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10TH DISTRICT, VIRGINIA

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Congress of the United States
House of Representatives

December 13, 2011

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The Honorable Barack H. Obama
The President
The White House
Washington DC 20500

Dear Mr. President:

I was appalled to learn yesterday that the genocidal government of Khartoum has hired a firm to represent it in Washington for the express purpose of trying "to lift American sanctions against it," according to a piece which ran in *Africa Intelligence,* on December 10. This is an outrage.

The publication reported that the Law Office of Bart S. Fisher would be paid $20,000 a month plus expenses to represent this government which literally has blood on its hands. I have enclosed the article for your reference along with Mr. Fisher's documentation from the Foreign Agent Registration Unit which I accessed on the Department of Justice (DOJ) Web site.

I write today seeking immediate clarification on what appears to be an indefensible situation. According to this news report and information available on DOJ's Web site, Mr. Fisher is providing legal counsel to the government of Sudan and intends to make "representations (including petitions)...to U.S. government agencies regarding sanctions against the Republic of the Sudan." Was he granted a license from the Office of Foreign Assets Control (OFAC) at the Treasury Department to do so? If not, is his representation in violation of the law? If so, why would the administration allow this to move forward?

Sudan's president, Omar Hassan al-Bashir, is an internationally indicted war criminal. He is accused by the International Criminal Court of five counts of crimes against humanity (murder, rape, torture, extermination, and forceful transfer of civilian population) and two counts of war crimes (for directing attacks against the civilian population and pillaging). In June 2004 I led the first congressional delegation with Senator Sam Brownback to Darfur, soon after the world began hearing about the atrocities being committed against the people of that region. I witnessed the unfolding nightmare with my own eyes. I saw the scorched villages and teeming camps of displaced people. I heard the stories of murder and rape.

But Bashir's assault on his own people is not simply a thing of the past. My office has received regular reliable reports from individuals on the ground in the Blue Nile and Southern Kordofan states of aerial bombardments, extrajudicial killings, illegal detention, disappearances, and indiscriminate attacks against civilians.

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Furthermore, evidence gathered through satellite imagery by the Satellite Sentinel Project have found at least eight mass graves in and around Kadugli, the capital of Southern Kordofan.

Thousands have fled the violence. More than 20,000 are living in Yida refugee camp just over the border in South Sudan. But it turns out they aren't safe there either. Yida was hit by air strikes in November. A November 16 AFP story reported that, "...an Antonov aircraft flew in from the north and dropped five bombs in and around Yida." This cross-border assault by the government of Sudan has put humanitarian assistance to this vulnerable population in jeopardy. Bear in mind that it appears that this aerial assault on innocent civilians happened just days after the Mr. Fisher signed a contract with the government of Sudan.

Mr. Fisher's client has a notorious history of brutalizing its own people. No amount of "representation" can erase the images seared into the minds of many of charred bodies, brutalized women and mass graves.

I look forward to a prompt and detailed response from the administration about this important matter.

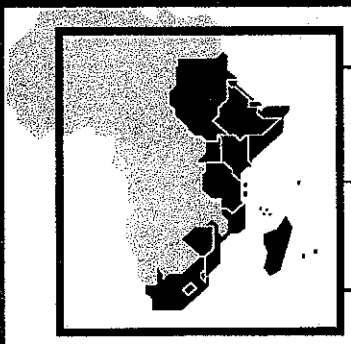
Best wishes.

Sincerely,

Frank R. Wolf
Member of Congress

cc: Secretary of State Hillary Clinton
Attorney General Eric Holder
Mr. Adam Szubin, Director, Office of Foreign Assets Control, Department of Treasury

Strictly personal. Not to be communicated to a third party nor put on public display



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DJIBOUTI

▶ A watchtower over the Gulf of Aden

Over the years, President **Ismaïl Omar Guelleh** (IOG) has taken the maximum advantage of his country's geo-strategic position, as far as making it a key element in the international fight against terrorism in the Horn of Africa and beyond. The chaotic situation in neighbouring Yemen and the expansion of Somalian piracy accentuate still further the interest in using this country as a viewpoint over the Gulf of Aden; it is already home to French, American and - something unique - even Japanese military bases. This background explains the benevolence of Paris, Washington and Tokyo towards a regime that is a long way from respecting its citizen's human rights. Here is a spotlight of this Western stronghold in the Horn of Africa.

