

**U.S. SENATE COMMITTEE ON FOREIGN RELATIONS**  
**SUBCOMMITTEE ON AFRICAN AFFAIRS AND**  
**HUMAN RIGHTS, DEMOCRACY, AND GLOBAL**  
**WOMEN'S ISSUE HEARING ON CONFRONTING RAPE**  
**AND OTHER FORMS OF VIOLENCE AGAINST**  
**WOMEN IN CONFLICT ZONES – SPOTLIGHT ON DRC**  
**AND DARFUR MAY 13, 2009**

**Testimony by Ambassador Melanne Vermeer, Assistant Secretary Esther Brimmer and**  
**Principal Deputy Assistant Secretary Phillip Carter**

I'd like to commend the Subcommittees on Human Rights, Democracy and Global Women's Issues and on African Affairs for devoting time to this urgent issue, and to the search for a more effective response to this ongoing crisis. African Affairs Assistant Secretary Johnnie Carson regrets that he cannot join us today, but, thanks to the Senate's quick confirmation, he was able to attend South African President Zuma's inauguration and currently is in Kenya. His deputy, Phil Carter, is here. We thank you for the opportunity to offer our testimony.

Let me preface my remarks by saying that gender-based violence (GBV) as a tool of war is in no way limited to the Democratic Republic of Congo (DRC) and Sudan, or in Africa. We've seen this in Bosnia, Burma, Sri Lanka, Nepal, and elsewhere. The underlying problems – gender inequality and the dehumanization of women – are often the same, and our assessment of needs and recommendations would be similar across regions.

There is, however, an important difference in scope and intensity. The crisis in DRC is reaching its 12th year. The scale and enormity of the violence directed at women can scarcely be adequately described. Some 1,100 rapes are being reported each month, with an average of 36 women and children raped every day. Armed perpetrators – elements of the Armed Forces of the Democratic Republic of Congo (FARDC), the Congolese National Police, and illegal, non-state armed groups – are reportedly responsible for 81 percent of reported cases in conflict zones and 24 percent in non-conflict areas. Women are being attacked solely because they are women, with sexualized torture of unprecedented savagery on both the physical and psychological levels. 3

In addition to these rapes and gang rapes that are happening at the rate of upwards of a thousand a month – hundreds of thousands over the duration of the conflict – the perpetrators frequently mutilate the women in the course of the attack. The apparent intent is to leave a lasting and ineradicable signal to others that the woman has been violated. In the DRC and in many other cultures, this translates into a lifelong public badge of shame.

The victims of these crimes are stripped of every shred of their humanity. To the perpetrators, they are nothing more than vessels for carrying out a war strategy – a war these women do not perpetrate and in which they play no voluntary military role.

Humanitarian organizations on the ground report that attacks on women destroy the nucleus of the family. Husbands blame their wives, even when they're forced to witness the rapes. Shattered women cease to perform the caregiving roles that serve as the family glue. And with the unraveling families, the communities also disintegrate.

There are non-governmental organizations in place – few, but effective – as well as heroic individuals, such as Dr. Denis Mukwege, director of the Panzi General Referral Hospital in the DRC's South Kivu province, that can try to repair the perforated bladders and shredded vaginas of the women that can reach them. There are small but essential counseling programs, such as those provided by the Center for Victims of Torture, that can try to re-integrate the women into their communities and address the psychological dimension of healing. Even in those cases where damage can be mitigated, however, infectious diseases – HIV and other sexually transmitted infections – increase the toll of death and debilitation long after the initial attack, and ripple throughout the villages and regions.

Our Ambassador to the United Nations, Susan Rice, traveling with the UN Security Council, will in a few days visit a hospital in eastern DRC similar to that of Dr. Mukwege, which has recovery facilities for victims of these atrocities. That the Security Council is paying serious attention to this issue is critical, but we must do much more. In addition to providing medical and psychological treatment, it is imperative that we address prevention – and on this score we have a real challenge.

Currently, there are no adequate ways to hold the perpetrators of these crimes accountable for their actions. The United Nations Mission to the DRC, MONUC, as its top priority, is mandated to protect civilians in the DRC. However, MONUC is in need of additional troops and assets to fulfill its extensive mandate. The United States strongly supported the Security Council's November authorization of 3,000 additional MONUC forces, the first of which should arrive in the DRC in late May or early June. And although women are the group most adversely affected by the ongoing war, they are not represented at the negotiating table.

Prosecution is essential. First and foremost, the atmosphere of impunity must end. These crimes must be recognized not as isolated and aberrant incidents of rape, but as part of a coordinated strategy of brutalization, as war crimes, and as crimes against humanity.

## **POLITICAL AND ECONOMIC CONTEXT**

In both Darfur and the DRC, the United States recognizes that ending the conflicts is the most direct and certain path to ending the violence. Peace negotiations and transition from post-conflict environments should remain our highest priority.

### *Darfur:*

The President and Secretary appointed U.S. Special Envoy to Sudan Scott Gration on March 17 and he is robustly addressing issues in Sudan. Restoration of humanitarian capacity in the wake of the Government of Sudan's March 4 expulsion of 13 international aid organizations and closure of three national agencies is of extreme importance at this time. Gration's efforts are

ongoing and we are watching the situation closely. Meanwhile, the United Nations humanitarian agencies have assumed all responsibility for filling gaps in key areas, such as the provision of food and water.

We continue to remain focused on our long-term priorities in Sudan, including implementation of the Comprehensive Peace Agreement (CPA) and resolution of the conflict in Darfur. Sudan's national elections in February 2010 will be an important benchmark in CPA implementation and we are providing essential support to make them credible. Elections and the democratic transformation they contribute to are essential to Sudan's future. On Darfur, the United States has called on all parties to the conflict in Darfur to join the Doha peace talks immediately and to cease all provocations and violent actions in Darfur. We are striving for an interim ceasefire that will allow the armed movements and the Government of Sudan to achieve a comprehensive solution that includes security, individual compensation, wealth-sharing, respect for land rights and political participation by all the people of Darfur. We continue to support the work of United Nations-African Union Joint Chief Mediator Bassolé, and further welcome the Libya-mediated and Qatari-sponsored bilateral talks in Doha between Sudan and Chad as a positive step forward. On March 4, 2009, the International Criminal Court issued an arrest warrant for Sudan President Bashir for war crimes and crimes against humanity. Though we are not members of the ICC, we nonetheless abstained from UN Security Council Resolution 1591 (UNSCR 1591) referring the situation in Sudan to the ICC in order to support accountability there. We are strongly committed to the pursuit of peace in Sudan and believe those who have committed atrocities should be brought to justice. 6

#### *DRC:*

In 2006, President Kabila won the first democratic election in 40 years; nevertheless, the problems faced by the Congolese state and population remain rife: endemic corruption, widespread abuse of human rights, economic mismanagement and extreme poverty. Weak state institutions coupled with the presence of domestic and foreign armed militias have prevented the extension of state authority throughout the country, but recent military cooperation with Rwanda and Uganda against foreign armed groups in eastern DRC and peace agreements with domestic militias are positive developments that could usher in real change.

Eastern DRC has been the scene of unrelenting conflict and violence for many years. We have long supported and encouraged bilateral cooperation between the DRC and Rwanda on issues of mutual interest, including regional security. The two governments' decision to plan and launch (in January) a joint operation against an illegal armed group in eastern DRC, the Democratic Forces for the Liberation of Rwanda (FDLR), was illustrative of such improved coordination. In fact, it's worth noting that the countries gave the operation the name "Umoja Wetu," which is Swahili for "Our Unity."

Rwandan forces pulled out of DRC in February. Although the joint operation succeeded in weakening the capabilities of the FDLR to a certain extent, it remains active and continues to terrorize the local civilian population. The FDLR is able to do this because the Rwandans' departure resulted in a security vacuum that the Congolese military cannot fill. The FARDC is bloated, ill-trained, ill-equipped, under-resourced and frequently unpaid for months on end. The

United States, MONUC, and other international partners have undertaken major security sector reform efforts in concert with the DRC government to address these issues. On May 12, in Brussels, representatives of several key donor nations and organizations met for a day-long discussion of how to better coordinate security sector assistance – including ensuring that all such assistance includes a focus on FARDC and other security forces’ adherence to human rights norms.

The GDRC and Government of Rwanda continue to take steps to normalize relations, a process they started last year by meeting regularly in each other’s capitals. Rwanda has just named its ambassador to the DRC; the DRC is likely to follow suit with its nominee for Rwanda shortly. Additionally, the government of the DRC has now demonstrated its willingness to address, through recent joint military operations with the governments of Uganda and southern Sudan, the threat posed by the Lord’s Resistance Army (LRA). The LRA is a Ugandan rebel group that is now based in northeastern DRC that uses rape and the sexual enslavement of women and girls as just one of its tools of terror against civilian populations in the DRC, Central African Republic and Southern Sudan. Although these operations have not yet met their stated objective to capture senior LRA leadership, operations against LRA elements have degraded LRA capabilities, destroyed LRA camps, and seized LRA equipment, supplies, food and weapons. Operations have also captured LRA combatants, freed abductees, and increased military cooperation among participating governments, especially between Uganda and the DRC. However, despite these advances, attacks by the LRA against civilian populations in DRC and southern Sudan have continued, with more than 900 killed and over 160,000 displaced. As military efforts to contain the threat advance, regional militaries must continue to make the protections of civilians a priority.

Eighty percent of the population of the DRC lives below the poverty line. World market prices of (and demand for) the key mineral resources that form the basis the DRC’s formal economy have fallen sharply in recent months, cutting GDP growth projections by half and undermining previous economic gains. Prior to the recent approval of IMF assistance totaling \$200 million, the DRC government was operating with only a few days’ cash reserves and faced significant balance of payments and fiscal gaps. The World Bank has subsequently provided \$100 million and the African Development Bank, \$97 million. Without this critical emergency assistance, civil servants, teachers, police and the military risked not being paid -- and in fact soldiers’ pay is still two months delinquent -- while already inadequate basic services could have been curtailed. Higher inflation and a depreciating local currency have resulted in the continued escalation of food prices, placing further hardships on the most vulnerable members of the population. More should also be done to address the unregulated mining and trade of Congolese natural resources, which for too long have funded violence and facilitated human rights abuses in the eastern DRC. We are consulting with the DRC, other regional governments and the international community on how to regulate this trade so that it benefits and fosters development for the greatest number of people possible.

