

# SUDAN AT THE CROSSROADS

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## BRIEFING

BEFORE THE

### COMMITTEE ON FOREIGN AFFAIRS

### HOUSE OF REPRESENTATIVES

ONE HUNDRED TWELFTH CONGRESS

FIRST SESSION

—————  
JANUARY 18, 2011  
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**Serial No. 112-1**

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Printed for the use of the Committee on Foreign Affairs



Available via the World Wide Web: <http://www.foreignaffairs.house.gov/>

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U.S. GOVERNMENT PRINTING OFFICE

64-007PDF

WASHINGTON : 2011

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TUESDAY, JANUARY 18, 2011

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
*Washington, DC.*

The committee met, pursuant to notice, at 4:30 p.m., in room 2172, Rayburn House Office Building, Hon. Ileana Ros-Lehtinen (chairman of the committee) presiding.

Chairman ROS-LEHTINEN. The briefing will come to order.

Good afternoon. After my opening remarks and those of my good friend, Mr. Berman, the ranking member of the committee, I will recognize the chairman-designate and the ranking member-designate of the Africa, Global Health, and Human Rights Subcommittee, Mr. Smith, on our side, and Mr. Payne, for 3 minutes each.

We will then move to our panelists' presentations, followed by questioning by the members-designate on the Committee on Foreign Affairs—and I use that phrase because we are not formally organized yet—for 5 minutes each, followed by 5 minutes each for any other member who would like to ask questions of our panelists.

I appreciate the understanding and cooperation of our colleagues and look forward to today's discussion.

Before we begin, I would like to express what an honor is it to assume the responsibilities of chairman of the House Committee on Foreign Affairs.

For the Members who will be joining the committee upon organization, please know that I do not take those responsibilities lightly. During the 112th Congress, this committee will be confronted with some of the most pressing national security and foreign policy challenges of our time, from ensuring rigorous enforcement of sanctions against Iran, to providing effective stewardship of American taxpayer dollars in foreign aid and State Department programs, to instituting systems for accountability at the United Nations. I fully intend to work with all members of the committee and the American people to confront these challenges directly, responsibly and effectively.

It is therefore fitting that the first Members' briefing hosted by this committee would be focused on Sudan. Today, Sudan is truly at the crossroads. Beginning on January 9th, millions of South Sudanese participated in a historic referendum to determine whether Africa's largest country would remain united or split in two. Given the countless delays, manipulations and violent eruptions that have imperiled implementation of the Comprehensive Peace Agree-

ment for Sudan over these past 6 years, many doubted that this day would come. Yet the vote proceeded peacefully and credibly.

After decades of repression by a genocidal regime in Khartoum and a war that left over 2 million people dead and 4 million people displaced, the people of South Sudan may at last have realized their right to self-determination.

Unfortunately, the hardest work is yet to come. First, the results must be certified and accepted. Though Khartoum has pledged to accept the outcome, it has a long history of renegeing on its commitments. The stakes are high, and both sides have spent the past 6 years preparing for war.

Second, outstanding issues relating to the implementation of the CPA must be resolved prior to conclusion of the transition period in July 2011, including the demarcation of the border; citizenship and nationality; wealth sharing and resource management, including for oil and water; division of assets and debt; currency; and security arrangements.

Third, the future status of the oil-rich Abyei region must be resolved fairly and in a transparent manner. Abyei is a lit match in a pool of gasoline, and continued failure to resolve its status all but guarantees war.

Likewise, the popular consultations in Southern Kordofan and Blue Nile must proceed in a manner that legitimately addresses longstanding grievances. These areas are awash with weapons, and tensions are high. A single security incident could set the entire region ablaze.

Finally, we must not trade peace in Darfur for independence in the South. Regrettably, it appears the administration may have forgotten key lessons from the past. Prior U.S. efforts to reward the Sudanese regime for signing peace agreements and acceding to the deployment of peacekeepers while the regime simultaneously supported genocide in Darfur, blocked humanitarian access, and stalled implementation of the CPA were broadly condemned.

In the words of then-Senator Barack Obama in April 2008, and I quote,

“I am deeply concerned by reports that the Bush administration is negotiating a normalization of relations with the Government of Sudan. This reckless and cynical initiative would reward a regime in Khartoum that has a record of failing to live up to its commitments.”

Yet the Obama administration is following the same misguided concessions-driven path. I do not intend to minimize what has been accomplished inside Sudan. Delivering a timely credible referendum was an incredibly hard task. But, again, the referendum is just the start.

The true test of the regime's commitment will extend far beyond the July 2011 date, and far beyond South Sudan. Thus, I am deeply troubled by the premature efforts to advance normalization, sanctions relief, and debt relief. The bulk of sanctions mandated by Congress are linked to peace in South Sudan and in Darfur. Given recent developments in Darfur, the certification requirements for easing sanctions cannot be met.

I am particularly concerned by suggestions that the administration may remove Sudan from the State Sponsors of Terrorism List by July 2011. Removal from this list is not a “gold star” that can be offered to advance an unrelated political objective. This is a serious matter with repercussions that directly impact our most vital national security interests.