Who will sign the agreement? After months of tough negotiations, the new defence agreement between Djibouti and France seemed, in early December, ready for signature. The visit to Djibouti last week of General **Benoît Puga**, Personal Chief of Staff to President **Nicolas Sarkozy**, had smoothed over the remaining obstacles. He was carrying a letter from the French President setting out the terms of the agreement. On 30 November he presented President IOG with counter-proposals after Paris had rejected the request to train Djibouti officers at the prestigious **St Cyr** and **Saint Maixent** military academies (ION 1319). The senior Djiboutian officials would then draft a final document on this basis. However, the agreement is unlikely to be signed this year by the two Heads of State in view of their diary obligations. Particularly as a final twist this week will delay it still further: Djibouti introduced new requirements for logistics and military training. It also wants the defence agreement to be signed with the French Minister for Foreign Affairs, **Alain Juppé**, while the French military would prefer it to be with the Defence Minister **Gérard Longuet**.

An anti-piracy hub. Djibouti has become an important rear-base of private security companies that provide protection for ships in the Gulf of Aden against attacks by Somalian pirates. From one month to another, between 8 and 15 of these companies operate from Djibouti, after approval from **Djibouti Maritime Security Services** (DMSS), chaired by the Frenchman **Bruno Pardigon**, responsible for overseeing the activity of these firms (ION 1259) for the President of Djibouti. Approvals are also given by Djibouti (between three and ten a month) to vessels of these companies established in the international shipping zone to provide services of all kinds (rest cabins, rental and storage of arms) to the agents of security firms. According to *Intelligence Online* (published by **Indigo publications**), one of the boats registered in Djibouti is the *Marshall 5* owned by the firm **Naval Guards**, which sails on the 15° North parallel. But the most active ship in this area is the *Sea Lion* owned by the British company **Drum Cussac** situated at 17.30° North. Another British company, **Protection Vessels International**, whose boat is situated at 18° North, only transits via Djibouti for bunkering. Other similar vessels are the *Sinbad*, *Express Opportune*, *Judge* and the *Maagen*, the latter owned by a Russian maritime security firm. Another vessel, Sri Lankan this time, is based off Port Sudan and is chartered by **Ocean Base Support** which is believed to be a joint venture between the Frenchman **Eric Stachura** and the Irishman **Dennis Dennehy**, both formerly with **Shied Consulting.**

IOG wants to keep control of Somalia. President IOG, who has acted as sponsor to the Transitional Federal Government (TFG) headed by **Sheikh Sharif Sheikh Ahmed**, shares the latter's concerns about the recent Kenyan military incursion into southern Somalia. Both would like the Kenyan troops limit their action to creating a buffer zone without directly attacking Kismayo and they become incorporated in the **African Union Mission in Somalia** (Amisom) which 800 Djibouti soldiers are soon to join. To regain control of the Somalian issue, which is escaping him through regionalizing, IOG would like to build bridges between the TFG and the autonomous administrations of Somaliland and Puntland. With this in mind, he put pressure on the President of Somaliland, **Ahmed Mohamed Mahamoud** known as **Silanyo**, in late November in Djibouti (see p.3), apparently, without any immediate result. In fact, Djibouti is an excellent vantage point, but not really a regional power.

Issue exclusively for Anne CARPENTER | Subscription N° : AA014201 | Subscription ends : 30/11/2012

■ SUDAN

Khartoum hires a lobbyist in U.S.

