

Statement of
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Honorable Chairman Payne, Ranking member Smith and Members of the Subcommittee, thank you for calling this Hearing at this pivotal and critical moment in the history of Sudan and thank you for inviting me to testify before your august committee today. Sudan has reached the last phase of the Interim period at the end of which the future of its peoples and nationhood shall be decided. We are at a crossroad as a country: to be, or not be. Events of the upcoming few months will decisively determine our fate as a country and a people. Whether Sudan will become one peaceful and free country or separate into two countries peacefully co-existing shall be decided in large degree by how we the two parties SPLM and NCP implement the comprehensive Peace Agreement (CPA). Attempts to renege from the CPA shall lead to a catastrophic disaster of war again.

Sudan is an artificial state that has been at war with itself since independence due to the acute failure of the Northern Sudanese ruling elites, at Sudan's inception and throughout its years as an independent country, to develop an inclusive project of nation building that would have fused into a nation all the diverse peoples of Sudan brought together by colonial powers.

On the contrary, the Sudanese state was based on a policy of racial discrimination and religious oppression, where the African majority was excluded and Non-Muslims discriminated against. The imposition of an Arab Islamic narrow policy in an attempt to create a fundamentalist Arab-Islamic State resulted into the Sudanese state becoming a violent, fascist, and genocidal state at war against the majority of its citizens – the marginalized and the excluded Sudanese in the South, West, East, and the far North of the country.

In its 53 years of existence the Sudanese state has waged several civil wars against its own people, committing gross human rights atrocities, practicing ethnic cleansing and forced displacement of millions of the Sudanese people in the south and west of Sudan.

The state created tribal militias that plundered and destroyed large areas and populations in Sudan, resulting in the death of more than 4 million lives, and the displacement of around 10 million citizens from the South, Nuba Mountains, Blue Nile and western Sudan since independence.

The result has been a deep national crisis – where the Sudanese State became unwilling and incapable of serving and securing its citizens but bent on destroying their lives, this has been further aggravated by National Islamic Front (NCP/NIF) regime usurping power and declaring Jihad against the people of Sudan in the marginalized areas as well as in the centre. The Sudanese crisis therefore manifested itself in two forms - Multiple civil wars; and an unstable, violent and dictatorial system of government in Khartoum.

The Comprehensive Peace Agreement signed in 2005 constituted the most serious attempt to resolve the Sudanese crisis. It promised a transition from a totalitarian, dictatorial and violent regime to a democratic system of government. In the CPA the parties committed themselves to a fundamental restructuring of the Sudanese State and its organs by embarking on legal and constitutional reforms that ensures the protection of freedoms and fundamental human rights, the rebuilding of the Sudanese civil service into a professional non partisan civil and public service, and the achievement of the independence of judiciary and rule of law.

This process of democratic transformation is obstructed by the NCP as it continues to curtail freedoms of expression and limit the political space, especially, for opposition parties in the country, and as it has in effect obstructed the reform of the civil service and the judiciary.

On the other hand, the CPA promised the conduct of a referendum on self-determination for the people of Southern Sudan and Abyei, and popular consultation by the people of Southern Kordofan and Southern Blue Nile. To date, the NCP is delaying and obstructing the enactment of the legal instruments that would be the basis for the organization of the referendum and popular consultation. Furthermore, the NCP is dangerously now attempting to renege from its commitments to respect the right of self-determination for the people of Southern Sudan, and is attempting to use its majority in the parliament to impose an unattractive unity on the people of Southern Sudan and to deny the people of Southern Sudan the right to freely choose, including the option of separation. In flagrant violation of the terms of the CPA, the NCP is continuously arming civilians and other elements against the government of Southern Sudan with the aim to destabilize Southern Sudan.

The parties to the CPA have committed themselves to making unity attractive during the interim period. But in the last 4 years of the interim period, there has been no programs of making unity attractive implemented. Rather, the NCP has obstructed in many aspects the full implementation of the CPA, like in the case of Abyei, when the NCP reneged from its commitment to accept the ABC report as final and binding.