Recall that the previous administration delisted North Korea in exchange for nominal concessions relating to one nuclear facility. Almost immediately upon winning this prize, North Korea reneged on its promise to implement a transparent verification regime, withdrew from the Six-Party Talks, and brazenly resumed its proliferation activities. Today, North Korea reportedly possesses one or more highly sophisticated uranium enrichment facilities and, according to the United Nations, is supplying Iran, Syria, and Burma with nuclear and ballistic missile related equipment. The U.S. must proceed with extreme caution in our dealings with the Sudanese regime.

The potential birth of a new nation in South Sudan is truly momentous and will have significant ramifications beyond the region. The United States has played a major role in bringing the parties to this point, and it is in our national interest to see that the process advances peacefully.

The risks are high. The challenges are daunting. But the achievement of peace in a region ravaged by war is an honorable endeavor. I welcome the opportunity to work with the administration and responsible partners for peace in Sudan toward this end.

I now turn to our ranking member, Mr. Berman, for his opening remarks.

[The prepared statement of Chairman Ros-Lehtinen follows:]

**Opening Remarks**  
**The Honorable Ileana Ros-Lehtinen, Chairman**  
**Committee on Foreign Affairs**  
**Briefing on: "Sudan at the Crossroads"**  
*January 18, 2011*

Before we begin, I'd like to express what an honor it is to assume the responsibilities of Chairman of the House Committee on Foreign Affairs. For the Members who will be joining the Committee upon organization, please know that I do not take these responsibilities lightly.

During the 112th Congress, this Committee will be confronted with some of the most pressing national security and foreign policy challenges of our time - from ensuring rigorous enforcement of sanctions against Iran, to providing effective stewardship of American taxpayer dollars in foreign aid and State Department programs, to instituting systems for accountability at the United Nations.

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Yet, the vote proceeded peacefully and credibly. After decades of repression by a pernicious, genocidal regime in Khartoum -- and a war that left over 2 million people dead and 4 million people displaced -- the people of South Sudan may, at last, have realized their right to self-determination.

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First, the results must be certified and accepted. Though Khartoum has pledged to accept the outcome, it has a long history of renegeing on its commitments. The stakes are high, and both sides have spent the past six years preparing for war.

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The risks are high and the challenges are daunting, but the achievement of peace in a region ravaged by war is an honorable endeavor. I welcome the opportunity to work with the Administration, and responsible partners for peace in Sudan, toward this end.

Mr. BERMAN. Well, thank you, Madam Chairman. And thank you very much for calling this timely briefing.

I want to begin by congratulating you on your new position as chairman.

I would also like to congratulate the new subcommittee chairs.

And I really do look forward to working with all of you in the 112th Congress.

And at the outset, I would also like to commend the Africa Subcommittee Ranking Member Donald Payne and other members on both sides of the aisle for their leadership on Sudan, especially their efforts to focus the world's attention on the unspeakable atrocities committed by the Khartoum regime against the people of South Sudan and Darfur.

Their work on these critical issues inspired two major pieces of legislation, the Comprehensive Peace in Sudan Act of 2004 and the Darfur Peace and Accountability Act of 2006, along with a number of resolutions condemning the regime for crimes against humanity.

Madam Chairman, this past week marked a historic moment for the people of South Sudan who fought a 22-year civil war to arrive at this moment of self-determination. While we do not know the official results of the referendum, it is clear that the vote will almost certainly result in independence for the South.

And as we consider this milestone, it is important that we remember the late President John Garang Mabior, who led the Sudan People's Liberation Movement and Army through the long civil war, a terrible conflict that resulted in the deaths of over 2 million South Sudanese and the displacement of millions more. Before his tragic death in a helicopter crash in July 2005, Garang negotiated the Comprehensive Peace Agreement with Khartoum. That agreement provided for the referendum and other events we will examine today.

After his election in 2008, President Obama undertook a bolder view of U.S. policy toward Sudan and set out a new vision focused on intensive diplomacy. This new strategy required significant changes in behavior by the Khartoum government. It demanded verifiable progress toward a settlement between the North and South, as well as progress in Darfur.

The President's new approach was met with great skepticism by many of us in Congress and the advocacy community in part because it required direct engagement with a Sudanese Government that had committed genocide and other gross violations of human rights.

To carry out the new policy, President Obama appointed retired Air Force General Gration as special envoy to Sudan. Gration, the son of missionaries who was raised in Congo, assembled a team and developed a diplomatic strategy to realize the President's vision.

Our first witness today, Ambassador Princeton Lyman, also deserves great credit for his diplomatic efforts to complete the road-map that helped deliver Khartoum's final cooperation on the CPA and the referendum.

Today we can see the results of the Obama administration's hard work. The voting for the referendum has taken place peacefully, and a major goal of the Comprehensive Peace Agreement has been achieved.