## **U.S. PROGRAMS AND INITIATIVES**

*Overall:*

Since 2000, the Department of State has funded a special program for “Prevention and Response to GBV” for refugee populations. The program has provided over \$27.8 million for sexual violence prevention and response projects, in cooperation with international organizations and NGOs worldwide.

In fiscal year 2008, the Department’s Bureau of Population, Refugees and Migration (PRM) supported several stand-alone programs that targeted the prevention of, and response to, gender-based violence, totaling \$6,341,281. In order to address GBV effectively, program components that include GBV are also integrated within larger multi-sectoral assistance programs. As a rough assessment, in FY 2008 PRM provided an estimated \$3.2 million to support such integrated programming. For example, a health program for Burmese refugees in Thailand also included a community GBV coordinator, and a radio program for refugees from Darfur included segments and features on GBV.

#### *Darfur:*

In Darfur, the UN High Commissioner for Refugees (UNHCR) manages the overall international protection activities in West Darfur, and is expanding its activities into North and South Darfur. UNHCR specifically looks at GBV issues and intervenes through various outreach activities: psychosocial support, trauma counseling, clinical management of rape, access to justice, and women’s empowerment. Many of the beneficiaries lost access to this UNHCR support following the March 4 NGO expulsion. UNHCR is looking for new partners to continue this type of programming.

The U.S. Agency for International Development (USAID) has provided resources to the office of the UNHCR to support stronger human rights monitoring in Darfur, and also to the UN Development Program to integrate awareness of sexual violence into the rule of law. USAID supports the food, water, sanitation and health needs of people living in internally displaced person (IDP) camps and other underserved areas. They provide women with the skills and resources to pursue income-generating activities.

The Bureau of Democracy, Human Rights, and Labor (DRL) has provided over \$2 million to support 10 women’s centers in Darfur internally displaced persons camps. These centers have provided GBV survivors with psychosocial counseling and referrals for medical services and have provided thousands of women with a safe space in which to receive such diverse training on such issues as literacy and advocacy skills.

#### *DRC:*

USAID has allocated more than \$10 million since 2002 that has helped more than 100,000 survivors in the region. Programs provide care and treatment services, including access to medical care, fistula repair, counseling and family mediation, and social and economic reintegration support. Community awareness activities educate and mobilize local communities, including traditional leaders and women’s groups, to promote women’s rights, the acceptance of rape survivors, and protection of the whole community. USAID’s Office of Foreign Disaster

Assistance (OFDA) also supports emergency health projects in North Kivu, including medical services for IDPs and GBV survivors.

On Dec 16, 2008, USAID signed a \$5 million three-year cooperative agreement with the international NGO Cooperazione Internazionale (COOPI). The agreement builds on the past successes of COOPI GBV programming in the eastern provinces of Orientale (Ituri District) and Maniema. The programs address physical, psychological, and economic needs of survivors, with a particular focus on minors and women pregnant as a result of rape. They also aim to strengthen the community response to GBV to prevent future acts of violence.

Within the Department of State, PRM supports the efforts of UNHCR and the International Committee of the Red Cross. Their programs include initiatives to boost health center capacity to provide psychosocial, as well as physical, rehabilitation support to victims, and efforts to sensitize communities to prevent and respond to GBV. One example is the Center for Victims of Torture (CVT), which hires and trains national staff to serve as mental health providers as well as providing training staff at local and international NGOs, UN agencies, and other institutions. Other NGO partner programs assist victims with re-establishing their livelihoods through skills training and help with market access. In its role as head of the IDP protection cluster, UNHCR plays an active role in monitoring and conducting needs assessments in conflict-affected areas. PRM also provides support to UNHCR and partner NGOs in preventing and responding to gender-based violence in DRC refugee camps and settlements in neighboring countries. For example, they support the American Refugee Committee in Rwanda and the International Medical Corps in Uganda.

Also within the Department of State, DRL has programs in the DRC to promote human rights, provide legal services to survivors, and build the capacity of local NGOs, the justice sector, law enforcement personnel, and the media.

Through its Africa Bureau, the Department of State funded a program in cooperation with the Defense International Institute for Legal Studies (DIILS) and MONUC to build sex crimes investigation capacity within the DRC's military justice system. Embassy Kinshasa's "Democracy and Human Rights Fund" also provides small grants on an annual basis to local organizations that provide economic and legal support to survivors.

## **MULTILATERAL EFFORTS**

UN General Assembly Resolution 62/134; Security Council Resolutions 1325 and 1820: Abundant information exists about violence against women in conflict and post-conflict situations, including the widespread and systematic use of rape. Yet international efforts to address such violence are often hindered by lack of political will and by assertions that the information is insufficient to warrant action. To address this problem, the United States has sponsored resolutions in both the UN General Assembly (UNGA) and the UN Security Council (SC) that call upon States to take specific actions towards ending the use of sexual violence in armed conflict. Effective implementation of these resolutions is crucial. 12

UNGA Resolution 62/134 (December 2007) calls special attention to the issue of rape in conflict situations and to rape and other sexual violence committed to achieve political or military objectives. The resolution affirms the need for States to ensure that perpetrators of such acts do not operate with impunity and suggests concrete ways that States and other actors can assist victims. It contains a number of provisions that are particularly relevant to cases in which rape is used or condoned by those in authority. And it calls for the Secretary-General to issue a report that is intended, among other things, to help identify situations in which rape is being used to advance political or military objectives, in order to spur the international community to act to stop this practice.

During the U.S. presidency of the Security Council, the United States introduced SC Resolution 1820 (June 2008), a resolution that built upon SC Resolution 1325 (2000) on Women, Peace, and Security and drew attention to the egregious use of rape and sexual violence as a weapon of war. SC Resolution 1325 recognizes that women are not only victims in conflict situations, but must play a central role in the post-conflict reconstruction process if societies are to thrive. That resolution is widely praised, but member states and civil society organizations have rightly noted that follow-up actions leading to tangible results have been conspicuously lacking. SC Resolution 1820 recognized that preventing and responding to sexual violence deliberately targeting civilians could significantly contribute to the maintenance of international peace and security. It affirmed the Council's intention to take sexual violence in situations of armed conflict into account when establishing or renewing state-specific sanctions, and requested the UN Secretary-General to report to the Council on situations of armed conflict in which sexual violence has been systematically employed against civilians. We hope that this reporting requirement, and the forthcoming first report in June 2009, will bring these instances to light and encourage steps to halt the sexual violence.

#### *Children and armed conflict:*

The United States is also leading efforts at the UN to address rape and sexual violence committed against children in the context of armed conflict. Specifically, we are working to expand the list of "triggers" for listing state and non-state actors in the annexes of the Secretary-General's annual report on Children and Armed Conflict to include rape and sexual violence committed against children in the context of armed conflict. At present, the only existing "trigger" is unlawful recruitment and use of child soldiers.

When a country is listed in the annexes, monitoring and reporting of unlawful recruitment and use in the conflict situation begins. Action-plans to address unlawful recruitment and use are also developed. If we are able to add the trigger of rape and sexual violence committed against children, we will be better equipped to assess the scope of the problem in a given country and to develop action-plans to combat it.

Based in part on U.S. efforts, the Security Council approved, on April 29, 2009, a Presidential Statement that expressed deep concern with the high incidence and appalling brutality of rape and sexual violence committed against children in the context of armed conflict. The Statement recognized the importance of including in the annexes to the Secretary-General's reports on Children and Armed Conflict state and non-state actors that commit acts of rape and other sexual

violence against children. The Statement further expressed an intent to take action on the expansion of the trigger within three months. The United States actively supported this important statement of intent, which we hope will lead to the adoption of this additional trigger. We are working to make this happen.

## **PEACEKEEPING**

Security Council resolutions now include in peacekeeping mandates, where necessary, specific instructions for UN peacekeepers to prevent gender and sexually based violence and to take steps to protect against it. The Department of Peacekeeping Operations (DPKO) is developing and improving training modules (both pre-deployment and on arrival) and field manuals on this subject, and the Secretary-General's regular reports on each mission include information on sexual violence, where that is an issue.

The U.S. continues to actively work with the UN Secretariat and fellow Members of the UN to prevent sexual misconduct by UN peacekeeping personnel – military, police and civilians.

### *Darfur:*

The African Union/United Nations Hybrid Operation in Darfur (UNAMID) report issued by the Secretary-General in April, 2009, reported that the vulnerability of women in IDP camps to sexual and gender-based violence, including domestic violence, is a continuing problem. In an attempt to address the ongoing violence, UNAMID's mandate asks the Secretary-General to ensure that UNAMID personnel implement Security Council resolutions 1325 and 1820 and to report on their implementation in the periodic SYG reports. UNAMID conducts community policing initiatives, employs women police officers to educate women about rape and sexual violence, encourages the reporting of rape, urges women to join camp security committees, and conducts escorts and patrols when women are outside the camps collecting firewood.

The Secretary-General has also urged Sudan's Government of National Unity to adopt a comprehensive strategy to address sexual violence, including strengthening the capacity and coverage of family and child police units, and continuing to train and build the capacity of police and judicial officials and social workers on issues related to sexual violence.

### *DRC:*

Upon renewing the mandate for MONUC in December 2008, the Security Council identified the protection of civilians as MONUC's top priority. In addition, due to the scale and severity of sexual violence committed especially by armed elements in the DRC, the Security Council requested MONUC to strengthen its efforts to prevent and respond to sexual violence, including through training for the Congolese army, and to regularly report on actions taken in this regard. MONUC has focused on developing innovative strategies to improve civilian protection and recently developed the concept of joint protection teams (JPTs) to enhance and improve the implementation of the Mission's mandate. During the past three months, ten multi-disciplinary joint protection teams were deployed to the main conflict-affected areas in North Kivu. MONUC has also created what it calls "MONUC-protected corridors," where civilians can be evacuated

preemptively in anticipation of an attack. MONUC continues to search for more effective, innovative approaches to complement and enhance the military effort to protect civilians. Under the auspices of the UN Action against Sexual Violence in Conflict, and on the basis of extensive consultations with MONUC and partner agencies, a comprehensive strategy on combating sexual violence in the DRC has been developed to provide a platform and framework for action and to strengthen prevention and protection and the response to sexual violence. The strategy is aimed at supporting the efforts of the UN system and the Government of the DRC to combat sexual violence and ensure complementarities with ongoing processes and initiatives, including the reform of the security sector and the security and stabilization support strategy.