The Sudanese government has just taken on a lobbyist in Washington, United States to try to lift American sanctions against it. The **Law Office** of **Bart S. Fisher** summarised the contract in a letter to the Sudanese embassy in Washington dated November 1, stating that its work would be carried out within the limits of the Sudanese Sanctions Regulations, for a fee of $20,000 a month plus expenses. Bart Fisher is a longstanding lobbyist for China and for Chinese companies, combining the legal defence of its clients and lobby activity. In the case of Sudan, he will advise Khartoum on how to obtain the reduction or cessation of U.S. sanctions and the removal of the country from the State Department list of State Sponsors of Terror. It will also aid the Sudanese Embassy in Washington in the requisite legal procedures. Fisher will have work to do, since the contract was signed on 10 November just as military tension is growing on the border with Southern Sudan and a coalition of 66 organisations in the United States, **Act for Sudan**, recently asked President **Barack Obama** to impose a no fly zone over Darfur, South Kordofan and Blue Nile, to prevent Khartoum from attacking the civilian population.

@ Newsflash emailed to subscribers on 6/12/2011

KENYA

Muslim leaders shun Raila Odinga

▸ Prime Minister Raila Odinga is finding it difficult to get the same support from Muslim leaders for the 2012 presidential election that he had in 2007.

The advisors to Prime Minister **Raila Odinga** are alarmed by the plummeting popularity of their leader in the Muslim community. They are especially concerned that the Defence Minister **Mohamed Yusuf Haji**, an ally of his rival for the 2012 presidential election **Uhuru Kenyatta**, could outdo him among Muslims. To remedy this, Odinga's advisors are trying to arrange a meeting between the Prime Minister and Muslim leaders, such as **Abdulghafur el Busaidy**, the Secretary General of the **Supreme Council of Kenya Muslims** (Supkem), **Adan Wachu**, the chairman of Supkem, Sheikh **Mohamed Khalifa**, the organisation secretary of the **Council of Imams and Preachers of Kenya** (CIPK) and sheikh **Hassan Omar**, the CIPK treasurer. But they are very reluctant. Odinga is therefore using Sheikh **Mohamed Dor**, an **ODM** (Prime Minister's party) MP and secretary general of CIPK, to try to convince them to accept his invitation to debate.

For the time being, they are dragging their feet because they are very angry with Odinga. These Muslim leaders accuse him of not keeping his promises to them despite the clear support they gave him in the December 2007 election. Worse still, they believe that since then Odinga has never supported, in private nor in public, their demand that the **Anti-Terrorism Police Unit** (ATPU) stops harassing Muslims on the pretext of fighting terrorism, and that he had done nothing to end what they perceive as police excesses. Odinga will therefore have difficulty in regaining their political support by the 2012 election.

KENYA/SOMALIA

Nairobi goes to the Amisom

▸ The Kenyan army cannot afford to carry through the war that it has undertaken against al Shabaab. It now intends to do so through the African Union Mission on Somalia.

In deciding, this week, to integrate, at the request of the **African Union** (AU) its military contingent in Somalia to the **African Union Mission in Somalia** (Amisom), the Kenyan government is seeking to establish itself as an active regional power. In fact, it cherishes the hope that the **Kenya Defence Forces** (KDF) will take over the leadership of this African defence force whose mission is to protect the Somalian Transitional Federal Government (TFG) against the Somalian **Al Shabaab** Islamists and will be able to control the operations of the Amisom soldiers.

These days in Nairobi, Major **Emmanuel Chirchir**, spokesman for the KDF, has off the record made no secret that this was indeed Kenya's objective. For strategic reasons, the KDF wants to position itself as the most professional army in the region. Their ultimate goal is to attain, through Amisom, the original objectives of the military incursion into Somalia. Kenya's leaders realised that with their own military forces alone they would not be able to remove the al Shabaab without risk from their military strongholds of Baidoa and Kismayo. In addition, the cost of the KDF military expedition in Somalia is beginning to mount up. The integration of the KDF into Amisom will enable it to receive some of the international funding granted to the African force.

SOMALILAND/DJIBOUTI

No red carpet for Silanyo

▸ At least two sensitive subjects were discussed during the meeting on November 27, between Djibouti President Ismail Omar Guelleh and his counterpart from Somaliland.

