Good afternoon Chairman Smith, Ranking Member Bass, and Members of the subcommittee. Thank you for inviting me to address you today. My name is Aicha Elbasri. I am a dual Moroccan and American national. I am an author and I hold a PhD in French Literature. Between 2000 and 2013 I occupied a number of reporting, media and communication positions in the UN Department of General Assembly Affairs (New York), UN Department of Public Information (New York), UN Assistance Mission for Iraq (Iraq), UN Development Programme (Sudan), UN Population Fund/ Arab States Regional Office (Egypt) and the African Union-United Nations Hybrid Operation in Darfur (Sudan).

My testimony will focus on providing information to the Committee on what I strongly believe is the UN cover-up of crimes that may well amount to genocide, crimes against humanity and war crimes committed by the Sudanese government as well as war crimes committed by Sudanese rebels in Darfur between August 2012 and April 2013. I will also testify on the failure of the UN Secretary General and the chiefs of the Department of Peacekeeping Operations (DPKO), the Department of Field Support (DFS), the Office of Internal Oversight Services (OIOS) to investigate the cover-up charges, which led to the absence of accountability and the perpetuation of the Darfur tragedy.

Soon after I joined DPKO, I traveled to Darfur on 16 August 2012 to assume my position as the Spokesperson for UNAMID. On 25 August 2012, I received a call from Salah Shu’aib, a Sudanese reporter from Radio Sawa who enquired about reports of violence in the Tawila area, in North Darfur State. I relayed this query to relevant UNAMID colleagues and received this response: “According to team sites commanders (military and police), the situation in Tawila locality is calm. Yesterday they observed SAF [Sudanese Armed Forces] and Arab militias moving toward the south.” I went back to the journalist with the “situation is calm” line; which would prove to be a lie I unwittingly conveyed. In fact, three days later, I received reports on the displacement of hundreds of families in the same area due to violent attacks. I immediately alerted my supervisor, Ms. Aichatou Mindaoudou, who was the acting chief of the UNAMID. I questioned the line I was given and the silence of the police reports about the attacks despite their claim to conduct daily patrols in the area.

Ms. Mindaoudou ordered a verification mission which confirmed that between 24 and 26 August 2012, hundreds of Sudanese soldiers on board of up to 150 military vehicles, raided 3 villages, mainly inhabited by non-Arab populations. For three consecutive days, the government forces terrorized the population, assaulted men and children, raped women and girls, destroyed their farms and looted their properties, forcing up to 5,000 villagers to flee for their safety. The
chilling report also noted that UNAMID failed to patrol the villages the government had attacked because it suspected them of supporting the rebels. The Sudanese soldiers were systematically asking the villagers to identify their tribes and reserved harsh treatment for a Zaghawa tribesman, noted the verification report.

Later that week, I asked the deputy force commander of UNAMID, General Kisamba Wynjones, why the peacekeepers did not report what they saw: the government forces’ joint movement with the “Arab militias.” He answered by saying: “sometimes we have to behave like diplomats. We can’t say all [of] what we see in Darfur.” A few days later, Ms. Mindaoudou convened a meeting, attended by General Kisamba and other senior managers to discuss the Tawila incident and the need to improve the Mission’s reporting. I repeated Kisamba’s position and asked Ms. Mindaoudou how the Mission could improve its reporting when one of its high-ranking generals isn’t convinced the peacekeepers should report the truth, all the truth about what they observe in Darfur. I didn’t receive any answer, just silence and the early signs of distrust and hostility.

While UNAMID didn’t authorize me to convey the information about the Tawila attack to the journalist who enquired about it, the Mission’s Human Rights Section provided the chief of DPKO, Mr. Herve Ladsous, as well as other UN and AU officials, with the confirmation of the Tawila attack in paragraph 17 of the Mission’s code cable of 3 October 2012. But there was no mention of this government attack on civilians in the Secretary-General’s report to the Security Council covering this period.

Early in this assignment, I understood that as the Mission’s spokesperson, UNAMID senior management expected me to do as I was told and ask no questions. But since I resisted and questioned the Mission’s reports, I faced censorship, hostility that amounted to intimidation and open threats from Mr. Karen Tchalian, the Russian Mission Chief of Staff. Mr. Tchalian was not only in charge of all internal reports and the flow of information and communication within the Mission, but also between UNAMID and New York Headquarters (DPKO and DFS) and the Office of the High Commissioner for Human Rights (OHCHR) in Geneva, as well as the Peace and Security Council of the African Union. In reality, he was the gatekeeper for the flow of internal information and the main censor of external information.