While both the current mandate and rules of engagement do provide for use of force to protect civilians, most observers and analysts agree that MONUC's numbers on the ground are simply too few to effectively implement a comprehensive prevention and protection strategy.

## **RECOMMENDATIONS FOR MORE EFFECTIVE ACTIONS AGAINST GENDER-BASED VIOLENCE**

### *Needs:*

The most basic, urgent, and fundamental need is to move from words to action. DRC President Joseph Kabila has said he has “zero tolerance for sexual abuse,” but such statements need to be backed up by concrete action on rape prevention, protection of women, victim services, and the prosecution of perpetrators.

We have a potential tool in SC Resolution 1820, but without adequate funding and political will, its good intentions remain unrealized. MONUC has the potential to be more effective, but a realization of the 3,000-troop plus-up foreseen in last November's SC Resolution 1843 and December's mandate renewal SC Resolution 1856 is essential.

Specific and focused responses require specific and focused information about the true extent and geography of the crisis. To that end, it is imperative to have a broad network of trained data collectors in place.

The culture of impunity must end. As even the most horrific rapes become trivialized and accepted as routine, rates of rape committed by civilians are also increasing. A recent UN Human Rights Integrated Office in the DRC (UNHRO) report concluded that “law enforcement personnel and magistrates continue to treat rape and sexual violence in general with a marked lack of seriousness. Consequently, men accused of rape are often granted bail or given relatively light sentences and out-of-court settlements of sexual violence cases are widespread.” Few cases are reported to the police and fewer still result in prosecution. Of the more than 14,000 rape cases registered in provincial health centers in the DRC between 2005 and 2007, only 287 were taken to trial.

The trend toward increasing lawlessness and impunity will not end until respect for the rule of law and for humane conduct is established. Until then, more must be done to identify and punish perpetrators. Police must receive better training; there must be more focus on initiatives to

strengthen the rule of law and provide victims with access to justice while offering them protection throughout the judicial process.

Protection of women needs to be integrated from the start into our efforts to rebuild civil society in Darfur and the DRC. In Darfur, efforts to involve civil society in the peace process have always made the participation of women a priority. We cannot allow the participation of women to become an afterthought or a separate category, but rather we must make programs for women's empowerment, girls' education, shelters, and care for victims of violence mainstreamed into general humanitarian and capacity -building work in this region. These issues should play an important role in our response to any conflict in any country, not just in the DRC and Sudan. These problems are not just women's issues or African issues, but a humanitarian and burgeoning security crisis, and need to be addressed as such.

*Recommendations:*

Building on the needs identified above, our specific recommendations are to:

- Establish a UN fund for gender advisors to help implement SC Resolution 1820. Develop a U.S. national action plan for SC Resolution 1325 that includes input from, and roles for, the Department of State, Department of Defense, Health and Human Services, USAID, and civil society. Build public awareness of SC Resolution 1325 and 1820 and bring international pressure and suasion to bear on countries that violate their provisions.
- Empower MONUC's formed police units, working in close coordination with EUSEC (the EU Security Cooperation entity, which has the lead on police reform in the DRC) to provide training in gender and human rights issues to the Congolese National Police. Clarify the peacekeepers' rules of engagement, and, particularly, the circumstances under which they are able to take perpetrators into custody.
- Enhance prison facilities. Currently, in the DRC, even if rapists can be arrested and convicted, there is often nowhere to incarcerate them without adding to the chronic, dangerous and physically detrimental overcrowding throughout the DRC prison system.
- Establish guidelines for social responsibility in consultation with organizations active in DRC and for humanitarian operations in Sudan. Require that all private military contracting firms hired to conduct activities have adequate numbers of women in supervisory roles, have been trained in proper and confidential reporting methods, and promptly and appropriately respond to reports of violence.
- Foster public awareness campaigns and efforts to shift national opinion about the seriousness of rape. DRC First Lady Olive Kabila and NGOs led by Congolese women have begun to have some success in this area.
- Enhance community reintegration services for victims, including schooling, vocational training, employment services and childcare.

In cooperation with the Department of Defense, launch an effort to link participation in sexual violence to career consequences for officers in the FARDC. Establishing a human rights office within DoD could be helpful for coordinating programs, policies, and data collection to achieve this goal.

Provide additional protection patrols within IDP camps in Darfur and the DRC. Within the context of enhanced data collection, identify specific

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locations and patterns of daily activity – for example, water and firewood collection – that create the most vulnerability to attack, and fortify patrols and protection in those geographic areas and at those times.

Provide personnel to gather documentation and testimony for the prosecution of rapes. Supply legal experts to help establish clear and consistent guidelines for identifying and punishing perpetrators. The United States has already undertaken efforts along these lines by supporting civilian justice sector reform that parallels our military justice reform work. Through a USAID-funded program, the American Bar Association is helping Congolese rape survivors navigate the justice system so that they are not discouraged by the bureaucracy of a system that should be working for them.

Encourage the African Union to carry out the recommendations presented in their International Commission of Inquiry report of 2006 into sexual violence and abuse in Darfur, including those that focus on holding African Union (AU) troops accountable for actions of sexual exploitation and abuse, as well as more general prevention of impunity and protection efforts.

Include women in negotiations to end the conflicts in Sudan and the DRC. Women must be represented at the negotiating table so that their specific needs in post-conflict civil reconstruction are incorporated, from the start, directly into the fundamental documents and blueprints of reconciliation.

We at the State Department are eager to work with you in developing more serious and sustainable actions, coordinated across the U.S. Government, to combat the violence. The Obama Administration assesses that this humanitarian crisis urgently requires attention, and we pledge to accelerate our efforts and our engagement.

### **Testimony of Eve Ensler, Founder of V Day**

Good afternoon, I am here on behalf of countless V-Day activists worldwide, and in solidarity with my many Congolese sisters and brothers who demand justice and an end to rape. I thank you for the opportunity to testify.

I am here because you—the United States government—are the most powerful government in the world. You have great influence in the Great Lakes region of Africa. It can be your legacy to inspire and provoke the world community to put an end to the worst femicide on the planet. As some of you may know, my play *The Vagina Monologues* led me into the world of violence against women and girls. Everywhere I traveled with it scores of women lined up to tell me of their rapes, incest, beatings, mutilations. 1 out of 3 women on this planet will be raped or beaten in her lifetime.

It was because of this that over 11 years ago we launched V-Day, a worldwide movement to end violence against women and girls. The movement has spread like wildfire to 130 countries, raising 70 million dollars. I have visited and revisited the rape mines of the world, from defined war zones like Bosnia, Afghanistan, Haiti to the domestic battlegrounds in colleges and communities throughout North America, Europe and the world. My in box and heart have been jammed with stories every hour of every day for over a decade.

I am here today to tell you that nothing I have heard or seen compares with what is going on in the Democratic Republic of Congo.

When I returned from my first trip there nearly 2 years ago, I was shattered. I had crossed over to another zone in my psyche. I am not sure I will ever get back.

Upon my return, still in a state of initial madness, I was unphased by all those who said the world was not interested in the Congo, all those survivors and activists I had met in Bukavu and Goma who had been working for years with their counterparts in the Congolese Diaspora throughout the world. Those like Dr. Mukwege, a Congolese OB/GYN and founder of the Panzi Hospital in Bukavu who has been sewing up women's and little girl's vaginas for 12 years as fast as the militias are ripping them apart. I was unphased by the cynicism and doubt as any new zealot. The world simply hadn't gotten the necessary information. No world government, no leader, no body of the UN could turn its back, could sit and do nothing when they heard what I had heard, seen what I had seen. In 12 years, 6 million dead Congolese. 1.4 million displaced. Hundreds and thousands of women and girls raped and tortured. Babies as young as 6 months, women as old as 80, their insides torn asunder. No one could rightly ignore femicide--the systematic and planned destruction and annihilation of a female population as a tactic of war to clear villages, pillage 2 mines of their coltan gold and tin, and wear away the fabric of Congolese society. No one could turn their back on Beatrice, a lean, pretty woman who was found in the forest after a soldier shot a gun in her vagina. She now has tubes instead of organs, or Lumo who was raped by over 50 men in the course of one day and has had nine operations and still has fistula, or Honorata who was taken by militia and tied to a wheel upside down then was raped and raped and over by so many soldiers she lost count—they called her “the queen”, or Sowadi who watched the soldiers choke and smash the skulls of her children then was forced to watch her best friend's child cut from her pregnant belly and after they were forced to eat the dead cooked baby or die. It goes on

and on. Women who were being raped as they watched their husbands being slaughtered, women watching their daughters being raped, sons being forced to rape their sisters and mothers, husbands watching their wives be raped. Sons being raped. All this happening for 12 years, all this happening right now as I speak.

I believed that just telling their stories, speaking these words, would be enough to propel those with power into action. I have traveled everywhere these last two years speaking out to the Security Council, the Secretary General, parliaments, world leaders. With many others I have pleaded for more peacekeepers asking over and over when the so-called 3000 troops who are supposedly on their way to DRC will ever show up? Asking when the powers that be might flex their diplomatic muscle in the best interest of the Congolese people by advocating for a political solution to the largest conflict since WWII.

I have felt a murderous lethargy in the halls of power. I have heard members of the European Parliament say they had no idea it was even happening. I have been in situation after situation where the serving of protocol trumps the saving of human lives. I have heard empty promises and straight out lies. I have waited as those that have the power to change this situation work through bureaucracy and hierarchies so that months and months pass and nothing is ever done. And then when it is all too late, ill conceived plans made in back rooms are rushed into play that bring more violence and rapes but get labeled success by the world community. Witness the recent joint military operations against the FDLR (the remnants of the Hutu genocidaires) by the Congolese and Rwandan troops in January, now be touted in the west as a success. A success for whom? We know the action was a failure, as rather than neutralizing the FDLR, it scattered them, emboldening them to rape and pillage with reckless abandon.