The President of Somaliland, **Ahmed Mohamed Mahamoud** known as **Silanyo**, and his Djibouti counterpart **Ismaïl Omar Guelleh** (IOG) agreed to disagree on two points at the outcome of their meeting, held on 27 November during Silanyo's visit to Djibouti. According to a source close to Silanyo, IOG had strongly suggested that he should attend the future conferences on the reconciliation of Somalia and accept their conclusions whatever they be. IOG also asked Silanyo to order the officials in his government to henceforth use a Somalian passport for travel to Djibouti, because the Somaliland passport accepted up to now is not recognised by the international community.

President Silanyo was shaken by IOG's warning shots, but did not sway. He said that he would accept to participate in the Somalia reconciliation talks but refused to endorse the results of these talks in advance. Secondly, he declared that he was surprised by IOG's backtracking on Somaliland passports, which Djibouti had recognized up to then.

However, as soon as he was back in Hargeisa, President Silanyo informed in writing the head of immigration, **Mohamed Osman Alin**, that the Djibouti government would no longer accept Somaliland passports.

Issue exclusively for Anne CARPENTER | Subscription N° : AA014201 | Subscription ends : 30/11/2012

OMB NO. 1124-0006; Expires February 28, 2014

U.S. Department of Justice

Washington, DC 20530

Exhibit A to Registration Statement Pursuant to the Foreign Agents Registration Act of 1938, as amended

INSTRUCTIONS. Furnish this exhibit for EACH foreign principal listed in an initial statement and for EACH additional foreign principal acquired subsequently. The filing of this document requires the payment of a filing fee as set forth in Rule (d)(1), 28 C.F.R. § 5.5(d)(1). Compliance is accomplished by filing an electronic Exhibit A form at http://www.fara.gov.

Privacy Act Statement. The filing of this document is required by the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. § 611 *et seq.*, for the purposes of registration under the Act and public disclosure. Provision of the information requested is mandatory, and failure to provide this information is subject to the penalty and enforcement provisions established in Section 8 of the Act. Every registration statement, short form registration statement, supplemental statement, exhibit, amendment, copy of informational materials or other document or information filed with the Attorney General under this Act is a public record open to public examination, inspection and copying during the posted business hours of the Registration Unit in Washington, DC. Statements are also available online at the Registration Unit's webpage: http://www.fara.gov. One copy of every such document, other than informational materials, is automatically provided to the Secretary of State pursuant to Section 6(b) of the Act, and copies of any and all documents are routinely made available to other agencies, departments and Congress pursuant to Section 6(c) of the Act. The Attorney General also transmits a semi-annual report to Congress on the administration of the Act which lists the names of all agents registered under the Act and the foreign principals they represent. This report is available to the public in print and online at: http://www.fara.gov.

Public Reporting Burden. Public reporting burden for this collection of information is estimated to average .49 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Chief, Registration Unit, Counterespionage Section, National Security Division, U.S. Department of Justice, Washington, DC 20530; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

1. Name and Address of Registrant	2. Registration No.
Law Office of Bart S. Fisher	none 6076

3. Name of Foreign Principal	4. Principal Address of Foreign Principal
Embassy of the Republic of the Sudan	2210 Massachusetts Ave., N.W., Washington, D.C. 20008

5. Indicate whether your foreign principal is one of the following:

- ☒ Foreign government
- ☐ Foreign political party
- ☐ Foreign or domestic organization: If either, check one of the following:
  - ☐ Partnership
  - ☐ Corporation
  - ☐ Association
  - ☐ Committee
  - ☐ Voluntary group
  - ☐ Other *(specify)* _____
- ☐ Individual-State nationality _____

6. If the foreign principal is a foreign government, state:

a) Branch or agency represented by the registrant

embassy

b) Name and title of official with whom registrant deals

Ali Hussain, Counselor

7. If the foreign principal is a foreign political party, state:

a) Principal address

b) Name and title of official with whom registrant deals

c) Principal aim

Received by NSD/FARA Registration Unit 11/10/2011 9:28:09 AM

8. If the foreign principal is not a foreign government or a foreign political party:
   a) State the nature of the business or activity of this foreign principal.

   b) Is this foreign principal:

Supervised by a foreign government, foreign political party, or other foreign principal	Yes ☐ No ☐
Owned by a foreign government, foreign political party, or other foreign principal	Yes ☐ No ☐
Directed by a foreign government, foreign political party, or other foreign principal	Yes ☐ No ☐
Controlled by a foreign government, foreign political party, or other foreign principal	Yes ☐ No ☐
Financed by a foreign government, foreign political party, or other foreign principal	Yes ☐ No ☐
Subsidized in part by a foreign government, foreign political party, or other foreign principal	Yes ☐ No ☐

9. Explain fully all items answered "Yes" in Item 8(b). *(If additional space is needed, a full insert page must be used.)*

10. If the foreign principal is an organization and is not owned or controlled by a foreign government, foreign political party or other foreign principal, state who owns and controls it.

EXECUTION

In accordance with 28 U.S.C. § 1746, the undersigned swears or affirms under penalty of perjury that he/she has read the information set forth in this Exhibit A to the registration statement and that he/she is familiar with the contents thereof and that such contents are in their entirety true and accurate to the best of his/her knowledge and belief.

Date of Exhibit A	Name and Title	Signature
November 10, 2011	Bart Steven Fisher, Managing Partner	/s/ Bart Steven Fisher eSigned

OMB NO. 1124-0004; Expires February 28, 2014

U.S. Department of Justice

Washington, DC 20530

Exhibit B to Registration Statement Pursuant to the Foreign Agents Registration Act of 1938, as amended

INSTRUCTIONS. A registrant must furnish as an Exhibit B copies of each written agreement and the terms and conditions of each oral agreement with his foreign principal, including all modifications of such agreements, or, where no contract exists, a full statement of all the circumstances by reason of which the registrant is acting as an agent of a foreign principal. Compliance is accomplished by filing an electronic Exhibit B form at http://www.fara.gov.

Privacy Act Statement. The filing of this document is required for the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. § 611 *et seq.*, for the purposes of registration under the Act and public disclosure. Provision of the information requested is mandatory, and failure to provide the information is subject to the penalty and enforcement provisions established in Section 8 of the Act. Every registration statement, short form registration statement, supplemental statement, exhibit, amendment, copy of informational materials or other document or information filed with the Attorney General under this Act is a public record open to public examination, inspection and copying during the posted business hours of the Registration Unit in Washington, DC. Statements are also available online at the Registration Unit's webpage: http://www.fara.gov. One copy of every such document, other than informational materials, is automatically provided to the Secretary of State pursuant to Section 6(b) of the Act, and copies of any and all documents are routinely made available to other agencies, departments and Congress pursuant to Section 6(c) of the Act. The Attorney General also transmits a semi-annual report to Congress on the administration of the Act which lists the names of all agents registered under the Act and the foreign principals they represent. This report is available to the public in print and online at: http://www.fara.gov.

Public Reporting Burden. Public reporting burden for this collection of information is estimated to average .33 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Chief, Registration Unit, Counterespionage Section, National Security Division, U.S. Department of Justice, Washington, DC 20530; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

1. Name of Registrant	2. Registration No.
Law Office of Bart S. Fisher	none 6076

3. Name of Foreign Principal

Embassy of the Republic of the Sudan

Check Appropriate Box:

4. ☒ The agreement between the registrant and the above-named foreign principal is a formal written contract. If this box is checked, attach a copy of the contract to this exhibit.

5. ☐ There is no formal written contract between the registrant and the foreign principal. The agreement with the above-named foreign principal has resulted from an exchange of correspondence. If this box is checked, attach a copy of all pertinent correspondence, including a copy of any initial proposal which has been adopted by reference in such correspondence.

6. ☐ The agreement or understanding between the registrant and the foreign principal is the result of neither a formal written contract nor an exchange of correspondence between the parties. If this box is checked, give a complete description below of the terms and conditions of the oral agreement or understanding, its duration, the fees and expenses, if any, to be received.