There are, of course, many, as the chairman said earlier, many outstanding issues to resolve before independence is finalized in July. A referendum on the status of the oil producing Abyei region has yet to take place. An agreement needs to be reached on the sharing of oil revenue, the division of national debt, the delineation of borders.

There is also the thorny issue of citizenship. Should the South vote to form a new independent state, there are fears that southerners in the North and northerners in the South could be left stateless and vulnerable to political violence.

Finally, there is the crucial issue of peace in Darfur which still eludes us today. We must not forget the enumerable atrocities that have taken place in that region of Sudan. In 2004, Congress and the Bush administration declared that the events in Darfur constituted genocide. And in 2008, the International Criminal Court indicted Sudanese President Omar Hassan al-Bashir on three counts of genocide, five counts of crimes against humanity, and two counts of murder.

I am encouraged that President Obama has remained focused on Darfur and intends to revive the stalled negotiations between Khartoum and the rebel groups in Darfur.

The people of South Sudan have taken a major step toward self-determination, but there are many difficulties ahead. The new nation will face a large number of challenges, from building the basic institutions of statehood to economic development to the reintegration of the returnees. And by all accounts, there is very little capacity in South Sudan to meet these daunting challenges. If South Sudan is to flourish, then the United States, the United Nations and other members of the international community must continue to assist the people of that nation in their transition to independence and democratic rule.

In this context, it is important to recognize the Herculean efforts of the United Nations Development Programme to help make the referendum a reality. The UNDP supported voter education, delivered ballots for more than 4 million voters on schedule and helped to establish and equip nearly 3,000 registration centers and trained

over 8,000 staff to manage those centers. These efforts and the efforts of U.N. peacekeepers in South Sudan underscore the extent to which the U.N.'s work can support U.S. foreign policy interests and contribute to international peace and security.

Madam Chairman, we would not be where we are today in South Sudan without hard-nosed American diplomacy, the active involvement of the United Nations, and targeted U.S. foreign assistance programs. I look forward to the testimony of our witnesses.

Chairman ROS-LEHTINEN. Thank you, Mr. Berman.

I would like to recognize for 3 minutes the chairman-designate of the Africa, Global Health, and Human Rights Subcommittee, Mr. Smith of New Jersey.

Mr. SMITH OF NEW JERSEY. Madam Chair, thank you very much.

And I want to begin by joining the ranking member, Mr. Berman, in congratulating you on assuming the chairmanship of this very important committee, particularly at this very difficult time around the world.

There are crises everywhere, and we look forward to, all of us on this side of the aisle and I am sure on the other side of the aisle as well, in working with you and finding tangible solutions to the many vexing problems we face.

So congratulations, Madam Chair.

I also want to thank you for calling this extremely timely and important briefing to examine the historic events occurring in Sudan. I congratulate the Southern Sudanese people and join in celebrating the completion of the referendum on the future status of their country. The U.N. monitoring panel of the referendum's assessment that the process was well organized and credible is particularly commendable given the serious time and resource constraints that preceded it.

However, the voting last week marked over the beginning of what promises to be a long process fraught with peril. It will take several weeks for the votes to be transmitted from the nearly 3,000 referendum centers to county and state levels and on to Juba and Khartoum before the official results are announced.

If the South has voted for secession, as is widely believed, then numerous complicated and potentially volatile issues remain to be resolved. Among the most prominent of these issues is the demarcation of the border, including the division of the Abyei region with its oil reserves and fertile land. The sharing of oil reserves as well as debt and the question of citizenship are some of the other major challenges still to be addressed. And the establishment of a permanent peace in Darfur remains a critical but elusive goal as violence intensifies despite the current talks in Doha.

I personally am concerned about the return of reportedly large numbers of southerners residing in the North to the South. I was informed during a hearing in September that humanitarian agencies at that time were not prepared to handle mass movements in Sudan. Unless this assessment has changed, such movements could lead to a severe humanitarian crisis and have a destabilizing security impact on the South.

Those southerners who remain in the North against their will is another deeply troubling concern. Beginning in the 1980s, Arab militias armed by the Khartoum regime conducted slave raids in the

South, taking mostly women and children to the North to serve as labor and sex slaves. The 2005 Comprehensive Peace Agreement failed to address this issue, and an estimated 35,000 southerners remain in the North in a state of forced servitude. This grave human rights issue must be acknowledged as a priority and the freedom of all slaves immediately secured.

Finally, I look forward to hearing the briefers' views as to what the impact the referendum will have on the North, again assuming a vote for independence. The Government of Sudan, to its credit, allowed the referendum to proceed and has publicly stated that it will respect the outcome. But given its abysmal track record, it is not a basis for optimism.

I thank you, Madam Chair.

Chairman ROS-LEHTINEN. Thank you, Mr. Smith.

I would like to recognize for 3 minutes the ranking member-designate of the Africa, Global Health, and Human Rights Subcommittee, Mr. Payne.

Mr. PAYNE. Thank you very much.

And let me commend you for your ascension to the chair of this committee.

Mr. Berman.