I came across the Mission silence and censorship toward the end of September 2012, when Mr. Tchalian, supported by the Deputy Joint Special Representative for Operations (DJSR O), Mr. Mohamed Yonis, imposed a total news blackout on the massacre of civilians in Hashaba in North Darfur by the government forces. The government had economic and tactical reasons for attacking Hashabs. As Sudan plunged into economic crisis since South Sudan’s independence in 2011, the regime turned to gold as a lucrative resource. But some gold mines were either under the control of the rebels, such as in Hashaba, or custodian tribes such as in Jebel Amer. To take over these artisanal mines and cut off rebels’ funding, the Sudanese government launched a large-scale attack on the Hashaba area, mainly inhabited by civilian gold miners. As later reported by the UN Panel of Experts of Sudan, from 25 to 27 September 2012, the Sudanese Air Force, using Antonov and probably MiG aircrafts, opened the attack by dropping bombs in an area inhabited by civilians. People started running for their lives, but there was hardly anywhere to hide. Soon after the bombing stopped, a horde of uniformed soldiers aboard military vehicles,
followed by fighters on camels and horseback stormed in just as they had during the genocide years before. They shot, killed and injured indiscriminately while people were trying to escape.

Soon after journalists began enquiring about the attack, I recommended that the Mission issue a public statement. But Mr. Tchalain, supported by Mr. Yonis, imposed a total news blackout. They did so even after a UNAMID military team was dispatched to the site of the attack on 3 October and saw a bomb crater, three decomposed bodies and 16 freshly dug graves. UNAMID established that at least 39 men, 20 women and 11 children died in this attack carried out by the Government Air Force and the government forces (mostly Border Guards) operating along with Arab militias (Janjaweed).

Since the government had flatly denied the attack, Mr. Tchalain and Mr. Yonis managed to cover it up by issuing a code cable on 7 October to New York. That cable contradicts the facts documented in the internal reports by the Mission’s own police, military, the UN Department of Safety and Security and the testimony of 13 survivors collected by the Mission’s human rights office. Drafted and compiled by Mr. Tchalain and signed off by Mr. Yonis, the cable described the attack as part of inter-tribal conflicts over land and resources. It blamed it on “well equipped armed Arab groups,” who “maintain a significant degree of independence from the government.” While admitting that the government Air Force had bombed the civilian area, the cable maintained that the “SAF [Sudanese Armed Forces] ground forces were not involved,” in the attack.

Stunned by the way the cable distorted the verified facts, I decided to see Mr. Tchalain for a direct conversation. At one point, our discussion became so heated that Mr. Tchalain made a shocking statement in support of Khartoum’s crimes: “So what? The Americans flattened Falluja. Why can’t the Sudanese government bomb its own people?” I waited for the return of Ms. Mindaoudou, who was absent from Darfur, to announce my intention to resign in October 2012. She opposed the idea and asked me to stay and join her fight instead of quitting after a few weeks. She told me she was fighting Mr. Tchalain, Mr. Yonis and others and needed me on her side to “tell the truth.” Referring to our conversation, Ms. Mindaoudou wrote to me on 28 December 2012 saying that the mission had been “hijacked by 2 or 3 people…. A lot of games are being played and people have different agenda[s]” that were “not every time in line neither with the mission’s mandate nor for the sake of the Darfuris.”

I initially believed Ms. Mindaoudou was serious about exposing the whole truth. She supported the press releases I initiated to alert the public about the upsurge in violence, the escalation of the government bombing and attacks on civilians, including the rape of women. I believe it was the first time the Mission mentioned rape by name, in defiance of President Omar al-Bashir who claimed there was no rape in Darfur. In a few months, the Mission statements managed to reverse the rosy picture painted by earlier reports under Ms. Mindaoudou’s predecessor, Ibrahim Gumbari. But the attacks on civilians were raging, Darfur was in flames and the process of clearing press statements was too slow and painful. In addition, the internal reports were extremely confusing. There was often conflicting information about what the police, military and

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civilians reports said and what the Mission leadership was telling the headquarters and the public. Even the code cables signed by Ms. Mindaoudou herself weren’t telling the whole truth.