The women we work with in Goma at the Heal Africa hospital are reporting 500 raped women have arrived each month since January. The UN Secretary General's recent report says 36 women are raped a day in Eastern Congo. Now, all of South Kivu is clenched, sleepless as they wait for the next nightmarish incursion. Even the MONUC officials themselves do not hold back when talking about their lack of faith in the situation on the ground--during a recent security briefing about South Kivu one Colonel said publicly that the joint operation of MONUC and the Congolese army will be a huge disaster that will most probably end in terrible tragedy because strategy, logistical support, and funding for soldiers was lacking, not to mention that the vast, dense forest proves to be a difficult place to win. Even Alan Doss, Special Representative of the General Secretary of the United Nations in DRC, admitted on Radio Okapi that he needs more men if the mission is ever to succeed.

What these policies or strategies indicate, (if we can call them that, as strategies usually imply a vision of outcome and consequences) and what the last ten years of policies indicate, is the profound indifference and shocking disregard for the lives of the Congolese people, in particular women and girls on the ground.

There is something sinister afoot.

I was there in Bosnia during the war in 1994. When it was discovered that there were rape camps and that thousands of women were being raped as a strategy of war. I watched the rapid response

of the western world community. After all these were white women in Europe being raped. Within two years there was adequate intervention. It has been 12 years in the DRC. Hundreds of thousands of women and girls raped and tortured. I can only believe now that we are dealing not just with the terrible legacy of genocidal colonialism in the DRC, the core impact of it now lodged in the DNA of the worst perpetrators, but more disturbingly the Congo has become not the “heart of darkness,” but the “heart of racism”-- the place where the world’s disregard, its indifference towards black people and particularly black women has completely manifested. Is it because the powers that be care more about power and resources and money? Is it that coltan, the mineral that keeps our cell phones and computers in play, is more important than the bodies and souls of little Congolese girls? International mining companies have significant economic investment in the DRC and I fear they privilege economic interest over the bodies of women. We in the west with our cell phones and play station and computers filled with minerals extracted on the bodies of women. We in the West leaving the women in the forests to be raped and tortured. Is it the British and US guilt over terrible inaction in Rwanda (which allowed genocide), which now allows them to turn a blind eye to Rwanda’s role in the femicide and murder of the Congolese?

Is it simply that the UN and most governments are run and controlled by men who have never known what it feels like to have bayonet shoved up their vagina or who have never lost a bladder and rectum and then had to wait for months for a pouch for their urine and feces so they could be freed from sitting in a wretched smell exiled from everyone and everywhere? Is it that they won’t allow themselves to imagine what this feels like? Or is it that patriarchy has so normalized violence against women that none of this shocks or disturbs them? Is it that they know that for patriarchy to continue, for them to keep their power, this violence must continue as well?

What is happening in the DRC is the worst violence towards women in the world. If it continues to go unchecked, unstopped, if there continues to be complete impunity it sets a precedent, a standard, it expands the boundaries of what now becomes permissible to do to women’s bodies in the name of exploitation and greed everywhere. Already it is spreading. Just this week I received an email that documented that Congolese soldiers are kidnapping and selling young Congolese girls between 12 and 16 years of age to Angolan soldiers. This impunity sends a signal to the world that the bodies of women and children will be the new battleground on which cheap wars will be fought. It says the international community is willing to sacrifice African women and girls to get the resources it needs. And we know as resources become more precious, more and more women, first the poor and marginalized, then the rest will be sacrificed.

Women in the Congo are some of the most resilient women in the world. They need protection. I ask you—fund a training program for Congolese women police officers. Address our role in plundering minerals and demand that companies trace the routes of these minerals. Make sure they are making and selling rape-free-products. Put pressure on Rwanda, Congo, Uganda and other countries in the Great Lakes region to sit down with all the militias involved in this conflict to find a political solution. Military solutions are no longer an option and will only bring about more rape. Most of all support the women. Because women are at the center of this horror, they must be at the center of the solutions and peace negotiations. Supply funds for women’s medical and psychological care, for educational and economic empowerment. Women are the future of the DRC. They are her greatest resource. Yet, in Eastern Congo, 1100 women are being raped

each month. More Noella's are being raped as I speak. Where is the United States? I implore you - lead the world. Take action. Make this your mission.

Let the Congo be where we ended femicide, the trend that is madly eviscerating this planet—from the floggings in Pakistan, the new rape laws in Afghanistan, the ongoing rapes in Haiti, Darfur, Zimbabwe, the daily battering, incest, harassing, trafficking, enslaving, genital cutting and honor killing. Let the Congo be the place where women were finally cherished and life affirmed, where the humiliation and subjugation ended, where women took their rightful agency over their bodies and land. Where the US led the world in standing against against rape and femicide, where the US stood for women.

**Testimony of Chouchou Namegabe , Founder, South Kivu Women’s Media Association  
Democratic Republic of the Congo**

Thank you for having this important hearing. The women of the eastern Democratic Republic of Congo (DRC) have waited a long time for American policy-makers to take an interest in this situation. I am grateful for the invitation to be here.

Rape and sexual violence is used as a weapon and tactic of war to destroy the community. The rapes are targeted and intentional, and are meant to remove the people from their mineral-rich land through fear, shame, violence, and the intentional spread of HIV throughout entire families and villages.

The South Kivu Women’s Media Association is the voice of thousands of voiceless women. We use radio to give them the space to express what has happened to them, begin their healing and to seek justice. We have interviewed over 400 women in South Kivu, and their stories are terrifying. In fact, the word rape fails to truly describe what is happening, because it is not only rape that occurs, but atrocities also accompany the rapes. That is what makes the situation in the eastern Congo so different, and horrible. Of all the testimonies we recorded there are two that stay in my mind that I will share with you.

I met a woman who had 5 children. They took her into the forest with her 5 children, and kept them there for several days. As each day passed the rebels killed one of her children and forced her to eat her child's flesh. She begged to be killed but they refused and said “No, we can't give you a good death.”

Last month, after the joint operation between the Congolese army and the Rwandese army to break down the FDLR1, in their running away the FDLR raped more women. Our journalists were told that after they raped the women, they put fuel in their vaginas and set them on fire, and then extinguished the fire. This was done not to kill them, but to let them suffer. There were many other horrible atrocities.

The women ask WHY? Why such atrocities? Why do they fight their war on women’s bodies? It is because there is a plan to put fear into the community through the woman, because she is the heart of the community. When she is pushed down, the whole community follows.

We also ask, Why the silence of the developed countries? When a gorilla is killed in the mountains, there is an outcry, and people mobilize great resources to protect the animals. Yet more than five hundred thousand women have been raped, and there is silence. After all of this you will make memorials and say “Never Again.” But we don't need commemorations; we want you to act now.

There are six actions that I request of you to help end this situation:

1. The first need of the women is security and peace. Rape is not peace! Rape is used just like a gun, to show the force of the rebel groups. We ask for your involvement to station the U.N. peace-keepers not only in the cities and towns to protect business, but also in rural areas where they can actually protect the women.

2. In the Congo, we believe that there will be security when the FDLR returns to Rwanda. I ask that the American government get involved politically, by pressuring the Rwandan government to accept their return and to begin dialogue with the rebels, so that they stop fighting their war in our country, and on women's bodies.

3. We need strong justice to end impunity on rape and sexual violence. We ask the U.S. to join us in pressuring the Congolese government to stop giving amnesty to rebels who use rape as their war strategy. The American and Congolese governments should request International Criminal Court arrest warrants for the Congolese and Rwandan rebel leaders. We also ask you to pressure the International Criminal Court to include rape and sexual violence in the charges filed against these war criminals. Finally, we ask for assistance to pursue the legal reforms needed in Congo to end impunity for rape and sexual violence in war. We need Zero Tolerance on rape and sexual violence--at all levels of the justice system.

4. We ask that the American government and U.S. multinational corporations contribute financially to the recovery and healing of the women and the communities, because your economy benefits from the minerals of the Congo. The women and families need medical and psychological services to heal from the trauma to their bodies and minds. There are also children born of rape who live as orphans, because the community has rejected them and sees them as "ticking bombs" who will grow up to become like the rebels. These women and children are left with nothing.

5. Another part of this recovery is to help Congo to strengthen the formal economy in the eastern provinces, and end the profitability of blood minerals. We ask that you work with the U.S. multinational corporations to develop ways to ensure that Congolese minerals imported to the U.S. are "conflict-free" and that the security, infrastructure and capacity of the eastern provinces is built up through this investment. Economic recovery is part of the total recovery of the women and their communities.

6. Lastly, I would like for the U.S. to have an increased presence in the eastern Congo. Toward that end, I invite the American government and private sector to send a delegation to the East to see the reality on the ground and explore ways to improve security and promote the formal economy. Having a presence in the east would also allow the U.S. government to have a better sense of what is happening in the area and would help the U.S. to be a better advocate for women and families.

I'd like to conclude by expressing our hope for the future. There are many people and organizations in the eastern Congo working tirelessly for peace, justice, and healing. This good work can be more effective and help even more people, if we have the support we are requesting.

We, the women of the Congo want to work with you, and we need your support to stand with dignity. Stand with us, and help us to heal our nation.

Thank you for your attention.

## **Testimony of Robert Warwick, Director of the IRC**

Mr Chairman, Madam Chairman, Senator Isaakson, Senator Wicker and members of the committee. Please let me begin by saying that I appreciate the opportunity to appear here today, along with my colleagues to testify on the issue of gender based violence in the Democratic Republic of Congo and Sudan. My name is Robert Warwick and I am the former Country Director for the International Rescue Committee in both the Democratic Republic of Congo and Southern Sudan; and I currently run the IRC's office in Baltimore, Maryland that helps resettled refugees adjust to life in the United States. I bring to this hearing today experience working on the issue of violence against women and girls, and the insight gained through two decades living and working on the African continent. I represent and speak from the perspective of a US-based relief agency that has prioritized the problem of violence against women and girls in conflict. We seek to assure that women and girls not only survive conflict, but ultimately thrive in times of peace.

