, step aside in 2016,” Reuters, June 5, 2015, available at <http://www.reuters.com/article/2014/06/05/us-congodemocratic-election-idUSKBN0EG2JX20140605>.

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<sup>36</sup> Xinhua, "Rising political tension could derail DR Congo's poll process," April 23, 2015, available at [http://news.xinhuanet.com/english/2015-04/23/c\\_134178328.htm](http://news.xinhuanet.com/english/2015-04/23/c_134178328.htm); Michael Jordan and agencies, "African elections: DRC finally sets poll date, as Nigeria, Lesotho in uneasy count down," *Mail & Guardian Africa*, February 13, 2015, available at <http://mgafrica.com/article/2015-02-13-african-elections-drc-finally-sets-poll-date-while-nigeria-lesotho-in-uneasy-count-down/>; Manya Riche and Kris Berwouts, "DRC Elections: Will Kabila stay or go? And many other questions on the road to 2016," June 24, 2014, available at <http://africanarguments.org/2014/06/24/drc-elections-will-kabila-stay-or-go-and-many-other-questions-on-the-road-to-2016-by-manya-riche-and-kris-berwouts/>.

<sup>37</sup> International Federation for Human Rights (FIDH), "Free 'Filimbi' Activists: Over 200 Rights Groups Urge Respect for Free Expression, Assembly," June 15, 2015, available at <https://www.fidh.org/International-Federation-for-Human-Rights/Africa/democratic-republic-of-congo/free-filimbi-activists-over-200-rights-groups-urge-respect-for-free>; Amnesty International, "DRC: Release human rights activists unlawfully held in Kinshasa," March 30, 2015, available at <https://www.amnesty.org/en/latest/news/2015/03/liberez-des-defenseurs-des-droits-humains-detenus-illegalement-a-kinshasa/>; Human Rights Watch, "DR Congo: Mass Arrests of Activists: Crackdown on Free Expression Raises Election Concerns," March 18, 2015, available at <https://www.hrw.org/news/2015/03/18/dr-congo-mass-arrests-activists>; International Federation for Human Rights (FIDH), "DRC : A prominent human rights defender unjustly detained and prosecuted," March 6, 2015, available at <https://www.fidh.org/International-Federation-for-Human-Rights/Africa/democratic-republic-of-congo/drc-a-prominent-human-rights-defender-unjustly-detained-and>; Human Rights Watch, "DR Congo: Deadly Crackdown on Protests: Halt Unlawful Shootings, Arrests," January 24, 2015, available at <https://www.hrw.org/news/2015/01/24/dr-congo-deadly-crackdown-protests>.

<sup>38</sup> Zamane, "Le Chargé d'Affaires des Etats-Unis propose le plan de relèvement de l'Etat centrafricain."

<sup>39</sup> Enough interviews and nongovernmental organization coalition meetings and discussions, Washington, D.C., September, December 2014 and March, April 2015. See also Insight on Conflict, "Central African Republic: Guide to the conflict and peacebuilding in the Central African Republic," available at <http://www.insightonconflict.org/conflicts/central-african-republic/> (last accessed July 2015).

<sup>40</sup> Radio France Internationale, "RCA: de nombreux défis pour respecter le calendrier électoral," June 19, 2015, available at <http://www.rfi.fr/afrique/20150619-centrafrique-calendrier-electoral-nombreux-prealables-difficultes-delaits/>. The official website and planning documents of CAR's national electoral authority, the Autorité Nationale des Elections, are available at <http://www.a-n-e-rca.org/plan-d-action/chronogramme-%C3%A9lectoral/>. An unofficial site with electoral updates is available at <http://anecentrafrrique.com/> (last accessed July 2015).

<sup>41</sup> The Enough Project, "Neighborhood Watch: Mobilizing Regional Action for Peace in South Sudan," pp. 6-9, 21-22 (Washington: June 2015), available at <http://enoughproject.org/reports/neighborhood-watch>; International Crisis Group, "Sudan and South Sudan's Merging Conflicts," (Brussels: January 2015), available at [http://www.crisisgroup.org/~media/Files/afrika/horn-ofafrica/south%20sudan/223-sudan-and-south-sudan-s-merging-conflicts.pdf](http://www.crisisgroup.org/~/media/Files/afrika/horn-ofafrica/south%20sudan/223-sudan-and-south-sudan-s-merging-conflicts.pdf).

<sup>42</sup> The Enough Project, "Neighborhood Watch," pp. 2-4.