And let me thank you for holding this very critical meeting on Sudan being the first hearing, and I think it is appropriate.

Let me also express my deep appreciation to the witnesses, who are certainly among the most knowledgeable people on Sudan: Ambassador Lyman, who did a great job in Nigeria and South Africa during critical times; Special Envoy Williamson with the State Department and U.N. posts, who was a great envoy to Sudan; and Mr. Ismail, who fled from Darfur and has been a great advocate for justice.

Let me thank all of you for your commitment and self-determination to make this day a reality. Today Sudan is indeed at the crossroads. A week-long referendum has just concluded. And by all accounts, the outcome is clear that the people of South Sudan have chosen independence.

My friends on the ground during the voting process have relayed stories of remarkable moments that illustrate the hope and excitement that lies in the heart of the South Sudanese. A policeman, after voting, looked around and told people in line, "I crossed the river, come join me." A pregnant woman while in line to vote gave birth and was later able to cast her vote for the sake of her new baby.

As I reflect on the 20 years that I have been working with Sudan, I remember many pivotal moments, moments of my own and the Congress' struggle to see the people of South Sudan exercise their right of self-determination. I recall my first visit in 1993 to Nimule, a town near the Ugandan border, which was the front-line of the struggle back then, helped mediate negotiations between two factions of the SPLM. It was then that I first met Dr. John Garang in the bush, father of South Sudan's quest for autonomy, as well as a young military commander, Salva Kiir, who was there at his side, who is now the President of the Government of South Sudan. Upon returning from that trip, I, along with other members, introduced a resolution in the House calling for the right of

self-determination for the people of South Sudan, and it passed this body.

I recall over a dozen visits to South Sudan and the Darfur refugee camps in Chad and with Representatives Lee and Wolf and Tancredo, along with Senator Feingold, Senator Frist, Senator Brownback, all dedicated members of this institution at the time. After one such visit in 2004, I sponsored a resolution to call the world's attention to the atrocities in Darfur which passed the House overwhelmingly, the first time that the Congress recognized ongoing genocide while it was going on.

I recall visits to Nairobi and Naivasha in 2004 and 2005 with IGAD and a negotiation that culminated in the signing of the CPA on January 9, 2005, in Nairobi where I witnessed that.

I will ask that the rest of my statement be added to the record since the gavel has been hit.

But I do agree that the Abyei, I believe, should be solved before sanctions are released. We see what has happened in India with Kashmir still a question. We don't want Abyei to be a question 20 years from now with fighting going on. Thank you, and I yield.

Chairman ROS-LEHTINEN. Thank you so much.

As the new members will know, it is embarrassing to gavel down the gentlemen from New Jersey—and both gentlemen from New Jersey, because they are the leading experts when it comes to Africa.

So we are well-served by having Chairman and Ranking Member Smith and Payne with us.

I am sorry, gentlemen, for the time restraints.

As Mr. Payne said, we are very privileged to have two distinguished panels before us today. I know everyone is anxious to hear what they have to say. They are the experts. So I will only offer brief introductions and encourage members to read their biographies in full in your packet.

We will begin with Ambassador Princeton Lyman, who has just returned from observing the referendum process in Sudan. The Ambassador was appointed by Secretary Clinton in August 2010 to lead the U.S. Negotiation Support Unit in Sudan. Prior to his appointment, he was serving as an adjunct senior fellow for Africa Policy Studies at the Council on Foreign Relations and as an adjunct professor at Georgetown. He has a long, distinguished career in government service, including postings as deputy assistant secretary of state for Africa, U.S. Ambassador to Nigeria and South Africa, and assistant secretary of state for international organization affairs.

The Ambassador has a Ph.D. in political science from Harvard University and has published numerous books and articles on foreign policy, African affairs, economic development, HIV/AIDS, U.N. reform and peacekeeping.

Ambassador Lyman, the floor is yours. Thank you, sir.

**STATEMENT OF THE HONORABLE PRINCETON LYMAN,  
SPECIAL ADVISOR FOR SUDAN, U.S. DEPARTMENT OF STATE**

Ambassador LYMAN. Thank you very much, Madam Chairman.

Thank you and the members, ranking member, Congressman Berman, and all the members here for holding this hearing and

making this one of the very first issues of your chairmanship and of the committee this year.

As you said, this is a terribly important issue. I recall Prime Minister Meles at the U.N. meeting on Sudan in September saying—and here is a man who faces a lot of crises in his neighborhood—saying that the peace process in the Sudan was the most important in all of Africa. And it is an indication of how widespread the implications are of having peace in that area.

Thank you also for the work that Congress has done on this issue, all the members, the legislation, et cetera. It has made an extraordinary difference to send a message to the people of Sudan how much the United States cares, not just about the politics and the strategic aspects of it, but the welfare of the people who have suffered from war during this long period of time.

We had a good week, Madam Chairman. We had, as you described and Congressman Berman and others have, a referendum that even a month or 2 ago we doubted could come off this well. And it came off peacefully, and all the observer missions, whether the Arab League, the Africa Union, the U.N., the NDI or others, all saying this was a credible, fair, effective referendum.