Founded in 1933, the IRC is a global leader in emergency relief, rehabilitation, protection of human rights, post-conflict development, resettlement services and advocacy for those uprooted or affected by violent conflict and oppression. The IRC is on the ground in 42 countries, providing emergency relief, relocating refugees, and rebuilding lives in the wake of disaster. Through 24 regional offices in cities across the United States, we help refugees resettle in the U.S. and become self-sufficient.

In my testimony, I would like to address the issue of sexual and other grave forms of violence against women and girls that occurs during conflict setting as well as afterwards in a post-conflict setting. First, I will provide you with the primary causes and enabling factors for gender-based violence. Second, I will share with you some of IRC's programs combating this problem in DRC. Third, I will discuss IRC's experiences in a post-conflict setting - Southern Sudan. Finally, I will propose key steps the United States must take to address the problem. I will also strive to represent some of the voices and experiences of the hundreds of national and expatriate humanitarian workers devoted to this issue, many of whom are themselves civilian victims of war and displacement.

### Primary causes of gender based violence in conflict and post-conflict settings

We all know that women are particularly exposed to certain forms of violence simply because they are women. Violence is directed against women because they have unequal power and status. In most cultures, countries and societies, women are in a disadvantaged position compared to men as the following illustrates:

- Women perform two-thirds of the world's work
- Women earn one tenth of the world's income
- Women are two-thirds of the world's illiterates
- Women own less than one hundredth of the world's property

Whilst the underlying cause of gender-based violence directed at women and girls is unequal power, other factors perpetuate it. These include systems of traditional authority, cultures of silence, harmful cultural beliefs and practices.

They are at risk if they remain at home, during flight from conflict and in refugee or internally displaced settings. Social dislocation and upheaval means the formal and informal mechanisms that might exist to protect them are often weakened, collapsed or controlled by those who perpetrate the violence.

The perpetration of sexual violence is both a tactic of warfare, and an opportunistic consequence of conflict and displacement. They often go hand-in-hand. Either way, women's bodies become the frontline of an unnecessary and cruel battle.

As a weapon of war, sexual violence seeks to accomplish a larger objective than the specific act of rape itself. The systematic use of rape in war has many purposes, including ethnic cleansing, humiliation, or control and domination of select groups. Groups may be targeted because of their ethnicity, political affiliation, nationality or geographical location – and obviously their gender. Up to a half a million women were raped during the Rwandan genocide. We've seen this tactic or strategy used extensively in eastern Congo, where the national military and numerous rebel groups use brutal forms of sexual violence - in part to secure their own food and provisions from the rural population. It is domination through sexual terror.

This form of warfare is effective. It can be modified based on the whim and depravity of the perpetrators. And while it's the bodies and spirits of women and girls that are directly trampled upon, sexual violence creates deep wounds and schisms within a target community. It destroys the fabric of a community in a way that few weapons can. It produces unwanted children, spreads disease, and leaves an imprint on the individual and collective psyche that is difficult to erase.

The strategic use of sexual violence is usually accompanied by opportunistic rape. Opportunistic rape is not a weapon of war but a consequence of the breakdown of social norms that occurs during conflict and is perpetrated - not only by armed groups, but also within families and communities. Societal norms that regulate behavior and afford some degree of protection to women break down during war, and give way to an 'anything and everything goes' mentality that can, over time, rub off on the affected population.

Women and children make up the majority of the world's refugees and internally displaced persons. They are often separated from their immediate and extended families. Daily tasks such as firewood and water collection or farming are typically the work of women. These are necessary for survival in areas of insecurity but increase their exposure to sexual violence. Sexual assault of women and girls engaged in foraging for wood or water has become commonplace.

While men and boys are also affected by conflict in many terrible ways, women and girls are the main victims of rape, mutilation, abduction into sexual slavery, and sexual exploitation during times of conflict.

And unfortunately for women and girls, the threat of violence remains long after fighting ends. Violence against women and girls in the family and community before, during and after conflict, where it is relatively hidden and often accepted due to social and cultural attitudes and beliefs that condone and perpetuate it. The neglect, physical and sexual abuse, and rape of girl children and women by family members and other members of the household, as well as spousal and non-spousal abuse, continue to go unreported. Other forms of socially accepted and perpetrated violence include harmful traditional practices, such as female genital mutilation (FGM), early and forced marriage, sex-selective abortion and female infanticide, honor killing, denial of education, food, health care, property rights and opportunities.

The perpetrators will often be the members of the community itself. Crippled, corrupt or destroyed justice systems do little to dissuade civilians from abusing their relative degree of power and control.

Once having escaped the conflict, women may be forced to exchange sex for survival and protection of their children. During protracted humanitarian crises, women also face a growing threat of physical, sexual and economic abuse within their own households.

A study conducted by the IRC and Columbia University in post-war Liberia (August 2007) indicated that violence against women and girls is widespread. In the study population: 55% of the women surveyed had experienced domestic violence; 30% of all women seeking medical attention have experienced domestic violence; 72% of women reported that their husbands had forced them to have sex in the last 18 months; and, 13% of minors (children younger than 18 years of age) in one county and 11% of minors in another county had been sexually abused in the last 18 months.

Unfortunately survivors of sexual violence can often wait for weeks, months and sometime years to seek services or tell their story. This delay is a result of a number of things including, a lack of accessible services, fear of stigma, feeling of shame, and actual physical insecurity that prevents women from reaching services.

In times of relative calm, access to services improves and women and girls who have suffered for years as a result of an attack – or multiple attacks - come forward when it becomes possible and safe to do so. Currently, women in eastern Congo have to walk for days to reach health services, and frequently are subjected to attacks again during their journey to seek help. Access to life-saving services is a prevailing problem in rural areas affected by war. In these areas, there may be few doctors, clinics or other resources.

### *Sexual Violence in the Democratic Republic of Congo*

Since August 2008, an estimated 250,000 people have been displaced due to escalating violence in eastern Congo. Civilians have fled their homes in an effort to escape fighting, and have found themselves in internally displaced person (IDP) camps that are still highly militarized and often dangerous.

Congo is one of the cruelest conflict zones in the world for women and girls. A surge in the conflict in late October 2008 in North Kivu was no exception; women and girls were once again in the crosshairs of violence.

In eastern Congo, women continue to take on the burden of caring for families, and face tremendous risks when they search for additional food, firewood and water outside camps and population centers. Civilians tell IRC that these daily chores in isolated forests and fields make women and girls an easy target for rape by armed actors.

IRC has also identified risks linked to women's movement on roads, where armed groups frequently use illegal checkpoints to tax civilians. Women have reported demands for taxes as high as \$10 when they return from their fields across frontlines. In contrast, the crops they spend a day collecting sell for around \$2; other women seek out day labor in the fields of landowners, earning less than \$1 per day. If unable to pay checkpoint taxes when returning from the fields, they are beaten and sometimes raped.

Destruction of homes and livelihoods, widespread displacement and pervasive lawlessness breed violence in eastern Congo. Women increasingly face abuse in their homes and, with no other means of survival, may be forced to exchange sex for food or money.

The myriad risks faced by women and girls in the Democratic Republic of Congo demand the attention and commitment of the international community, as well as a careful and concerted response by humanitarian organizations with the right technical expertise.

### *IRC Response to Sexual Violence in the Democratic Republic of Congo*

IRC programs worldwide aim to meet the safety, health, psychosocial and justice needs of women and girls who are survivors of or vulnerable to gender-based violence. The IRC empowers communities to lead efforts that challenge dangerous beliefs, attitudes and behavior. This is done in partnership with communities and institutions to safeguard the human rights of women and girls and to empower them to enjoy these rights.

In eastern Congo, the IRC has assisted more than 40,000 survivors of sexual violence since 2003. In North Kivu, IRC is responding to the current emergency by carrying out activities to mitigate the risks of violence, ensuring that survivors have access to appropriate medical and psychosocial care, and helping to meet basic health and hygiene needs of women and girls. Emergency interventions to date have included:

- Distribution of firewood for nearly 20,000 families displaced by recent fighting in order to help women and girls avoid risks faced when they leave populated areas in search of fuel wood;
- Presence of IRC staff trained in gender based violence (gbv) prevention and response in displaced settings to provide women and girls with information about available services, to ensure proper referral and treatment, and to carry out follow-up with survivors;

□ Equipping health facilities with essential drugs, supplies and necessary training to manage the medical consequences of sexual violence in the Rwanguba health zone, as well as in and around the city of Goma;

□ Distribution of sanitary supplies to 9,000 women and girls of reproductive age in order to ensure women's basic hygiene needs are met; kits distributed also include a battery-operated light for women and girls to use when moving around crowded living conditions after dark.

In South Kivu, IRC works with local civil society groups and other aid agencies in six territories to promote access to quality services for survivors of sexual violence. By providing technical, material and financial support to local service providers, IRC helps survivors gain access to quality medical, psychosocial, family counseling, and legal services.

IRC also partners with more than 20 grassroots women's organizations in North and South Kivu to support community-based initiatives that work toward the healing and empowerment of women and girls affected by sexual violence. IRC works with women's groups and local leaders at the community-level to address the psychological and social consequences of sexual violence, to improve survivors' access to services and promote the safety and well-being of women and girls.

### *Gender Based Violence in Southern Sudan*

Although the signing of the Comprehensive Peace Agreement (CPA) in 2005 brought an end to the fighting in Southern Sudan, violence remains commonplace. Prolonged conflict has exacerbated and created new security risks, especially for women and children. These include the destruction of community and family structures, a breakdown in conflict resolution mechanisms, the presence of arms and vigilantes, prevalent trauma, increased alcohol consumption, weak security institutions, poor law and order and tensions between those who have fled and those who remained during the civil war.

Inequality between women and men - as well as pervasive physical, psychological, and sexual violence, early marriage and few educational and livelihood opportunities for girls and women - represent crucial obstacles to the process of recovery, reconstruction, and sustainable development.

While there are limited studies on the situation of women and girls in Southern Sudan, they have produced evidence of an overwhelming male bias in judicial and social systems as well as widespread domestic violence, early/forced marriages, wife inheritance, inequity in property ownership, unfair child custody, arbitrary incarceration, female genital mutilation and sexual harassment and assault.