<sup>43</sup> Hamid Ali, from the American University of Cairo estimated that the government of Sudan spent \$35.11 billion—the equivalent of 233 percent of the national GDP—between 2003 and 2009 on the war in Darfur alone. The \$35.11 billion estimated by Ali includes \$10.08 billion in military expenditures, \$7.2 billion in productivity lost by the population of internally displaced people; \$2.6 billion in the earnings of those who lost their lives; \$4.1 billion in damaged infrastructure and \$11.04 billion for military and peacekeeping expenditures. Danielle B. Goldberg, "Measuring the Cost of War in Darfur," *Africa.com*, available at [http://www.africa.com/blog/measuring\\_the\\_cost\\_of\\_war\\_in\\_darfur/](http://www.africa.com/blog/measuring_the_cost_of_war_in_darfur/) (last accessed July 2015). In a 2010 report, Frontier Economics estimated that war in Sudan would cost more than \$100 billion over 10 years, with \$50 billion in Sudan's lost GDP, \$25 million lost to GDP in neighboring countries, and \$30 billion in international peacekeeping and humanitarian costs. Frontier Economics, "The cost of future conflict in Sudan" (London: 2010), available at <http://www.frontier-economics.com/documents/2014/03/frontier-report-the-cost-of-future-conflict-in-sudan.pdf>.

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<sup>44</sup> *Dodd-Frank Wall Street Reform and Consumer Protection Act*, H.R. 4173, 111 Cong. 2 sess., available at <https://www.sec.gov/about/laws/wallstreetreform-cpa.pdf>, pp. 838-843.

<sup>45</sup> A May 2010 report by the U.N. Group of Experts on Congo noted, "In the Kivu provinces, it appears, almost every mining deposit is controlled by an armed group." Data collected from artisanal mining sites in eastern Congo between March 2013 and March 2014 by the International Peace Information Service indicated 116 of 167 cassiterite mines (70 percent), 26 of 31 coltan mines (84 percent), and 11 of 21 wolframite mines (52 percent) were free of armed groups, making a total of 153 of 219 mines surveyed (70 percent) free of armed groups in eastern Congo. U.N. Security Council, "Interim report of the Group of Experts on the Democratic Republic of the Congo," S/2010/252, p. 17, May 25, 2010, available at [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2010/252](http://www.un.org/ga/search/view_doc.asp?symbol=S/2010/252); International Peace Information Service, "Infographic-Mapping Mining Areas in Eastern DRC," January 28, 2015, available at <http://ipisresearch.be/2015/01/infographic-mapping-security-human-rights-mining-areas-eastern-drc/> (last accessed July 2015).

<sup>46</sup> The U.S. Department of State is a member of the Public-Private Alliance (PPA) for Responsible Minerals Trade. Public-Private Alliance for Responsible Minerals Trade "About," available at <http://www.resolv.org/site-ppa/about-the-ppa/>; Public-Private Alliance for Responsible Minerals Trade "Participation," available at <http://www.resolv.org/site-ppa/participation/>; U.S. Department of State Office of the Spokesperson, "Public-Private Alliance for Responsible Minerals Trade," Fact sheet, November 15, 2011, available at <http://www.state.gov/r/pa/prs/ps/2011/11/177214.htm>.

<sup>47</sup> The 2015 Corruption Risk Index compiled by Verisk Maplecroft released in June 2015 ranked the Democratic Republic of the Congo as the world's most corrupt country. Verisk Maplecroft, "Corruption: Global index reveals which countries pose the highest risk," June 17, 2015, available at <http://maplecroft.com/portfolio/new-analysis/2015/06/17/global-corruption-ranking-which-countries-pose-highest-risk/>. A 2014 Transparency International survey found Congo to rank 20th in the world for highest public perceptions of corruption in the public sector. Transparency International, "Corruption Perceptions Index 2014: Results," available at <http://www.transparency.org/cpi2014/results> (last accessed July 2015). Congo is ranked the fifth lowest sub-Saharan African country for ease of doing business. World Bank, "Doing Business: Economy Ratings," available at <http://www.doingbusiness.org/rankings> (last accessed July 2015). See also Bafilemba and Lezhnev, "Congo's Conflict Gold Rush," pp. 1, 4, 6, 7, 8-11, 14, 22.

<sup>48</sup> U.S. Securities Exchange Act of 1934, Section 13p, effective beginning November 13, 2012. Summary and details available at <http://www.sec.gov/rules/final/2012/34-67716.pdf> (last accessed July 2015).

<sup>49</sup> Enough Project interviews and engagement from Washington, D.C., June 2015.