

ACTION IO-00

RELEASED IN FULL

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	EAP-00	EB-00	EUR-00	VC-00	TEDE-00	INR-00	L-00
	VCE-00	AC-00	NEA-00	NSAE-00	NSCE-00	OIC-00	OIG-00
	OMB-00	PA-00	PM-00	PRS-00	ACE-00	P-00	SP-00
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 INFO IGAD COLLECTIVE IMMEDIATE
 UN SECURITY COUNCIL COLLECTIVE IMMEDIATE
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C O N F I D E N T I A L USUN NEW YORK 001754

E.O. 12958: DECL: 07/30/2014
 TAGS: UNSC, PREL, PHUM, SU
 SUBJECT: UNSC/SUDAN: COUNCIL ADOPTS DARFUR RESOLUTION
 13-0-2. SUDAN DENOUNCES 'TROJAN HORSE'
 REF: WWW.UN.ORG/NEWS/PRESS/DOCS/2004/SC8160.DOC.HTM

Classified By: Minister Counselor Reed J. Fendrick for
 reasons 1.4 b,d

1. (U) SUMMARY: China and Pakistan abstained as the Security Council adopted resolution 1556 by a vote of 13-0-2 demanding that Sudan disarm the Janjaweed in Darfur. Ambassador Danforth in his statement regretted the need to establish the groundwork for sanctions in thirty days but noted that the GOS had done the "unthinkable" by promoting attacks on its own population. Cosponsors praised the resolution as a prerequisite to bring about improvement in Darfur. Algerian Permrep Baali, speaking on behalf of the African SC members, welcomed the resolution for its endorsement of African Union efforts to resolve the crisis. Sudanese Permrep Erwa claimed international attention to the humanitarian crisis in Darfur was a "Trojan Horse" and spun a "conspiracy theory" claiming that the USG amplified the outcry for political reasons. END SUMMARY.

2. (U) Ambassador Danforth declared the U.S. resolution's

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objective was to bring relief to the suffering populations of Darfur. However, he noted that international pressure was necessary to ensure GOS compliance. He emphasized the Council would review progress or the lack thereof by the GOS in thirty days. Full text of Ambassador Danforth's statement in paragraph 7.

3. (U) The UK, France, Germany, Spain, Romania, and Chile cosponsored the resolution. Algerian Permrep Baali, who spoke on behalf of the African members of the Council, identified four reasons to support the resolution: i) the strong endorsement of the efforts of the African Union, ii) the call for an adequate international humanitarian response, iii) the recognition of the responsibility of the rebels to respect the ceasefire and to resume political talks without preconditions, and, iv) the monthly review of GOS compliance with the terms of the GOS communique. German Permrep Pleuger requested a report from the Special Advisor to the Secretary-General on the Prevention of Genocide. French Permrep de La Sabliere expressed strong support for the resolution and afterwards stressed to journalists that SCR 1556 threatened the GOS with "sanctions."

4. (C) There were last minute rumors that absent Pakistani Permrep Akram had endorsed the resolution from Geneva, and that Pakistan would vote in favor, leaving China isolated. After an hour's delay at the request of the Chinese delegation in order "to seek instructions," Chinese Permrep Wang, accompanied by Pakistani Charge Khalid, made a last ditch and unsuccessful overture to Ambassador Danforth to remove the phrase "under Article 41" from operative paragraph 6 in order to weaken the implication of sanctions.

5. (U) China, speaking before the vote, regretted the failure to reach consensus, but continued to focus on GOS efforts to remedy the situation. Pakistani Charge Khalid, in a speech that might have served equally well to vote in favor, welcomed many aspects of the draft, but insisted that neither the threat of sanctions nor reference to Article 41 were necessary. He also emphasized President Musharaf's engagement with Bashir and intention soon to visit Sudan. He concluded that Pakistan understands the intentions of the cosponsors but desired to remain "neutral to all sides."