It took a lot of work, a lot of diplomatic work, a lot of wonderful work by the United Nations. And USAID assembled an extraordinary team of IFES, NDI, IRI, the Carter Center, all working together to give the Southern Sudan Referendum Commission the technical support it needed against all the odds to be ready on January 9th to pull this off.

So there was a lot involved here, and a lot of people deserve credit. But as you said in your opening statement, this is just one step there is a lot of hard work left to go.

One of the issues, and Congressman Payne emphasized this and others have as well, is Abyei. Abyei is a deeply difficult emotional issue in Sudanese politics and in its history. Even during the referendum, we had instances of violence in that area that was finally brought under control with the help of the U.N. and the meeting of the parties, and there was an agreement signed this past weekend that should permit the beginning of the migration security for it and other arrangements should contain the situation. But the underlying issue of the future of Abyei remains a very critical one.

It is an issue that probably can only be solved at the level of the Presidents, of President Bashir and President Kiir, and we hope that action will resume on those negotiations very shortly after the referendum. There are other processes. There are the popular consultations that are very important in Blue Nile and South Kordofan. I am happy to say that the consultations have started in Blue Nile. I will be visiting that area next week to witness some of those consultations. And we hope South Kordofan will be able to start soon after the elections in that state.

And as you have all said, there are a whole range of issues that the two parties now have to get down to work and solve by July. The relationships between what looks like now two independent countries, but who share so much interdependence. As you know, much of the oil is in the South; much of the infrastructure for exporting it and refining it is in the North. People live along that bor-

der, some 30 percent of the population, and they go back and forth all the time.

There needs to be a solution to the oil sector, to citizenship issues, to what those parties have called soft borders and how they will operate, security arrangements, currency, et cetera. A lot of work has been done. A lot of technical work has been done. But now the political work has to start on bringing these issues to a head.

Now, you have mentioned the question of our relationship to Sudan and particularly to the Government of Northern Sudan, and it is a very important issue. Part of the discussions that have been going on for the last month is how the U.S. relationship with Northern Sudan played into the negotiations. There was a very strong feeling that until there was some sense of our own relationships with the Sudan and the future of Sudan, there would be an obstacle there to the negotiations themselves.

But something equally important that I have discovered in my time there—I have met with leaders of the opposition in the North. I have met with women's groups and youth groups, and what I find is that the people of Northern Sudan are terribly worried about the outcome of the CPA. They feel that they are going to be abandoned. They feel that it will lead to war. They feel that it will lead to economic deprivation, and they want to know what the future is for them once the South is gone. And that is an important concern, because instability in the North or chaos in the North is not going to be any more in our interest than chaos in the South.

There also has to be political transformation of the North. That is part of the dream, if you will, the objective of the CPA, and it hasn't really happened. So we want to be engaged in the North. We want it to be successful and strategically stable, and we want to see prosperity for the people there.

We have put down a roadmap for normalization with Northern Sudan after the CPA. And I can assure you that it is based on actions; it is not based on promises. The first step only comes after the government accepts the results of the referendum. And the step there, as the President said in his letter to Senator Kerry, which Kerry—Senator Kerry presented to the Sudanese, was that the President would begin the process of withdrawing Sudan from the list of States Sponsoring Terrorism. But they would have to meet all of the conditions under that law, and they would also have to complete the negotiations which you have all well described for the remaining balance of the CPA. And there has to be progress toward peace in Darfur.

So before we can even complete that process and certainly before we would come to Congress and discuss the possible lifting of sanctions, steps would have to be taken, concrete steps by the North. In the meanwhile, a great deal has to be done on helping Southern Sudan. It is an area, as all of you know, devastated by war, extraordinarily poor with almost no infrastructure to speak of. You fly over Southern Sudan, you see very little agricultural activity. You see almost no roads. You have a very low educational base and a thin administrative structure.

A lot of donors are working on that problem. We are the major donor. Our technical assistance this past year to the Government

of Southern Sudan is about \$430 million. Other donors are contributing just under \$700 million to developing the capacity of the South. A lot of countries are involved. Kenya is the biggest trainer of technical personnel. The U.K., the European Union, Norway and others and China has begun a development program in the South. It is going to be a long, hard struggle for the South to meet the expectations of its people.

We have done a lot and we will continue to do a lot to build up their capacity, their ability for conflict resolution within the South, their ability to deliver in education, health and the other areas of which their people expect.

Now, Darfur is not my brief. General Gration, and he apologizes for not being able to within you today. He was just in Darfur this past week and he is joined now by another colleague of mine, Dane Smith, who will be working on Darfur in the same way that I have been working on the North-South. But I don't want anybody to get the impression that the administration is either forgetting Darfur or sacrificing Darfur to the CPA. In fact, there is a good deal of interaction in Sudan between the two. There has to be peace in both places for Sudan, North and South, to succeed.