The NCP also has delayed the demarcation of the North-South Border, which should have been completed early in the interim period. The NCP has also refused to institute a transparent system of the management of the oil sector, and has frustrated the work of the Joint National Petroleum Commission. This led to the NCP's sole control of the oil sector, which it manages secretly throughout the interim period, denying the Government of Southern Sudan presence in the administration of oil production and in its sale and auction.

Consequently, the Government of Southern Sudan only receives its share from revenues that are declared by the NCP. In addition, the non-transparent manner of the management of the oil sector has led to serious environmental and social concerns that are not addressed, especially in Southern Sudan.

The Government of the United States of America has supported the people of Sudan in their efforts to end war and in the quest to achieve peace and respect for human rights. During the years, especially during the years of the rule of the NIF regime, the US Government imposed sanctions on Sudan for its violations of the human rights of the Sudanese people, and because of

its policies to destabilize its neighbors, and for its support to international terrorism. This US engagement and policy resulted in the negotiations and signing of the CPA, ending the Civil war in the south, southern Kordofan and Blue Nile, as well as in the Eastern Sudan. Yet war continues in Darfur up to the present.

I believe that the United States' normalization of relations with Sudan should come as a result of the full implementation of the CPA, the achievement of Democratic transformation, through the conduct of a fair and free elections, and after the ending of the war in Darfur through a negotiated peace settlement that would be implemented and upheld.

It is only a peaceful and democratic Sudan that can have good relations with, and be in the interest of the United States Government and its people. I believe that the government and the people of the United States would best serve their interest and that of the Sudanese people by supporting the achievement of a comprehensive peace and democracy in Sudan through the pressuring, encouragement, engagement and cajoling of the parties to deliver concrete steps as provided in the CPA to bring about the necessary changes.

These days the National Congress Party would want to use the new posture of dialogue put forward by the Obama Administration to get the lifting of Sanctions, and the removal of Sudan's name from the list of States Sponsors of Terrorism and to normalize relations with United States of America, that would best be achieved if the NCP first normalizes its relations with the Sudanese people in Darfur by ending the war there and alleviating the suffering of the millions of the displaced, and in the South by fully implementing the CPA.

I believe that the lifting of sanctions should be linked to the full implementation of the CPA and to the resolution of the conflict in Darfur and any steps by the United States Government towards that end should be conditioned on the achievement of specific actions and concrete steps in building peace and transition to democracy. The following, among others, can be identified as concrete steps forward – the demarcation of borders; the adoption of the referendum law and a National Security Act that respects freedoms; the lifting of press censorship; the institution of a transparent oil sector; the implementation of the PCA decision of Abyei, and the achievement of a monitored Ceasefire in Darfur.

In Conclusion, the active engagement of the Government of the United States is crucial at this juncture and should focus on assisting the parties to fully implement the CPA and on holding them responsible and accountable to the fulfillment of their commitments – especially to the conduct of free and fair elections in 2010 and the conduct of the Referendum on self-determination by Jan 2011 for the people of Southern Sudan and the people of Abyei, and on working to with the parties to end the conflict in Darfur

In an event that Southern Sudan chooses unity, there is a need for the United States to support the transformation of Sudan into a multicultural, democratic and peaceful state, in which all Sudanese would be equal citizens and stakeholders.

In the event that the people of Southern Sudan choose separation, it would be important that the United States assist the two states in the south and the north, to become stable and peaceful democracies.

The North would need assistance to end the conflict and gross human rights violations by Khartoum, in Darfur, far north and the east, and assistance in the resolution of the status of the Nuba Mountains and Blue Nile and their relations with the centre.

On the other hand, the state in the South would need to be supported in the development of state institutions capable of delivering efficient public administration and with a capacity to manage public resources, including oil sector management and anti-corruption abilities, and with the capability of securing peace, and law and order.

Sudan is at a crossroad it needs the support of the United States of America and the international community to be peaceful and free. And regardless of the result of the referendum: unity or separation the Sudanese people need freedom and peace as conditions to rebuild their lives and achieve prosperity.