6. (U) Sudanese Permrep Erwa lashed out at the USG alleging that the USG had stoked the rebellion in Darfur and the GOS had the recorded communications to prove it. He continued with his conspiracy theory, claiming that the resolution had been written and circulated before Secretary Powell and the SYG even left Khartoum. Erwa charged that the resolution

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would be exploited by both Democrats and Republicans to impress the American electorate, which is ignorant of Sudan, geography, and history. He also explained that some groups "called NGOs" exploit crises around the globe. Erwa digressed to rail against USG practices in its "occupation" of Iraq, Afghanistan, and Palestine. He said that a dominant colonial mindset also permeates some members' actions. Erwa claimed that the July 3 UN-GOS Joint Communique was signed in "good faith," but Sudan had never dreamed it would be used to "penalize" the GOS. Praising the "noble" abstentions, Erwa vowed that, despite the "hasty" resolution adoption, the GOS would make every attempt to comply with the Communique and resolution.

7. (U) Statement by Ambassador Danforth:

BEGIN TEXT.

Thank you, Mr. President.

For years, a number of nations in Africa, Europe and North

America have worked hard to encourage a peace process in Sudan. We hoped for a country that would be a model of ethnic reconciliation. We anticipated helping Sudan build its infrastructure, allowing it to develop its resources and agricultural potential. The last thing we wanted to do was lay the groundwork for sanctions.

But the government of Sudan has left us no choice. It has done the unthinkable. It has fostered an armed attack on its own civilian population. It has created a humanitarian disaster. So the resolution just adopted is our necessary response if we are to help save the people of Darfur.

Actions of the government of Sudan and its Jingaweit proxies have led to 30,000 deaths in Darfur since February 2003. They have caused more than one million people to flee their homes, some 200,000 having crossed the border into Chad. Perhaps 300,000 more people face death by hunger and disease in the next six months. Even if the violence stopped today, it would take 15 months before new crops could be raised and harvested.

The responsibility for this disaster lies squarely on the government of Sudan. To suppress a rebel uprising begun in early 2003, the government commenced a campaign of terror against innocent civilians. Government aircraft bombed villages. Exploiting an ancient rivalry between Arab African herdsmen and groups of largely black Africans who are farmers, the government armed the Jingaweit militia and

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unleashed them against black civilians.

The Jingaweit followed the government aircraft, burning villages, destroying crops, murdering men and raping women. Rape has been a principal tactic of the Jingaweit. Congressman Frank Wolf of Virginia showed me the statement of 44 women of the Teensh region who had been raped just days before his visit to Darfur.

Darfur is not an isolated example of the government of Sudan's practice of arming militias and encouraging them to attack civilians. In the late 1990s and early in this century, it used the same tactic in an effort to depopulate the oil producing part of the country, arming militia, who then attacked civilians and plundered and burned villages.

Some say that we should give the government of Sudan more time before we pass this resolution. The United States does not agree. On July 3, the government issued a Joint Communique with the Secretary General. That was nearly four weeks ago.

In the joint communique, the government of Sudan committed itself to numerous specific actions focused on humanitarian assistance, on human rights, on security, and on political settlement of the conflict in Darfur.

The government promised to deploy "a strong, credible and respected police force in all IDP areas." It has not kept this promise.

The government promised to ensure that no militias are present in all areas surrounding IDP camps. It has not kept this promise.

The government promised that it would start immediately to disarm the Jingaweit. It has not kept this promise.

The government promised to ensure that immediate action would be taken to rebuild the confidence of the people of Darfur. It has not kept this promise.

Twenty-seven days have passed since the government of Sudan made its solemn commitments to the Secretary General. While precise numbers are difficult to ascertain, the latest World Health Organization estimates suggest that between 240 and 440 people are dying every day as a result of this conflict. That means that up to 11,000 people have died since the July 3 communique, and more people die every day that the government stonewalls the international community. It is

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time to start the clock ticking on the government of Sudan.