I am not the expert on Darfur, but I know that work is underway to try and bring peace to strengthen UNAMID, to increase access for the humanitarian organizations and, above all, to get a credible peace process. And I am sure General Gration would be happy to brief you on all of that.

Let me just conclude on one issue raised by Congressman Smith, a very important one about which we were very concerned, and that is the condition and the future for the southerners living in Northern Sudan. There are quite a few, as you know, estimates of as many as 1.5 million. Since the beginning of the CPA in 2005, 330,000 people have returned to South Sudan. Just since last August, 150,000 have returned and more are returning all of the time.

What we found was that the process was erratic, not very well planned and the states in the southern part of Sudan not prepared to receive them or get them to places where they could earn a livelihood. So we have worked now, we and the U.N., to try and regularize that process. We went to Government of Sudan, and we said, we need access to all the places where the southerners live in the North. We didn't have that access before. We have it now. We and the U.N. and international agencies can now go visit the southern population in the North, find out what they are planning. UNHCR is going to begin a registration process and try to make more orderly the process of departure.

Second, we are working with the government in the South to come up with more realistic timetables and plans for absorbing that many people in what is a very poor area. So I just wanted to assure you that this is an issue high on our list. And we have been given assurances, but we will monitor it very closely, that there will be no reprisals against those people.

But it does raise one final issue that you all have mentioned, and that is the citizenship issue. Because the question is what happens when the South becomes independent to southerners living in the North or northerners living in the South. The Government of Sudan, the Northern government, the NCP, has said they will not

support dual citizenship for everyone, and that is a right of a government to say that. But what we and others have argued is—and both sides have agreed in principle—that you cannot create a situation of statelessness for anyone.

Therefore, there has to be a period of transition during which Southern Sudan develops its own rules, regulations and procedures for citizenship and then southerners who so wish can access that citizenship if they choose. This is a very important issue both for the stability of the country and in terms of basic human rights. And it is one of the critical issues still to be negotiated.

I will stop there, Madam Chairman. I am happy to answer questions.

[The prepared statement of Mr. Lyman follows:]

**Statement of Ambassador Princeton Lyman  
Special Advisor on Sudan  
Office of The President's Special Envoy to Sudan  
before the  
House Committee on Foreign Affairs  
"SUDAN AT THE CROSSROADS"**

Jan 18, 2011

Chairwoman Ros-Lehtinen, Ranking Member Berman, Members of the House committee on Foreign Affairs, thank you for the opportunity to be here today to discuss our progress in Sudan, our strategic objectives in Sudan and the steps we are taking to achieve those objectives.

I would like to begin by thanking you Madam Chairwoman for making Sudan one of the first issues that this committee looks at in 2011. This demonstrates your leadership and commitment. We greatly appreciate the work that so many members of this Committee and Congress as a whole have done over the years on Sudan. Your interest and engagement has been an essential part of the U.S. effort to support peace in Sudan.

I know that Special Envoy Gration would have liked to have been here as well and he sends his thanks for your support. He is currently on his 24<sup>th</sup> trip to Sudan, and has been in country since the beginning of the month. He was in Juba for the opening of polls on January 9<sup>th</sup> and traveled to Darfur to demonstrate our continued commitment to resolving that conflict.

Madam Chairwoman, we have come a long way in a short time. Even just a few months ago, many thought that an on-time, peaceful referendum was impossible – both from a technical and a political standpoint. Yet, it was achieved. This is a testament to the parties to the CPA and their commitment to a lasting North-South peace as well as the hard work of the Southern Sudan Referendum Commission and its bureau in Juba.

Madam Chairwoman, it is also a testament to the efforts of the international community, of which the United States has played a decisive role. Over recent months, with the personal engagement of President Obama, the United States has invested a great deal of diplomacy to ensure that this referendum would be held on-time and peacefully. The President's entire national security team has been involved. And the State Department and USAID have worked tirelessly on the ground to provide technical expertise and support for nearly every aspect of the process. We have worked closely with the United Nations and other partners to continue to engage constructively with the parties, to help protect the people of Southern Sudan, and to provide crucial support to the referendum process, including by ensuring that that materials were procured, staff trained, and observers deployed.

The start of the referendum on January 9 was a historic milestone for the people of southern Sudan. Polling lasted for seven days and turnout was significant. I visited several polling sites in the North on the first day of polling. At the centers I visited, polling staff had all the necessary materials available and were following the approved procedures. The atmosphere was calm, schools remained opened, and people were generally going about their business. The United States had diplomatic observers that visited over 250 referendum centers in 33 counties across all 10 states in Sudan, and found that the polling process was peaceful and well-organized. We also had observers in more than half of all U.S. polling centers, and a presence in a number of overseas polling locations, including Kenya. Since the end of polling, we have heard statements from all the international observer missions and the UN Monitoring Panel on the Referenda who deem that the referendum process was peaceful and credible.