Qualitative research conducted by the IRC with Southern Sudanese returnees and host community members, local leaders, government officials, and ordinary women and men revealed:

1. Women and girls were targeted throughout and immediately following the war for violence, and continue to be affected by violence to date
2. There is an entrenched normalization and expectation of violence. Women typically consider domestic violence to be a normal part of a marriage; the only incidents reported to local authorities are those resulting in severe injury or death. However, even in these instances, the use of violence itself is not questioned. Rather, the violent man is characterized as ‘losing control’.
3. Early and forced marriage is common. One 14-year-old girl explained how her husband was chosen for her, saying “if you refuse the man that is chosen, you should be beaten and taken to that man, by any means, whether you want it or not.” A 16- year-old boy concurred saying that “the girl should be beaten and forced by all means to the man, according to the will of her parents.”
4. In the provincial town of Rumbek, spears, guns, and other weapons are commonly used in domestic disputes.
5. Women are not generally perceived to have the right to say no to sexual relations with their husbands with the exception of special cases such as illness or recent childbirth.
6. “Economic violence”, in the form of denial of employment opportunities and withholding of money for food and healthcare, is also common within families.
7. Low levels of awareness of human rights in general, and women’s rights in particular, persist. Although parents often recognize the right of children to education, in practice this right generally applies only to boys, with parents expressing preferences for marrying daughters to secure bride wealth over sending them to school.

In 2004, Southern Sudan had the lowest school attendance in the world; more than three years after the signing of the CPA, the situation has barely improved: only Afghanistan has lower primary school enrolment rates. Total adult literacy in Southern Sudan is estimated at just 15%, with significant disparities reported between males and females.

Those affected by gender-based violence often have no recourse through statutory and customary justice mechanisms. Customary beliefs and attitudes that treat gender-based violence as normal and prevent all but the most serious physical assaults from being treated as crimes.

There are insufficient juvenile and family courts, a lack of female judges and chiefs, and inadequate juvenile justice and family laws. Social stigma and fear of ostracism prevent many women from reporting cases, and the requirement to pay often exorbitant court fees excludes many people, particularly vulnerable members of society, from seeking justice.

Although a wide range of gender based violence-related cases are brought to customary courts, IRC has documented systematic discrimination against women in the handling of claims while monitoring these cases in the capital city of Juba and the provincial town of Rumbek under its Access to Justice Project. For example, many survivors of gender-based violence are brought to

courts as defendants accused of having been illegally involved in sexual activity, even in cases when such activity is nonconsensual.

Those who might have the opportunity to report violence and abuse through the justice system often face further harm if they do pursue this recourse. IRC's projects in the state of Northern Bahr el Ghazal, for example, have regularly received reports of local courts imprisoning women as a punishment for seeking to divorce abusive husbands.

### *Role of Southern Sudanese Women in Peace Building*

A preliminary assessment of gender based violence in regions of Southern Sudan commissioned by USAID in 2005 found "almost no programming to date that specifically targets gender based violence", and demonstrated the link between the condition of women and the prospects for a sustainable peace, concluding that "to continue to ignore gender based violence is to do so at South Sudan's peril: as stated in USAID's Fragile States Strategy, 'data shows a strong correlation between state fragility and inequitable treatment of women.'" More than three years later, except for several small scale GBV prevention programs implemented by IRC and colleague agencies, IRC finds these conditions largely unchanged.

Sudanese women delegates to the April 2005 Oslo Donors Conference identified gender based violence as a key priority area and proposed mechanisms to protect women and girls from exposure to violence.

The Comprehensive Peace Agreement provides for affirmative action and support to women so that they can become part of the reconstruction process. Women and girls are getting new opportunities in the post conflict rebuilding of Southern Sudan; but with those new opportunities, come additional layers of challenges. Southern Sudan has a long history of discriminatory attitudes and practices towards women. Provisions of the CPA mandated that women be placed in key government positions. But the women were given little to no training or experience in these positions before taking office. This opportunity, for women to contribute toward peace building has instead led to 'frustration' by both men and women. Women have to 'catch up' to men and are expected to do so overnight.

Women in high level positions who fail to thrive, are then put forward as 'evidence' or justification that women don't belong in these leadership positions within the Government of Southern Sudan. Building the capacity of women in leadership and management positions is critically needed.

Resources, program and services most needed to assist survivors and protect and empower those at risk of gender-based violence:

1. Protection of women and girls from gender-based violence, especially in war-affected areas.
2. Improved and decentralized health services for survivors of sexual and physical assault including: medical treatment, reducing the likelihood of contracting HIV and other STIs, voluntary HIV/AIDS counseling and testing, primary health care and surgery.

3. Culturally-appropriate counseling, basic emotional and psychological support provided through trained and monitored service providers and community-based structures.
4. Assistance to survivors, families and communities to help facilitate the acceptance, social reintegration and long-term recovery of survivors.
5. Humanitarian assistance, where appropriate, including food distribution, shelter, and non-food items.
6. Provision of legal information and referrals, as requested, to survivors of sexual violence. This includes information about the potential risks and benefits associated with legal action so that survivors can make informed choices about safe actions which appropriately meet their needs.
7. Economic opportunities and training for women to assist with the recovery process as well as to increase their decision-making power within the home and community and to ensure that alternatives exist to commercial sex trade.
8. Education opportunities for women and girls in safe schools. Assistance programs should target efforts to improve educational opportunities for women and girls by providing resources to address violence against women and girls in school settings through teacher training, improved reporting mechanisms, awareness-raising with students, and by ensuring the safety of girls on school grounds and during commutes to school.
9. Systematic advocacy with state institutions, donor governments, UN agencies, NGOs and others to improve the delivery of specialized services and efforts to address and reduce violence against women through policy and legal reform. Advocacy should focus on emerging and chronic protection concerns, the scope and manifestation of violence against women, and gaps in service delivery, and calling for sustained commitment to address sexual and other forms of violence against women and children.

What can the US Government do to address the problem in the Democratic Republic of Congo and Southern Sudan?

The United States has a key role to play in promoting the allocation of resources to stop violence against women in war and post conflict settings and to ease the suffering of its innocent victims. Let me highlight key areas where the US government can make a critical contribution:

1. Resources for Gender Based Violence Programs: We thank the US government for the resources provided thus far to address the issue of violence against women and girls. For example, funding from USAID in DRC has allowed us to support 14 Congolese organizations provide service to 40,000 women and girls. Given the scale of the challenge and problem, in order to have a meaningful impact in terms of lives and increased security, much more will be required. Increased resources will translate into improved capacity in being able to hit the ground faster and more effectively to set-up life-saving services and start advocacy efforts at the onset of an emergency.

2. **Best Practices and Accountability:** The US Government should work with the UN system and member states to insist that sexual violence response and prevention programs supported by US funding be carried out according to international standards and best practices, and with utmost concern for the safety and well-being of beneficiaries and their communities.

3. **Efficient and Effective Programming:** The State Department and the Agency for International Development should help ensure that UN agencies (including UNFPA, UNICEF and UNHCR – as well as UN Action) efficiently and effectively coordinate gender based violence programming that is being carried out by multiple actors in the areas of health, psychosocial support, community outreach and prevention.

4. **Do No Harm:** The State Department and the Agency for International Development should help ensure that UN agencies continue to work in collaboration with aid agencies in order to facilitate safe, ethical and targeted analysis of the problem of violence against women and girls. However, this effort should not slow down or distract from the urgent priority of improving the coordinated response and making quality medical and psychosocial services widely available and accessible to women and girls.

5. **Protection:** The US Government should work with the UN system to help UN peacekeepers in Congo fulfill its mandate by taking tangible steps to improve protection of civilians in Eastern Congo, especially in areas occupied by the FDLR.

6. **Safety and Security and the Rule of Law:** The State Department should work with the state actors to re-establish command and control over government soldiers who operate outside the bounds of national and international humanitarian law.

7. **US Leadership in the UN:** The US Government should continue to be a strong leader in the landmark UN Security Council Resolution 1820, to ensure effective implementation. It is vital that the first report on Resolution 1820 address the priority problems of: women's participation, program coordination, high-level leadership, quality care, and unethical information gathering. Civil society groups must be involved in the design, implementation, and evaluation of strategies to address gender-based violence. Accessible services and quality care is a crucial factor for survivors of sexual violence and must be recognized as a priority. Information-gathering at the field level must take into account ethical and safety concerns of survivors and their care-givers. The absence of systematic surveys or irrefutable data of sexual violence prevalence should not be presumed to indicate an absence of violence. The appointment of a high-profile, authoritative, and independent global advocate for women in conflict, such as a UN Special Representative to the Secretary-General for Women, Peace, and Security will help ensure that the Resolution is taken seriously and that there is follow through.

8. **US Legislation:** Violence against women in conflict is now commonly understood by the international community as a violation of basic human rights. The understanding of a state's responsibility to protect women from violence has evolved considerably. In the 110th Congress, Senators Biden and Lugar introduced bipartisan draft legislation - the International Violence Against Women Act (IVAWA, S.2279) - which would make violence against women a key

priority in U.S. foreign assistance programs. The draft legislation is of vital importance for the hundreds of thousands of women and girls affected by violence. In recognition of how violence against women is exacerbated by conflict and continues long thereafter, the bill was designed to address the issue in war-torn, post-conflict and development settings. Those of us working day in and day out on this issue support quick passage of a new bill, modeled on the earlier bill; which we hope will be introduced soon by the Senate Foreign Relations Committee.

### *Conclusion*

In conclusion, I again commend both Sub-Committees for bringing the attention of the Senate to bear on this critical issue, and I thank you for the opportunity to present mine and the International Rescue Committees views. Sexual violence and its extreme consequences do not have to be an inevitable component of conflict and displacement.

The women and girls in conflict zones are waiting for the chance to heal and live free from the threat of violence. The US government can help make that hope a reality for women and girls around the world. We look forward to working with both Sub-Committees and the rest of Congress to ensure fulfillment of that hope. I would be happy to answer your questions.

### **Testimony of Niemat Ahmadi, Darfuri Liaison Officer, Save Darfur Coalition**

I would like express my sincere appreciation to Senator Barbara Boxer and Senator Russell Feingold for their remarkable effort to bring the issue of sexual violence and gender-based violence against women to the attention of the United States government and to all those concerned about the tragic situation of women in Darfur, Congo and elsewhere in the world.