The resolution just adopted calls on the government of Sudan to do all in its power to facilitate humanitarian relief. It endorses the deployment of international monitors and a protection force. It imposes an arms embargo specifically focused on Darfur. And it provides a monthly progress-monitoring mechanism, with the prospect of sanctions if the government of Sudan fails to fulfill its commitments. It calls for the government of Sudan to work with the Special Representative of the Secretary General, Mr. Jan Pronk, to

investigate human rights abuses and violations of international humanitarian law. The resolution, in stern and unambiguous terms, puts the government of Sudan on notice that it must fulfill the commitments it made on July 3. Sudan must know that serious measures - international sanctions - are looming, if the government refuses to do so.

Jan Egeland, the Under-Secretary General for Humanitarian Affairs, has said that without international pressure, the Government of Sudan would not have allowed increased humanitarian access to Darfur. The Government of Sudan has not provided security without which people seeking and giving aid would only be targets for the Jingawit. Without pressure, it will not do so. This resolution applies that pressure.

Many people who are concerned about Darfur would say that this resolution does not go far enough. Last week, the Congress of the United States passed resolutions referring to the atrocities in Darfur as genocide. Many people would want us to do the same. Perhaps they are right. But it is important that we not become bogged down over words. It is essential that the Security Council act quickly, decisively, and with unity. We need to fix this humanitarian problem now.

The resolution, while not labeling the present situation in Darfur as genocide, does explicitly condemn "acts of violence...with an ethnic dimension." The resolution anticipates sanctions against the government of Sudan if the regular monthly reporting cycle reveals a lack of compliance. The resolution gives the government of Sudan one small window of opportunity to improve the situation dramatically in days and weeks, not months or years.

The purpose of this resolution is to relieve the suffering of Darfur, not to punish Sudan. Indeed, the hope of my

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government, and I am sure, of every member of the Council, is that Sudan fulfills its potential as a peaceful and stable nation, with diverse people living together in peace. The choice is up to the government of Sudan.

It may be the case that the government of Sudan thinks that time is on its side, that with the passage of time, other crises will supplant Darfur on the world stage. It may be that the government of Sudan thinks that our attention will be fleeting, and that it can soon continue with its business in Darfur free from action by the community of nations.

This resolution guarantees that Darfur will be before the Security Council and before the world next month, and the month after that, and for as long as it takes to ensure that the people of Darfur will live in peace.

Thank you, Mr. President.
END TEXT.

8. (U) Excerpts from Remarks by Sudanese Permrep Erwa (ref)
...Would the Sudan have been safe from the Council even if there was no crisis in Darfur? Was the crisis a Trojan Horse?
...The Government was fully aware that some activists in the United States administration had worked to foster the rebellion. It had sound recordings of talks between rebel leaders and United States officials.
...The resolution had been determined by the United States Congress, before it had been discussed in the Council, he said.
...While the resolution claimed to support efforts of the African Union, it hijacked the issue of Darfur from the African Union.

9. (U) Security Council Resolution 1556
BEGIN TEXT.
The Security Council,

Recalling its Presidential Statement of 25 May 2004 (S/PRST/2004/16) and its resolution 1547 (2004) of 11 June 2004 and its resolution 1502 (2003) of 26 August 2003 on the access of humanitarian workers to populations in need,

Welcoming the leadership role and the engagement of the African Union to address the situation in Darfur and expressing its readiness to support fully these efforts,

Further welcoming the communique of the African Union Peace and Security Council issued 27 July 2004,

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Reaffirming its commitment to the sovereignty, unity, territorial integrity, and independence of Sudan as consistent with the Machakos Protocol of 20 July 2002 and

subsequent agreements based on this protocol as agreed to by the Government of Sudan,

Welcoming the Joint Communiqué issued by the Government of Sudan and the Secretary-General of the United Nations on 3 July 2004, including the creation of the Joint Implementation Mechanism and acknowledging steps taken towards improved humanitarian access,

Taking note of the Report of the Secretary-General on Sudan issued 3 June 2004 and welcoming the Secretary-General's appointment of a Special Representative for Sudan and his efforts to date,

Reiterating its grave concern at the ongoing humanitarian crisis and widespread human rights violations, including continued attacks on civilians that are placing the lives of hundreds of thousands at risk,

