

111TH CONGRESS
2D SESSION

S. RES. 404

Supporting full implementation of the Comprehensive Peace Agreement and other efforts to promote peace and stability in Sudan, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 1, 2010

Mr. FEINGOLD (for himself, Mr. BROWNBACK, Mr. WICKER, Mrs. GILLIBRAND, Mrs. BOXER, Ms. LANDRIEU, Mr. BYRD, Mr. ISAKSON, Mr. MERKLEY, Mr. SANDERS, Mr. LIEBERMAN, Mr. WHITEHOUSE, Mr. BAYH, Mr. CARDIN, and Mr. CASEY) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Supporting full implementation of the Comprehensive Peace Agreement and other efforts to promote peace and stability in Sudan, and for other purposes.

Whereas violent civil conflict between North and South in Sudan raged for 21 years, resulting in the deaths of an estimated 2,000,000 people and displacement of another 4,000,000 people;

Whereas the signing of the Comprehensive Peace Agreement (CPA) by the National Congress Party (NCP) and Sudan People's Liberation Movement (SPLM) on January 9, 2005, brought a formal end to that civil war;

Whereas the United States Government, particularly through the efforts of the President's Special Envoy for Sudan

Jack Danforth, worked closely with the parties, the mediator, General Lazaro Sumbeiywo, the members of the Intergovernmental Authority on Development (IGAD), and the United Kingdom and Norway to bring about the CPA;

Whereas the CPA established a 6-year interim period during which the Government of Sudan would undertake significant democratic reforms and hold national elections, and at the end of which the South would hold a referendum on self-determination, with the option to forge an independent state;

Whereas, while the parties have made progress on several parts of the CPA, limited national government reforms have been made and several key issues remain outstanding, notably border demarcation, resolution of the census dispute, and certain preparations for the 2011 referenda for southern Sudan and Abyei;

Whereas the NCP's delay and refusal to follow through on some of its commitments under the CPA has fueled mistrust and suspicion, increasing tensions between northern and southern Sudan;

Whereas research by the Small Arms Survey, published as recently as December 2009, shows that both sides are building up their security forces and covertly stockpiling weapons in anticipation of a possible return to civil war;

Whereas the Government of Southern Sudan continues to face a range of challenges and continues to struggle with problems of financial management, insufficient capacity, and a limited ability to provide security in parts of its territory, especially in the face of increasing inter-ethnic and communal violence;

Whereas humanitarian organizations and the United Nations report that more than 2,500 people were killed and an additional 350,000 displaced by inter-ethnic and communal violence within southern Sudan throughout 2009;

Whereas the Lord's Resistance Army, a brutal rebel group formed in northern Uganda, has reportedly resumed and increased attacks against civilians in southern Sudan, creating another security challenge in the region;

Whereas the Government of Southern Sudan and the United Nations Mission (UNMIS) have not taken adequate steps to address the rising insecurity and to protect civilians in southern Sudan;

Whereas, despite 5 years of peace, most of southern Sudan remains severely underdeveloped with communities lacking access to essential services such as water, health care, livelihood opportunities, and infrastructure;

Whereas Sudan is scheduled to hold national elections in April 2010, and the people of southern Sudan and Abyei are to hold their referendum on self-determination in January 2011 under the terms of the CPA;

Whereas the holding of these elections, Sudan's first multiparty elections in 24 years, could be a historic milestone for the country and a step toward genuine democratic transformation if the elections are fair and free and all communities are able to participate;

Whereas the existence of laws that grant powers to government security services in Sudan to arrest and detain citizens without charge and recent actions taken by the security forces to restrict freedom of speech and assembly by opposition parties have raised concerns that conditions may not exist for fair and free elections in Sudan;

Whereas the conflict in Darfur is still unresolved, the security situation remains volatile, and armed parties continue to commit humanitarian and human rights violations in the region, raising concerns that conditions may not exist for Darfurians to freely and safely participate in the elections; and

Whereas the security situation in the whole of Sudan has profound implications for the stability of neighboring countries, including Chad, the Central African Republic, the Democratic Republic of Congo, Eritrea, Ethiopia, Kenya, and Uganda: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) acknowledges the critical importance of pre-
3 venting a renewed North-South civil war in Sudan,
4 which would have catastrophic humanitarian con-
5 sequences for all of Sudan and could destabilize the
6 wider region;

7 (2) supports the efforts of President Barack
8 Obama to reinvigorate and strengthen international
9 engagement on implementation of the Comprehen-
10 sive Peace Agreement (CPA);

11 (3) encourages all international envoys and rep-
12 resentatives, including those of the permanent mem-
13 bers of the United Nations Security Council, IGAD,
14 the African Union, and the United Nations, to work
15 closely together and coordinate their efforts to bol-
16 ster the peace accord;

17 (4) calls on the parties in Sudan—

1 (A) to comply fully with their commitments
2 under the CPA;

3 (B) to refrain from actions that could esca-
4 late tensions in the run-up to the 2011 ref-
5 erendum;

6 (C) to work expeditiously to resolve out-
7 standing issues of the agreement; and

8 (D) to begin negotiations to resolve post-
9 referenda issues, including resource allocation
10 and citizenship rights in the case of separation;

11 (5) calls on the Government of National Unity
12 to amend or repeal laws and avoid any further ac-
13 tions that would unduly restrict the freedom of
14 speech and assembly by opposition parties or the full
15 participation of communities, including those in
16 Darfur, in the upcoming national elections;

17 (6) encourages the international community and
18 the United Nations to engage with local populations
19 to provide assistance for elections in Sudan and pop-
20 ular consultations while also closely monitoring and
21 speaking out against any actions by the Government
22 of Sudan or its security forces to restrict or deny
23 participation in a credible elections process;

24 (7) calls on the Government of Southern Sudan
25 to work with the assistance of the international com-

1 munity to design and begin implementing a long-
2 term plan for security sector reform that includes
3 the transformation of the army and police into mod-
4 ern security organs and the training of all security
5 forces in human rights and civilian protection;

6 (8) urges the United Nations Security Council
7 to direct and assist the UNMIS peacekeepers to bet-
8 ter monitor and work to prevent violence in southern
9 Sudan and to prioritize civilian protection in deci-
10 sions about the use of available capacity and re-
11 sources;

12 (9) supports increased efforts by the United
13 States Government, other donors, and the United
14 Nations to assist the Government of Southern
15 Sudan to improve its governing capacity, strengthen
16 its financial accountability, build critical infrastruc-
17 ture, and expand service delivery;

18 (10) urges the President to work with the per-
19 manent members of the United Nations Security
20 Council, other governments, and regional organiza-
21 tions at the highest levels to develop a coordinated
22 multilateral strategy to promote peaceful change and
23 full implementation of the CPA; and

24 (11) encourages the President and other inter-
25 national leaders to strategize and develop contin-

1 gency plans now for all eventualities, including in
2 the event that the CPA process breaks down or
3 large-scale violence breaks out in Sudan before or
4 after the 2011 referendum, as well as for longer
5 term development in the region following the ref-
6 erendum.

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