The counting and declaration of preliminary results is now underway. The Southern Sudan Referendum Commission will announce the final results, and we are urging all parties to respect them. We were encouraged by President Bashir's statement earlier this month that the Government of Sudan will be the first to recognize the results. If it does, this would be a noteworthy early signal of their commitment to long-term North-South peace.

Nonetheless, the referendum is not the final chapter of the Comprehensive Peace Agreement. There is much work still to be done to ensure that the promise of the referendum leads to lasting peace and stability for all of Sudan.

In the next several months, the parties must resolve outstanding CPA issues, especially the status of Abyei. Reports of clashes in Abyei earlier this month were very troubling. I visited Abyei in early December and met with local leaders of both the Ngok Dinka and Misseriya. I know both sides have passionate views on their rights and the future of Abyei. Furthermore, this is always a time of tension as the Misseriya undertake their annual migration south. The UN has taken steps to address these tensions and we continue to urge the parties to work for calm in the region. But both parties must also come to the negotiating table ready to make the compromises that are necessary for peace. We are encouraged that the Misseriya and Ngok Dinka held productive discussions on January 12 and are working cooperatively to calm tensions in the region. It is our hope that this spirit of cooperation will help move forward on-going negotiations on the future of the Abyei region. I continue to believe that it is possible to reach a solution for Abyei that meets the needs of all communities.

We also cannot forget about the popular consultations processes for Blue Nile and Southern Kordofan that are an integral part of the CPA. In Blue Nile State, citizen hearings have finally gotten underway. This is welcome development, and there should not be any further delays. We hope the process in Southern Kordofan can get underway as soon as possible, even before the state-level elections in April to the extent possible, so they can be completed before the end of the CPA interim period in July. These processes provide critical opportunities to address the discontent in these two states and promote lasting peace.

Finally, regardless of the outcome of the referendum, the parties will need to reach agreement on post-referendum arrangements that will define the future relationship between the North and the South. This includes issues involving citizenship, security, debt, oil, currency and more. The parties have already undertaken significant technical discussions on all these issues, with international assistance. Once the referendum is concluded, the parties must work with the African Union High-Level Implementation Panel and its chairman President Thabo Mbeki to begin finalizing these arrangements.

Understandably, this is a time of anxiety for the government and people in Northern Sudan, as the prospect of losing the South is worrisome. Sudan continues to face a daunting debt burden and the prospect of continued international isolation. There are some hard-line voices who criticize the government for ever agreeing to the CPA and allowing the referendum to happen. I have met with opposition party leaders, women groups, and youth, all of whom are deeply worried about the future following the CPA. Such groups are concerned about the lack of democratic transformation in the North. They fear economic decline and even a return to war. They wonder if the United States has concern for the people of the North. Thus it is important not only to give the leaders of the North a positive vision of the post-CPA era but to send that message to the people of the North who fear they might be forsaken. To address these concerns, and to encourage the Government of Sudan to follow through on their commitments, the Obama administration has laid out a roadmap to provide assurances that there is a path to normalized relations, and the promise of economic prosperity, should the North follow through on its CPA commitments and improve the situation in Darfur.

Madam Chairwoman, I would now like to focus for a few moments on the way forward for normalized relations between the United States and the Government of Sudan in Khartoum. As you know, the Obama administration announced its roadmap for improved relations with Sudan in September of 2010, and we believe the potential for strengthened U.S./Sudanese relations resides with the Government of Sudan in Khartoum. Our current policy is focused on both short and near term incentives, with measurable objectives outlined as follows:

In the short term (the next 30 days), provided that Sudan conducts the Southern Sudan referendum peacefully, and accepts the results; the United States is prepared to begin the process of withdrawing Sudan from the list of State Sponsors of Terrorism. Rescinding the SST Designation will be taken in response to concrete action and must meet all the criteria spelled out in our laws. This step was outlined in November 2010 by Senator Kerry to the Government of Sudan in Khartoum.

In the near term (over the next six months) Sudan must reach agreement on the way forward in Abyei, settle post-referendum arrangements as well as meet their obligations to hold popular consultations for Blue Nile (already underway) and Southern Kordofan. If Southerners have voted for secession, as widely expected, the North should work cooperatively to resolve outstanding issues to enable the peaceful and complete independence of Southern Sudan. They also must work to protect the rights of and ensure the security of Southerners living in the north while refraining from engaging in provocative military activities or cross-border

destabilization. We see these obligations as critical to both a successful North/South relationship and long term stability in the region.

If the North successfully meets these obligations, the United States is prepared to respond in kind, with the support of Congress, in order to move down the path toward improved bilateral relations.

This would initially include meetings between U.S. and Sudanese officials as well as a move by the Administration to facilitate an exchange of ambassadors. It may also include renewed dialogue on debt relief, which would require close cooperation with the international community and creditors to Sudan. This move would signal a renewed dialogue between our countries as well as our commitment an economically viable North and South Sudan.

We would then review opportunities to broaden licensing and permit categories of additional trade and investment with Sudan in non-oil sectors while examining other opportunities within the current economic sanctions regime. We need to take these actions to signal our commitment to an enhanced economic relationship with the North, which is a primary concern of Northerners facing the prospect of an independent South.