This probably had to do with the fact that Mr. Tchaléian had direct control over the two main reporting tools: the code cables – most of which he personally authored and compiled – and the Joint Operations Center (JOC). Based on military, police and civilian reports, this Center produces daily reports for the Head of Mission, DPKO, DFS and the African Union. Mr. Tchaléian made sure the JOC was headed by one of his close collaborators, a Russian-speaking staff person. He kept tight control of what went into these reports, and Ms. Mindaoudou didn’t seem to be able or willing to challenge him, although she was his direct supervisor and the interim chief of the Mission.

Ms. Mindaoudou privately complained about Mr. Tchaléian instructing the staff not to report the government bombings unless they had seen the craters formed by the bomb themselves. This was a tactic of not reporting on the bombing since the government was systematically blocking the Mission from entering its “areas of operations.” As a result, from their UNAMID bases, the peacekeepers would sometimes see the Sudanese military aircraft hovering above nearby villages, drop bombs and hear loud explosions and plumes of smoke, but couldn’t confirm the bombing took place. Under Mr. Tchaléian’s reporting guidelines, these attacks were characterized as “alleged bombings.”

Worse still, even when defenseless civilians peacefully travelling in a truck were stopped and shot in cold blood on 5 September 2012 in front of UNAMID peacekeepers by the government Border Guards, the peacekeepers looked on and took photos of the assault. The Mission press release described the incident in these misleading terms: “On 5 September, armed men allegedly fired at local civilians, resulting in additional casualties.” Even more disturbing is the Secretary General’s report attributing this attack on civilians to “the crossfire of a firefight between armed Arab militia and Government regular forces.”

This takes us to the role of DPKO in the cover-up. As a matter of fact, DPKO knew much more than Mr. Tchaléian, Mr. Yonis and others had hidden. While it is true that UNAMID concealed information and lied to New York and Addis about a number of government attacks, the Mission leadership kept the chief of DPKO Hervé Ladsous, the chief of DFS Ameerah Haq and Ramtan Lamamra, the African Union’s Commissioner for Peace and Security, informed of the major and alarming shifts of the open war on civilians that were never reflected in the reports of the Secretary General to the Security Council.

The following is a brief summary of some of the information withheld by DPKO-drafted reports, which kept the Security Council in the dark, taking misinformed decisions:

- **Institutionalization of the Janjaweed**: Through its Resolution 1556 (2004), the Security Council demanded that Khartoum disarm within 30 days the Janjaweed militias accused

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2 S/2012/771
of committing atrocities. The Sudanese regime violated the resolution and defied the Security Council by institutionalizing these death squads. The government absorbed a number of the Janjaweed into its state auxiliary forces as the Border Guards and Central Reserve Police. These uniformed Janjaweed operated in concert with Sudanese Armed Forces during ground attacks on civilians, along with Arab fighters on camels and horses.

- **Ethnic targeting of Zaghawa tribes:** the Popular Defense Forces (PDF) are paramilitary forces established around 1989. They used to be recruited from Arab and non-Arab Darfuris. But since late 2010, the Sudanese government changed the ethnic make-up of the PDF by limiting the recruitment to non Arab tribes, mostly Berti and Birgit, who held feuds and grievances against the Zaghawa tribes. UNAMID code cables spoke in length about the government political calculations behind the militarization of these two tribes and how they launched them against the Zaghawa, in a clear ethnic targeting campaign.

- **Deliberate and indiscriminate bombing of civilians:** The Sudanese Air Force continued to deploy attack helicopters and Antonov aircraft in violation of the UN arms embargo.

- **Rebels war crimes:** various rebel factions committed what may amount to war crimes against civilians, including physical assaults, abduction, looting and possible use of the local population as human shields; and,

- **Attacks against peacekeepers:** frequent attacks by government forces against UNAMID peacekeepers, especially the deadly double attack on the Mission troops on 18-19 April 2013 in Muhajeria. So far, over 60 peacekeepers were killed in hostile action in Darfur.