Condemning all acts of violence and violations of human rights and international humanitarian law by all parties to the crisis, in particular by the Janjaweed, including indiscriminate attacks on civilians, rapes, forced displacements, and acts of violence especially those with an ethnic dimension, and expressing its utmost concern at the consequences of the conflict in Darfur on the civilian population, including women, children, internally displaced persons, and refugees,

Recalling in this regard that the Government of Sudan bears the primary responsibility to respect human rights while maintaining law and order and protecting its population within its territory and that all parties are obliged to respect international humanitarian law,

Urging all the parties to take the necessary steps to prevent and put an end to violations of human rights and international humanitarian law and underlining that there will be no impunity for violators,

Welcoming the commitment by the Government of Sudan to investigate the atrocities and prosecute those responsible,

Emphasizing the commitment of the Government of Sudan to mobilize the armed forces of Sudan immediately to disarm the

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Janjaweed militias,

Recalling also in this regard its resolutions 1325 (2000) of 31 October 2000 on women, peace and security, 1379 (2001) of 20 November 2001, 1460 (2003) of 30 January 2003, and 1539 (2004) of 22 April 2004 on children in armed conflict, and 1265 (1999) of 17 September 1999 and 1296 (2000) of 19 April 2000 on the protection of civilians in armed conflict,

Expressing concern at reports of violations of the Ceasefire Agreement signed in N'Djamena on 8 April 2004, and reiterating that all parties to the ceasefire must comply with all of the terms contained therein,

Welcoming the donor consultation held in Geneva in June 2004 as well as subsequent briefings highlighting urgent humanitarian needs in Sudan and Chad and reminding donors of the need to fulfill commitments that have been made,

Recalling that over 1 million persons are in need of urgent humanitarian assistance, that with the onset of the rainy season the provision of assistance has become increasingly difficult, and that without urgent action to address the security, access, logistics, capacity and funding requirements the lives of hundreds of thousands of persons will be at risk,

Expressing its determination to do everything possible to halt a humanitarian catastrophe, including by taking further action if required,

Welcoming the ongoing international diplomatic efforts to address the situation in Darfur,

Stressing that any return of refugees and displaced persons to their homes must take place voluntarily with adequate assistance and with sufficient security,

Noting with grave concern that up to 200,000 refugees have fled to the neighbouring State of Chad, which constitutes a serious burden upon that country, and expressing grave concern at reported cross-border incursions by Janjaweed militias of the Darfur region of Sudan into Chad and also taking note of the agreement between the Government of Sudan and Chad to establish a joint mechanism to secure the borders,

Determining that the situation in Sudan constitutes a threat to international peace and security and to stability in the region,

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Acting under Chapter VII of the Charter of the United Nations,

1. Calls on the Government of Sudan to fulfill immediately all of the commitments it made in the 3 July 2004 Communiqué, including particularly by facilitating international relief for the humanitarian disaster by means of a moratorium on all restrictions that might hinder the provision of humanitarian assistance and access to the affected populations, by advancing independent investigation in cooperation with the United Nations of violations of human rights and international humanitarian law, by the establishment of credible security conditions for the protection of the civilian population and humanitarian actors, and by the resumption of political talks with dissident groups from the Darfur region, specifically the Justice and Equality Movement (JEM) and the Sudan Liberation Movement and Sudan Liberation Army (SLM/A) on Darfur;

2. Endorses the deployment of international monitors, including the protection force envisioned by the African Union, to the Darfur region of Sudan under the leadership of the African Union and urges the international community to continue to support these efforts, welcomes the progress made in deploying monitors, including the offers to provide forces by members of the African Union, and stresses the need for the Government of Sudan and all involved parties to facilitate the work of the monitors in accordance with the N'Djamena ceasefire agreement and with the Addis Ababa agreement of 28 May 2004 on the modalities of establishing an observer mission to monitor the cease fire;

3. Urges member states to reinforce the international monitoring team, led by the African Union, including the protection force, by providing personnel and other assistance including financing, supplies, transport, vehicles, command support, communications and headquarters support as needed for the monitoring operation, and welcomes the contributions already made by the European Union and the United States to support the African Union led operation;