Today, the situation in Darfur is grave and the suffering of our people has gone on far too long. As a Darfuri woman who was forced to flee the current genocide in Darfur, I feel sometimes that I have left my people behind. I am often overwhelmed and ashamed. But on a daily basis, through my work and my ability to speak out publicly in the United States, I carry with me the plight of my mother, aunts, sisters, and countless other women in Darfur who face brutality and violence as part of their daily life. Beyond my own story, I know many others with similar experiences – we have been threatened and harassed to the point that we must leave our beloved homeland, our families and our friends. Still millions more have been forced to leave their homes to exist in unspeakable conditions in internally displaced persons camps as they continue to endure unimaginable pain.

Sadly, in recent history and in the current crisis in Darfur, war is too often fought with women's bodies. In Darfur, where slaughter continues and insecurity has reigned supreme for over six years, women are the most common targets. Women and children make up the overwhelming majority of the camp population, estimated at eighty percent. Every week hundreds of innocent people in Darfur – especially children, women, and the elderly – lose their lives or are forcibly displaced from their villages. Countless women and girls continue to face brutal rape, humiliation, beating, starvation and disease on a daily basis. The United Nations' *Stop Rape Now* campaign, a partnership of twelve U.N. agencies, reports that hundreds of women continue to be raped in Darfur every day.

In Darfur, rape is being used as weapon of war. It is a systematic tactic to destroy the very fabric of our community. Rape and sexual violence in Darfur is not the product of chaos or uncontrollable troops during the attacks. It is not an after-effect of war. It is well planned and orchestrated in a calculation to break apart families, tear down leadership structures, and leave long-term social, emotional, and physical scars on an entire community. Women are raped when their villages are attacked, when they flee their homes seeking safe refuge, and while they are living in camps for the internally displaced. Abduction and sexual slavery is a tactic used by the Sudanese government and its allied *janjaweed* militia. This terrorizing of women, families, and communities is not a nightmare – it is the reality of daily life in Darfur.

Ladies and Gentlemen, I will say again that today, the situation for my people is dire. Girls as young as eight years old are raped and have died as a result. Countless others have been ostracized because of the stigma, abandoned by their husbands and families because they are considered to be spoiled. Many of the children born as the result of rape are left without care to die.

Despite the alarming rate at which rape and other forms sexual violence are used in the genocide in Darfur – and elsewhere – little has been done to address this deadly phenomenon. Until today, there has been no study carried out to determine the actual impact of the sexual violence on

women and girls, which is indeed beyond our imagination. There is a lack of trauma counseling and psychosocial support for women survivors. And there is a lack of projects designed to provide fuel alternatives that could keep women safe in the camps. Instead, women go in search of firewood and means of sustenance and risk facing this cruel act of violence.

The recent expulsion of NGOs has put women at risk more than ever before. Some of these NGOs were doing very important work specifically in addressing women's health needs and some other protection projects. Even though the programs were not enough before, now it is crucial to work to keep them alive at all.

The government of Sudan continued to obstruct any effort to put an end to the tragic situation that has going on for years. The African Union-United Nations Hybrid Operation in Darfur, or UNAMID, is failing to meaningfully impact security on the ground due to a lack of resources and slow troop deployment. All international instruments concerned with violence against women such as Resolution 1325 and Resolution 1820 have not been implemented. Accordingly, I asked you to join me in calling upon the United States government to take the leading role in protecting the women of Darfur and bringing a lasting solution to the conflict in Darfur.

The following steps are crucial to ending the pandemic violence against women in Darfur:

- First, women can only be safe if *janjaweed* are disarmed and Sudanese government forces are distant from the areas inhabited by IDPs and innocent civilians.
- Direct protection of women must become the first priority in response to the conflict in Darfur.
- The U.S. must work to engender the make-up of the UNAMID force by providing the resources, training, and recruitment of more female police within the camps. We must strengthen the command structure to better protect women.
- U.S. Department of State must create effective mechanisms and tools for addressing violence against women in conflict zones.
- The U.S. Mission to the United Nations must ensure full implementation of UNSCR 1820, including a monitoring mechanism and enforcement.
- There must be advancement in the human rights agenda through special attention to women's human rights.
- Studies must be conducted to assess the impact of violence on women in Darfur.
- Support must continue for accountability for crimes committed against women and support must be provided for women to seek justice.

Projects must be designed to cover the gaps in the protection of women, such as fuel alternatives programs and other conflict sensitive programs to reduce the vulnerability of women to the sexual violence.

Emergency interventions must be designed to deal with trauma counseling, psychosocial support and empowerment for the survivors of sexual violence.

Special support must be provided for girls' education, capacity building and promotion of women's leadership capacity in Darfur.

Special funds must be allocated to support projects that support women in Darfur.

There is much work to be done to protect the women and girls of Darfur. I thank you for inviting me here today and look forward to working together to stop violence against women in Darfur, Congo, and everywhere in the world.

Sincerely,  
Nimat Ahmadi

## **Testimony of John Prendergast, Co-founder of the Enough Project**

Let me first thank Chairwoman Boxer, Senator Feingold, Senator Kerry, Senator Lugar, and all other members of the committee for holding this hearing on a difficult topic and an extraordinary challenge for the international community: how to end the scourge of sexual violence in the Democratic Republic of the Congo and Sudan. These two conflicts are characterized not just by appalling death tolls – nearly 8 million and counting since 1983 – but also by widespread crimes against humanity. Indeed, heinous crimes against women and girls occur with numbing regularity in Congo and Sudan, where rape has become the tool of choice of many of the armed groups as a means to control, subjugate, humiliate, intimidate, and ethnically cleanse.

So let's be absolutely clear: measures to deal with rape as a weapon of war in isolation will fail and fail miserably. If we truly want to end this scourge we must move from managing conflict symptoms to ending the conflicts themselves.

Yet rather than trying to end the conflicts in Congo and Sudan, most international efforts deal with symptoms. We spend billions of dollars a year on humanitarian efforts and peacekeeping, while the root causes of the violence remain inadequately addressed. This is irresponsible and deadly—costly in lives lost as well as costly to American taxpayer.

How revolutionary would it be to deal with the causes rather than the symptoms? Why can't we focus our policy on ENDING these wars rather than simply dealing with their consequences? From our meeting with President Obama a few weeks ago at the White House, he clearly understands the importance of such a strategic objective. But will his administration organize structures, personnel and assets to achieve these objectives, or will the pursuit of lasting solutions remain largely rhetorical? And will Congress support a sustained interagency effort to end these wars, or will the resources needed to ramp up diplomatic efforts be siphoned off for other ends? We at the Enough Project believe that the game changer, to use the president's favorite term, would be a commitment by the Obama administration to make the strategic objective of U.S. policy the resolution of the wars that cause this scourge of gender-based violence.

A comprehensive strategy for protecting women and girls would include the following elements:

**Protection:** Reorient efforts of peacekeeping forces in Congo and Sudan—MONUC, UNMIS and UNAMID—to focus on protecting women/girls where they are most vulnerable: camps for internally displaced persons, firewood collection routes, major water points, check points, etc.

**Accountability:** Support efforts to prosecute rape as a war crime in both Congo and Sudan. This includes support for police and judicial reform, access to justice programs, and legal training. At the international level, investigations should be intensified into the chain of command that either encourages or allows rape to be utilized as a war strategy.

**Treatment:** Expend additional resources on supporting the efforts of Congolese, Sudanese, and international organizations that are supporting the survivors of sexual violence.

□ **Peace:** Over the long term, the United States and other concerned countries must work to change the calculus of the armed groups committing crimes against women and girls and re-invest in diplomacy to help bring these conflicts to an end.

Because my time is limited, I will focus my remarks on this fourth point, the crucial steps that the United States can take to promote lasting peace in Congo and Sudan.

#### A. Congo—Collapsing the war economy

In my 25 years of working on African conflict resolution, Congo is by far the most complex war I have witnessed. But one of the biggest drivers of the conflict—and one in which most Americans are unknowingly but directly involved—has long been clear: competition over the extraordinary natural resource base. If we don't address the economic roots of violence, we will only be finding temporary respites from the logic of continued war and exploitation.

##### *Conflict minerals*

Sexual violence in Congo is often fueled by militias and armies warring over “conflict minerals,” the ores that produce tin, tungsten, and tantalum—what we call the “3 Ts”—as well as gold. Armed groups from Congo, Rwanda, and Uganda finance themselves through the illicit conflict mineral trade and fight over control of mines and taxation points inside Congo.

But the story does not end there. Internal and international business interests move these conflict minerals from Central Africa around the world to countries in East Asia, where they are processed into valuable metals, and then onward into a wide range of electronics products. Consumers in the United States, Europe, and Asia are the ultimate end-users of these conflict minerals, as we inadvertently fuel the war through our purchases of these electronics products. Based on calculations by researchers at Enough, the 3T's and gold together generate as much as \$183 million annually for the armed groups that torment women and girls in eastern Congo. One of the biggest money makers in this trade is the FDLR, a Rwandan militia whose high command includes persons responsible for the Rwandan genocide in 1994. The FDLR and other armed groups force miners to work in desperate, dangerous conditions for an average of \$1-\$5 a day. Without alternative sources of income, these miners and their families remain virtually enslaved to armed groups and the conflict minerals trade.

##### *A comprehensive approach to conflict minerals*

There is clearly no silver bullet solution to the conflict in eastern Congo. However, if the international community and regional actors work in conjunction with the private sector to align their efforts around the common goal of a revitalized legitimate mineral trade in eastern Congo, long-term efforts could have major impact in resolving the conflict. There are four main components to a new strategy for such efforts:

1. Shining a light on the supply chain. Push electronics companies—the principal end-users of the 3T's and gold—to change the way they practice business by working together with their suppliers to create a tracing system paired with credible monitoring of the system by independent

third parties. This would provide a critical step towards demanding greater accountability for corporate behavior and transparency. With 80 percent of consumer electronics companies trading on U.S. stock markets, U.S.-based activists have some of the most powerful opportunities for leverage on this part of the supply chain.