These are some of the serious crimes that DPKO and others knew and concealed from the Security Council. It took me months of reading through conflicting reports to figure out the scope and depth of what UNAMID and DPKO were hiding. On 3 April 2013, I received a copy of the Mission military report that concluded that the UNAMID troops — contrary to their claims — did not make any effort to stop hostile rebels from abducting a group of 31 displaced persons in Central Darfur who were travelling to a refugee conference under UNAMID escort on 24 March 2013. The following day, 4 April, the new UNAMID chief, Mohamed Ibn Chambas, held his first Senior Advisor Meeting. In this meeting I requested an investigation and accountability for the lie I was made to tell the media during this incident — that UNAMID peacekeepers opposed the abduction. Not only did Chambas disregarded my request, but he didn’t object to Mr. Tchalian, Mr. Yonis and the Director of Political Department, Ahmed Abubakar Rufai, who told me that I shouldn’t worry much about what the media says about UNAMID as stories die out in a few days and the Mission had better things to do than dealing with media queries, and that “transparency” had its limits. The well-articulated anti-media awareness policy as clearly expressed by UNAMID senior managers and the silence of Mr. Chambas left no doubt in my mind about my decision to leave the Mission.

I handed in my resignation the same day, 4 April, also out of fear. By early January 2013, Mr. Tchalian had already threatened me in an email after he learned that I had doubt about JOC reports sent to New York: “It looks to me as if you are trying to disprove information provided to Mission HQ and UNHQ by official UNAMID sources that exist for the purpose of providing
such. If you are on some kind of personal crusade to communicate to your separate audience information that is at variance with what we officially provide to New York so be it but I have to warn you that you may be on a very dangerous path,” he wrote to me in an email.

Given the support Mr. Tchalian was enjoying in DPKO and with the Sudanese government, I had to take seriously his threat. I left Sudan after I resigned and waited for my return to Casablanca to write and sign my end-of-mission report on 11 May, asking DPKO to look into the Mission’s serious violations of the UN public information policy. While waiting to hear from DPKO, I joined the UN Population Fund (UNFPA) in July 2013 as the Regional Communications Adviser in Cairo. Since I didn’t receive a response from DPKO, by the end of August 2013 I approached the UN Office of Internal Oversight Services (OIOS) and formally requested an investigation into the cover-up. But OIOS also failed to investigate. The Office informed me in December 2013 that it had referred the matter to DFS. This left no doubt in my mind about the unwillingness of the UN to unearth the truth about serious misconduct by senior UN officials in UNAMID and DPKO.

By December 2013, I knew I had exhausted all internal channels, but silence and complicity were never an option for me. I certainly wanted to report what I witnessed to the media – my last resort - while continuing to work for UNFPA. But this didn’t seem to me a safe option. I knew that I could only keep my post if the UN were willing and capable to protect me from possible retaliation. But judging by the long UN history of systematic retaliation by UN officials against whistleblowers who expose serious wrongdoing, I couldn’t take a chance. I feared to be ostracized, smeared, fired or even arrested, as happened to James Wasserstrom. The awful record of the UN’s systematic abuse against whistleblowers compelled me to resign in December 2013. It was my second resignation in eight months. This time, I could expose the affair to the public without the additional fear of UN retaliation. I knew that by blowing the whistle publically I was putting an end to my 10 year UN career. I wished I didn’t have to do so, but losing my job when Darfur people were losing their lives was certainly the smaller sacrifice.

After three months of communication with Foreign Policy investigative reporter Colum Lynch, his magazine exposed the affair through a three-part series, based on hundreds of reports, code cables and emails I made available to him. This prompted the Chief Prosecutor of the International Criminal Court, Fatou Bensouda, to call on the UN Secretary-General Ban Ki-moon to carry out a “thorough, public and independent inquiry” into the allegations of manipulation of UNAMID reporting.” I first felt encouraged by the Court’s unprecedented move, which was echoed by Human Rights Watch and other organizations. However, much to my surprise and disappointment, the UN chief refused to conduct an independent inquiry and ordered instead a dubious review panel.

When ordering the review, Ban concealed its terms of reference and composition. While cooperating with the panel, I realized that none of its four members (Philip Cooper, Ola Almgren, Tomoko Iwata, and Tilo Stolz) was an investigator. Nor was any one of those selected even remotely qualified to look into a scandal of this nature. By October 2014, the team completed its task without setting foot in Darfur, clearing both UNAMID and DPKO officials of any misconduct. Ban shared with the Security Council members a five-page summary of the
final report, which he continues to withhold (I managed to obtain a copy of the suppressed report though my own contact).