7. Describe fully the nature and method of performance of the above indicated agreement or understanding.

a. To counsel and assist the Republic of the Sudan in satisfying appropriate U.S. conditions to reduce and to eliminate the sanctions currently imposed on the Sudan;
b. To counsel and assist the Republic of the Sudan in satisfying appropriate U.S. conditions to have Sudan removed from the list of State Sponsors of Terror of the U.S. Department of State; and
c. Within the scope of license no. SU-3410, granted by the U.S. Department of the Treasury, to provide legal counsel and advice and assist with representation in legal proceedings.

8. Describe fully the activities the registrant engages in or proposes to engage in on behalf of the above foreign principal.

Activities described in item 7 above.

9. Will the activities on behalf of the above foreign principal include political activities as defined in Section 1(o) of the Act and in the footnote below? Yes ☒ No ☐

If yes, describe all such political activities indicating, among other things, the relations, interests or policies to be influenced together with the means to be employed to achieve this purpose.

Representations (including petitions) will be made to U.S. government agencies regarding sanctions against the Republic of the Sudan.

EXECUTION

In accordance with 28 U.S.C. § 1746, the undersigned swears or affirms under penalty of perjury that he/she has read the information set forth in this Exhibit B to the registration statement and that he/she is familiar with the contents thereof and that such contents are in their entirety true and accurate to the best of his/her knowledge and belief.

Date of Exhibit B	Name and Title	Signature
November 10, 2011	Bart S. Fisher, Managing Partner	/s/ Bart Steven Fisher eSigned

Footnote: Political activity as defined in Section 1(o) of the Act means any activity which the person engaging in believes will, or that the person intends to, in any way influence any agency or official of the Government of the United States or any section of the public within the United States with reference to formulating, adopting, or changing the domestic or foreign policies of the United States or with reference to the political or public interests, policies, or relations of a government of a foreign country or a foreign political party.

LAW OFFICE OF
BART S. FISHER
700 12TH STREET, N.W.
SUITE 700
WASHINGTON, D.C. 20005
T 202 659 2979 F 202 558 5101
www.bartsfisher.com
bart_fisher2002@yahoo.com

November 1, 2011

Embassy of the Republic of the Sudan
2210 Massachusetts Avenue NW
Washington, DC 20008

Engagement Agreement with the Republic of the Sudan

Dear Sirs::

The Law Office of Bart S. Fisher (Fisher) has appreciated our discussions about how we can assist your government as its legal counsel.

We agree to represent the Republic of the Sudan as your legal counsel, but only as limited by the Sudanese Sanctions Regulations, and by other laws of the United States of America, and as per our license from the Office of Foreign Asset Controls (OFAC). Our OFAC license is attached and is an integral part of this understanding with you. Unless extended, our OFAC license expires on 30 November 2012.

As indicated in our OFAC license for the Sudan, our principal work with you will be:

1) To counsel and assist the Republic of the Sudan in satisfying appropriate U.S. conditions to reduce and to eliminate the Sudanese Sanctions Regulations and related U.S. laws;
2) To counsel and assist the Republic of the Sudan in satisfying appropriate U.S. conditions to get Sudan removed from the list of State Sponsors of Terror of the U.S. Department of State; and
3) To provide legal counsel and advice and assist with representation in legal proceedings.

We will act as your legal counsel on any other matters on which we can legally do so, as per our OFAC license, as per exemptions to and general licenses of the Sudanese Sanctions Regulations and/or as permitted by other applicable laws of the United States of America.

As per your requests for such counsel to which we agree, and in exchange for our legal services, you agree to pay us $20,000 per month, payable quarterly in advance. You also agree to reimburse us monthly for our reasonable expenses. We will obtain prior consent for any such single expense that exceeds $300.

All payments are to be wired as per the following instructions:

[redacted]

The first nonrefundable quarterly payment is due on 1 November 2011. Our agreement is for six months and is automatically renewed upon your quarterly advance payment and our consent.

Sincerely yours,

Bart S. Fisher

Bart S. Fisher
Law Office of Bart S. Fisher
700 12th Street, N.W.
Suite 700
Washington, DC 20005

On this First day of November, 2011, Agreed to and Accepted by:

Witness

Ali Hussain
Embassy of Sudan
Counselor