2. Identifying and securing strategic mines. The United Nations should collaborate with the Congolese government identify key mining sites under the control of armed groups. Properly integrated Congolese security forces, supported by U.N. peacekeepers, should secure these sites and transit routes. This approach must be grounded in a more comprehensive and coherent effort to advance broad security sector reform in Congo, and a well-planned and resourced counter-insurgency effort to eliminate the FDLR as a security threat to the region. Non-military measures, particularly robust support for defections and voluntary disarmament and repatriation to Rwanda of the FDLR's rank-and-file forces, are vital.

3. Reforming governance. The international community should work hand in hand with the Congolese government to force the will and capacity to exercise control over mining and commerce in eastern Congo. With Congo sorely in need of international funds, there is an opportunity to press for not just commitments but demonstrable reforms to the regulation of mining, commerce, and taxation.

4. Supporting livelihoods and economic opportunities for miners. Impoverished Congolese miners and their families are dependent upon their meager incomes and have few viable economic alternatives. Efforts to end the trade in conflict minerals absolutely must be accompanied by international support for livelihoods and economic opportunities in eastern Congo. This should include legal reform, and investments in both infrastructure as well as alternative livelihoods such as agriculture and manufacturing. The sooner the illicit conflict minerals trade is eliminated; the sooner the people of Congo will actually enjoy the benefits from their own resources.

In addition, any effort to address the link between minerals and ongoing violence in eastern Congo must be wed to a broader strategy to generate the political will in Congo and among its neighbors to find diplomatic solutions to the local, national, and regional tensions that have proliferated over the past 15 years. Transparency and accountability must extend across borders to include other governments in the region. Rwanda, Uganda, and Burundi (to a lesser degree) have profited enormously from the illicit minerals trade and Congo's continued instability—to which they have directly contributed at times. By the same token, Congo's neighbors have legitimate security concerns and economic interests in eastern Congo, and a more even-handed approach to these regional actors from the United States and its allies is vital to address these security concerns, ending the prominent role these states continue to play in the destructive conflict minerals trade, and promoting the rule of law in Congo and beyond.

#### *Support legislative efforts*

The United States Senate has a crucial role to play in advancing these objectives. By introducing the Congo Conflict Minerals Act of 2009, original co-sponsors Senators Brownback, Durbin, and Feingold have demonstrated important leadership and welcome dedication to the cause of peace

in the Democratic Republic of the Congo and should be congratulated for their efforts. *The Enough Project supports this bill and I urge each and every member of this committee to sign on as a co-sponsor to this legislation.* This bill would direct the State Department to support multilateral and U.S. government efforts to break the link between the trade in minerals and armed conflict in eastern Congo, require companies listed on U.S. stock to disclose the origin of their minerals to the U.S. Securities and Exchange Commission, and expand U.S. efforts to improve conditions and livelihoods for communities in eastern Congo who are dependent upon mining.

## B. Sudan—Building a peace surge

In Sudan, crises in Darfur, the South, and the East continue to place civilians in great peril. Women and girls are especially vulnerable. Concentrating peacekeeping assets on the protection of civilians, particularly women and girls, is an achievable objective that would produce a tangible improvement in the security of populations in areas where the UNAMID forces are deployed. However, ending the violence and cultivating lasting peace throughout all of Sudan is critical to ending violence against civilians once and for all. Doing so means focusing on the root causes of Sudan's violence, addressing the political causes of war, and doggedly pursuing and implementing credible peace processes.

As you are well aware, activists all over the world and from all walks of life continue to press their governments to help end the deplorable suffering in Sudan. Some may scoff when public figures use their fame to help bring attention to a crisis, but I don't think we can question the commitment of my friend Mia Farrow, who just completed a 12 day fast for the people of Darfur. And that effort is continuing. Others are following Mia's example, and Richard Branson, Peter Gabriel, Pam Omidyar, and even your colleague from the House, Representative Donald Payne, are either fasting now or have pledged to fast in the coming days and weeks.

These activists and millions of people around the world are pushing for one thing in Sudan: peace. And in my more than two decades of closely observing the situation in Sudan I have rarely seen as big an opportunity as we have right now to fundamentally alter that country's downward trajectory. Here it is: a global consensus exists for peace in Sudan, even if there is not agreement on the best path to achieve this goal. China, the Arab League, the African Union, the European Union, and the United States all want peace, but little has been done to build the necessary infrastructure to help bring it about.

What is the missing ingredient? The Enough Project has held meetings with a number of key actors in the past several weeks—from the French and Norwegian governments, to the United Nations and African Union, to the Sudanese warring parties themselves—and the answer is nearly universal. What has long been missing in Sudan is America's strategic leadership. The rebels, the ruling party, Sudan's neighbors, and other key actors have all been waiting for President Obama and his team to engage.

The Obama administration must lead in constructing a multilateral strategy for peace by establishing an inclusive peace process for Darfur, re-vitalizing implementation of the Comprehensive Peace Agreement and the dangerously neglected Eastern Sudan Peace

Agreement, and ending Sudan's proxy war with Chad. Toward that end, General Gration should focus on building a multilateral coalition of countries with significant leverage. At the same time as the processes are being constructed, the United States should work assiduously to create the necessary unilateral and multilateral carrots and sticks to press the parties in the direction of a peaceful and comprehensive settlement of Sudan's multiple, interlocking conflicts. It is vital that the administration work closely with other key governments in dealing with Sudan; a reliance on bilateral diplomacy will provide Khartoum the opportunity to play one party off against the other, as it has historically done with great success.

The key tasks are as follows:

□ **Darfur peace process:** The structure should be similar to the Naivasha talks that produced the CPA, and some of the ingredients are already in place. As did Kenyan General Lazaro Sumbeiywo with the Naivasha process, AU/UN mediator Djibril Bassolé should lead the Darfur process, which can be based in Doha, Qatar (although Qatar's recent diplomatic support for Bashir in the wake of the ICC indictment has impaired its credibility as a facilitator of negotiations). He must be supported by a strong team of diplomats and regional experts and backed by a small group of countries with leverage, high-level support, and full-time representation at the talks. We believe that this inner circle should consist at a minimum of the US, UK, France, China, and Egypt. An outer circle group of countries and multilateral organizations (UN, AU, Arab League) should also be engaged in a formal manner to discourage spoilers, and other key nations such as Russia, Saudi Arabia, Senegal, South Africa would need to be thoroughly consulted.

□ **CPA implementation:** The Assessment and Evaluation Commission established by the CPA is clearly insufficient to monitor and press the parties to implement the deal (largely because it lacks sufficiently senior representation and clear reporting guidelines). As a matter of international peace and security, CPA implementation should be at the forefront of the U.N. Security Council's agenda and the Council should back a new ad-hoc mechanism to guide implementation. The Obama administration should quickly work with other Security Council members, relevant U.N. agencies, and the regional Intergovernmental Authority on Development, or IGAD, to establish core benchmarks for the parties, a clear timeline, and genuine penalties for failure to meet deadlines. An international meeting on CPA implementation could provide a vehicle for reenergizing efforts around the CPA and provide the launching pad for the creation of the ad-hoc implementation mechanism.

□ **Chad/Sudan peace process:** The Sudanese government continues to seek a military solution for Darfur through regime change in Chad, and Chad continues to back the JEM in response. The Obama administration should work with France and China to support high-level negotiations in Libya aimed at reducing state support for foreign armed groups and eventual normalization of relations.

□ **Eastern Sudan Peace Agreement monitoring:** Eastern Sudan remains volatile. The Obama administration should work with its international partners (particularly the UK and Norway) and with the Eritrean and Saudi governments to establish a monitoring group for the agreement that will report on implementation and make recommendations for improvements.

### *Building the necessary leverage*

A serious peace process with credible mediation putting forward fair proposals will secure a deal for Darfur. A competent and higher level oversight mechanism with the involvement of countries with influence will ensure the implementation of the CPA. Having the right balance of meaningful pressures and incentives will ensure that prospects for success are much greater. In broad strokes, the U.S. should present the Sudanese regime with a choice:

*Behind Door One:* if the Sudanese government permits unimpeded humanitarian access, removes the indicted president, and secures peace in Darfur and the South, a clear process toward normalization will be mapped out. Almost all of the incentives for Sudan come in the form of more normal relations with much of the world, the lifting of sanctions, a return to more normal patterns of trade and diplomacy, and the other benefits that would naturally flow from Sudan achieving stability as a result of more equitable power and wealth sharing.

*Behind Door Two:* if President Bashir and his party remain defiant by continuing to undermine efforts at peace for the country, a series of escalating costs will ensue, including diplomatic isolation, targeted economic sanctions, an effective and expanded arms embargo, and, if necessary to stop massive loss of civilian life, eventual targeted military action. If the benefits of Door One and the consequences of Door Two are meaningful, the chance for peace in Sudan increases dramatically. The missing ingredients in efforts to date for Darfur and CPA implementation have been adequate leverage and lack of strategic vision for resolving comprehensively the country's conflicts. Without real sticks and carrots, the warring parties in Sudan will remain focused on military confrontation. The international community needs to help change the incentive structure in Sudan from war to peace.

On the incentive side, phased cooperation with and—ultimately—normalization with the United States is the largest carrot the Obama administration has to offer. Removal of certain unilateral sanctions and penalties could be undertaken in response to verifiable changes on the ground in Darfur and the South. Full normalization should only occur once the Sudanese government adheres to its obligations under various peace agreements. Any negotiating process must be guided by the reality that Khartoum has a long history of grabbing carrots, then failing to follow through on commitments.

On the pressures side, there seems to be an erroneous belief that there are no meaningful pressures left to use. In fact, a number of points of leverage are available. Until now, however, most sticks have been unilateral and have had limited effect on the regime's calculations. Substantial and focused multilateral pressures have not been tried and should form the basis of the new administration's strategy. Clearly, equally robust pressures and incentives should be developed and applied impartially to the rebel factions and SPLM to the degree to which their actions may warrant these measures.

I am happy to discuss the available pressures in greater detail in the Q and A.

The United States should now begin stronger and more sustained efforts to build a coalition for peace. But this effort will only be successful if we treat the situation in Sudan as a strategic priority, build the necessary leverage, and invest in the diplomacy critical to achieve an equitable and lasting solution.

Thank you very much for the opportunity to testify and I look forward to your questions.