Despite its embarrassing mediocrity, the report quoted Ms. Mindaoudou as admitting that "at times she felt important information was missing from draft reports and/or code cables, amended or watered down. She referred to several instances, including senior management meetings and emails, that showed how the DJSR-O, Chief of Staff and/or the Officer-in-Charge of the Humanitarian, Protection Strategy Coordination Division (HPS) would advocate for the requalification of factual information on incidents that had been reported by UNAMID staff and/or the Panel of Experts on the Sudan or for the downplaying of the scale of attacks on civilians." Ms. Mindaoudou also acknowledged "the pressure the DJSR-O [Mohamed Yonis] and the Chief of Staff [Karen Tchalian] put on staff not to report GoS [Government of Sudan] bombing unless UNAMID personnel had seen the craters [formed by the bombs] themselves."

Had the objective of the Cooper review been to unearth the truth and seek accountability, they would have dug through the code cables, reports and the emails Ms. Mindaoudou was referring to, in addition to the deluge of evidence I shared with them earlier. But the entire review exercise was lacking any credibility. For the findings of this review to be credible, the Cooper team should have granted me the right to review their draft report and comment on it, and my comments should have been released with the final report. This was my request and that of my representative, the Government Accountability Project. But the UN ignored this request. At the very least, they should have provided me with a copy of the final report, but they failed to even do that. The UN thus denied me the right to receive the outcome of a review I fully cooperated with. Clearly, seeking the truth was never the objective of this review.

And yet, as flawed as this review exercise was, the panel acknowledged that on at least five occasions, UNAMID concealed from UN headquarters in New York evidence indicating the responsibility of Sudanese government forces, or their proxies, in deadly attacks against civilians and peacekeepers, including the government massacre of civilians in Hashaba and deadly attack against the UN peacekeepers in Muhajeria. It also stated that “frank reporting by UNAMID has been discouraged,” and noted, “the Mission’s practice of censoring itself in its reporting to Headquarters.” The reporting patterns described by the review were nothing short of careful manipulation of facts that assured impunity to government perpetrators and absence of accountability for their protectors: senior UN officials in UNAMID and DPKO.

In a statement to the press, the UN stated that the UN Secretary-General was “deeply troubled by these findings.” However, Ban and his Cooper-led review team fell short of characterizing UNAMID’s behavior as misconduct, let alone emphasizing its serious nature. The review concluded instead that it “found no evidence to support the proposition that UNAMID or DPKO would have intentionally reported in such a way as to cover up crimes against civilians and peacekeepers.” In reality, the review team was set up to reach this conclusion, which distances DPKO from the cover-up.

And yet, the overwhelming evidence I shared with Cooper and his team proved beyond reasonable doubt that DPKO, including its chief, Hervé Ladsous, was fully informed about Khartoum’s escalation of its ethnic targeting of civilians and chose not to alert the Security Council and the general public. The truth is DPKO had been actively contributing to UNAMID’s
efforts to bury the evidence of the Sudanese government’s calculated atrocities that may well amount to genocide.

The even harsher truth is that the UN Secretary-General avoided a truly independent inquiry because he had a vested interest in protecting himself, above all, and his associates. To be clear, the disclosures I made about the UN involved Ban’s reports as drafted by DPKO and cleared by his own office. As a matter of fact, the Secretary General should have never been requested to set up an inquiry that questions the credibility of his own reports, given the obvious conflict of interest.

What made the absence of accountability more puzzling is when the United States, Britain and France requested the firing of Mr. Tchalian, but Russia opposed it. Mr. Tchalian is still fully employed, while waiting for his retirement and generous pension. Mr. Yonis is now the Foreign Minister of Somaliland. Ms. Mindaoudou was promoted by the Secretary-General to be head of the UN Mission in the Ivory Coast (ONUCI). Similarly, Mr. Chambas was appointed by the UN chief as Special Representative and Head of the United Nations Office for West Africa (UNOWA).