4. Welcomes the work done by the High Commissioner for Human Rights to send human rights observers to Sudan and calls upon the Government of Sudan to cooperate with the High Commissioner in the deployment of those observers;

5. Urges the parties to the N'Djamena Ceasefire agreement of 8 April 2004 to conclude a political agreement without delay, notes with regret the failure of senior rebel leaders to participate in the July 15 talks in Addis Ababa, Ethiopia as unhelpful to the process and calls for renewed talks under

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the sponsorship of the African Union, and its chief mediator Hamid Algabid, to reach a political solution to the tensions in Darfur and strongly urges rebel groups to respect the ceasefire, end the violence immediately, engage in peace talks without preconditions and act in a positive and constructive manner to resolve the conflict;

6. Demands that the Government of Sudan fulfill its commitments to disarm the Janjaweed militias and apprehend and bring to justice Janjaweed leaders and their associates who have incited and carried out human rights and international humanitarian law violations and other atrocities, and further requests the Secretary-General to report in 30 days, and monthly thereafter, to the Council on the progress or lack thereof by the Government of Sudan on this matter and expresses its intention to consider further actions, including measures as provided for in Article 41 of the Charter of the United Nations on the Government of Sudan, in the event of non-compliance;

7. Decides that all states shall take the necessary measures to prevent the sale or supply, to all non-governmental entities and individuals, including the Janjaweed, operating in the states of North Darfur, South Darfur and West Darfur, by their nationals or from their territories or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, whether or not originating in their territories;

8. Decides that all states shall take the necessary measures to prevent any provision to the non-governmental entities and individuals identified in paragraph 7 operating in the states of North Darfur, South Darfur and West Darfur by their

nationals or from their territories of technical training or assistance related to the provision, manufacture, maintenance or use of the items listed in paragraph 7 above;

9. Decides that the measures imposed by paragraphs 7 and 8 above shall not apply to:

-- supplies and related technical training and assistance to monitoring, verification or peace support operations, including such operations led by regional organizations, that are authorized by the United Nations or are operating with the consent of the relevant parties;

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-- supplies of non-lethal military equipment intended solely for humanitarian, human rights monitoring or protective use, and related technical training and assistance; and

-- supplies of protective clothing, including flak jackets and military helmets, for the personal use of United Nations personnel, human rights monitors, representatives of the media and humanitarian and development workers and associated personnel;

10. Expresses its intention to consider the modification or termination of the measures imposed under paragraphs 7 and 8 when it determines that the Government of Sudan has fulfilled its commitments described in paragraph 6;

11. Reiterates its support for the Naivasha agreement signed by the Government of Sudan and the Sudan People's Liberation Movement, and looks forward to effective implementation of the agreement and a peaceful, unified Sudan working in harmony with all other States for the development of Sudan, and calls on the international community to be prepared for constant engagement including necessary funding in support of peace and economic development in Sudan;

12. Urges the international community to make available much needed assistance to mitigate the humanitarian catastrophe now unfolding in the Darfur region and calls upon member states to honour pledges that have been made against needs in Darfur and Chad and underscoring the need to contribute generously toward fulfilling the unmet portion of the United Nations consolidated appeals;

13. Requests the Secretary-General to activate inter-agency humanitarian mechanisms to consider what additional measures may be needed to avoid a humanitarian catastrophe and to report regularly to the Council on progress made;

14. Encourages the Secretary-General's Special Representative for the Sudan and the independent expert of the Commission on Human Rights to work closely with the Government of Sudan in supporting independent investigation of violations of human rights and international humanitarian law in the Darfur region;

15. Extends the special political mission set out in resolution 1547 for an additional 90 days to 10 December 2004 and requests the Secretary-General to incorporate into the mission contingency planning for the Darfur region;

16. Expresses its full support for the African Union-led

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ceasefire commission and monitoring mission in Darfur, and requests the Secretary-General to assist the African Union with planning and assessments for its mission in Darfur, and in accordance with the Joint Communique to prepare to support implementation of a future agreement in Darfur in close cooperation with the African Union and requests the Secretary-General to report to the Security Council on progress;

17. Decides to remain seized of the matter.

END TEXT.

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