Almost everyone who should have been investigated and prosecuted for the cover-up of and complicity in serious crimes has been cleared and promoted. As for myself, the whistleblower, I am still unemployed and devastated by the fact that nothing has changed. In fact, it has gotten worse. According to the latest Human Rights Watch report on Darfur, the Sudanese government’s Rapid Support Forces (a new brand of the paramilitary group known as Janjaweed) continue to rape, massacre and burn civilians alive with impunity, while UNAMID continues to fail to “release any detailed documentation about abuses against civilians.” Even Ban’s own reports to the Security Council continue to conceal “the magnitude of the other serious abuses, such as sexual violence, extrajudicial killings, and burning of villages,” the report noted.

Darfur is now forgotten, hidden, betrayed by its protectors. The world heard about the atrocities in Darfur mostly through whistleblowers. But how many whistleblowers will it take to stop the genocide in Darfur? The way in which a peacekeeping mission instead came to abet a genocidal operation makes a mockery of the UN’s professed commitment to peace and the protection of civilians in times of war. This is complicity in mass murder that needs to be fully and independently investigated. The Darfur cover-up further undermines the credibility of the United Nations and raises serious questions regarding the UN’s leadership, especially that of Ban Ki-moon and Hervé Ladsous.

This is today’s UN: an organization that attacks whistleblowers and whitewashes real internal misconduct, promotes impunity and grants itself extensive immunity. This is the Organization

3 http://www.reuters.com/article/us-sudan-darfur-un-idUSKBN0JS0SA20141214

that Member States have failed to question. This is not the UN I was excited to join in the summer of 2000. That UN is expected to end wars, bring peace, protect human rights, promote justice, and build a world that honors the dignity of all. While this is not today’s UN, it is one that I will continue to fight for. Blowing the whistle, sounding the alarm about wrongdoing at the United Nations, is an act of ultimate loyalty to the Organization; it is an act of supreme adherence to the very principles of professionalism and integrity enshrined in the UN Charter.

Since various entities of the UN seem under no obligation to be accountable, it is the Member States’ obligation and duty to seek truth and punish wrongdoers, not the truth-tellers. The best place to start is here, in the Congress of the United States – the country that invested taxpayers’ hard-earned money in this organization’s reputation more than any other nation.

I respectfully request that this Committee consider the following reforms:

First: Misconduct, corruption and criminal behaviors will continue at the UN until there is a real accountability mechanism in the organization: a truly independent entity that is not part of the UN Secretariat, but reports directly—and separately—to the Member States. This independent entity would launch and oversee investigations into allegations of misconduct by peacekeepers and other UN personnel, and ensure that it is beyond the power of the Secretary-General and the chiefs of DPKO, DFS or anyone else to influence its composition. If such a mechanism is ever created, I would hope that an inquiry into the UN cover-up of serious crimes in Darfur would take place within such an independent framework.

Second: In 2014 and 2015 the Congress passed a law requiring the State Department to certify that UN agencies are implementing best practice whistleblower protections. Those agencies not certified are to have 15% of their US funding withheld. Despite years of UN abuses documented by organizations like the Government Accountability Project, only one of the UN agencies involved in whistleblower retaliation has had its US contribution withheld, and even that agency lost only a token amount. The failure to enforce this law encourages UN abuse and retaliation against whistleblowers.

Third: Extend whistleblower protections to UN peacekeepers, police officers, contractors, and victims. Often, it is these people who are closest to the crimes and their reports are consequently fundamental in any reform.

Third: Whistleblowers claiming retaliation must have access to an independent judicial body. The UN needs to establish an external independent mechanism for claims of retaliation against UN whistleblowers and provide an external arbitration option for all whistleblowers.

Fourth: Countless reforms have been implemented without touching on the leadership problem at DPKO. Since 1997, France was granted the monopoly over this critical department with four French nationals in a row: Bernard Miyet (1997-2000), Jean Marie Guéhenno (2000-2008), Alain Le Roy (2008-2011), and Hervé Ladsous (2011-present). But the record of French leadership is one of staggering failures to keep peace, while waging wars instead. Under the current DPKO leadership, genocide and crimes against humanity continue unabated, even
obscene sex scandals are exposed. The best way for the U.S. to fix this much-needed department is to consider taking the lead of DPKO to ensure peacekeeping with accountability, and that peacekeeping with real peace is the true objective of the Department.

Thank you again for the opportunity to testify today and I look forward to your questions.