Finally, and most significantly we, in consultation with Congress, would move forward with removing Sudan from the State Sponsors of Terrorism list, ensuring relevant requirements under U.S. law are met.

This timeline is consistent with U.S. policy towards Sudan, as well as the message delivered by Senator Kerry in November, on behalf of President Obama. It is, however, critical that the Government of Sudan commits to a peaceful resolution of the conflict in Darfur.

In particular, U.S. government action to lift remaining U.S. economic sanctions and to request legislative assistance with the removal of applicable foreign assistance restrictions depends on Sudanese actions in Darfur. We will expect to see concrete actions on humanitarian access, freedom of movement for UNAMID peacekeepers, engagement in peace talks, an end to the use of proxy militias and targeting of civilians, and an improvement in justice and accountability so the reign of impunity in Darfur does not continue.

The United States remains very concerned about the security and humanitarian situation in Darfur, and we continue to support international efforts to reach a definitive end to the conflict there. Progress in Darfur, including a negotiated settlement, is critical to renewed relationships with Sudan. The Administration recently appointed Ambassador Dane Smith as its Special Advisor on Darfur to maintain focus on bringing peace to the region. Ambassador Smith will work closely with Special Envoy Gration and me to improve the security situation, advance the peace process, and ensure access for humanitarians and peacekeepers. The fighting that broke out in Darfur in December indicates the urgency of achieving a ceasefire between the government and the armed movements, which we will continue to push for in collaboration with the United Nations and African Union.

Ultimately, we believe a political solution is needed in Darfur between the Government of Sudan and all armed movements. We support the peace process in Doha and are pressing all parties to engage in negotiations to reach a comprehensive, durable and inclusive resolution to the conflict. And we believe that a lasting peace in Darfur requires justice and accountability. We also believe that the peace process must eventually transition from Doha to a Darfur-based political process in order to ensure buy-in from the broader cross-section of Darfuri society.

Madam Chairwoman and Members of the Committee, I would like to thank you for your leadership and support on efforts to end the suffering in Darfur and the rest of Sudan. Without the bipartisan congressional support, we would not be where we are today. The way forward in Sudan is challenging and we will rely heavily upon your Congressional support in the process. We believe the coming months are critical, and would welcome further dialogue with Congressional leaders as we work for an economically and prosperous region. Again, thank you for allowing me to be here today to discuss these issues that are so important to us all, and especially to the Sudanese people. I am happy to answer any questions you may have.

Chairman ROS-LEHTINEN. Thank you so very much.

Excellent testimony. We will begin our question and answers now.

But I just want to remind our members, pursuant to long-standing committee practice, I will be recognizing you by seniority for those who are here when I make the sound of the gavel, and then by order of arrival for those who arrive after the gavel. So there is an incentive to get here on time, boys and girls.

And I am pleased as punch to have so many members of our freshman class on our committee. To make a public declaration of how pleased I am, I randomly chose among the wonderful freshmen members of our committee Mr. Duncan's name. So I will yield my time, my question-and-answer time, to Mr. Duncan from South Carolina.

Mr. Duncan is recognized.

Mr. DUNCAN. Thank you, Madam Chairman.

Ambassador Lyman, thank you for coming to address the committee today about Sudan, and I just have a few questions because we are concerned about terrorism in the world. We are concerned about national security. And can the administration credibly certify to Congress that Sudan has permanently ceased support for fellow State Sponsors of Terrorism, including Iran and Syria, and designated foreign terrorist organizations, including Hamas?

Ambassador LYMAN. Excuse me. First, Madam Chairman, I forgot. I submitted a fuller statement for the record if that is okay.

Congressman, that will be part—

Chairman ROS-LEHTINEN. Without objection. Thank you.

Ambassador LYMAN. Thank you very much.

That will be a part of this process that would begin, and it is a process whereby the relevant agencies and the United States Government would be examining that.

I think the requirement is to look at it over a 6-month period to make sure that Sudan would meet all of the criteria under the law regarding counterterrorism.

That process hasn't yet begun because the President hasn't announced it, because it is conditional to even begin that process based on the acceptance of the results of the referendum.

But I assure you that that will be done and that the administration will then consult with Congress on the results of that review.

Mr. DUNCAN. Just a follow-up. What do you make of the independent or open-sourced reports that Iranian arms transited Sudan en route to Hamas and the Gaza strip? Can you help with that?

Ambassador LYMAN. I cannot comment on that, Congressman. But I can assure you that those are the kinds of issues that will be looked at in this review process.

Mr. DUNCAN. Are open-source reports of Bashir's strong relationship with Hamas leadership inaccurate?

Ambassador LYMAN. I am afraid I am not in a position to comment on that. I, again, say that the agencies in the U.S. Government are going to examine all of that as a part of this process. I apologize that I am not in a position to comment on that information which our agencies will have to determine and verify.

Mr. DUNCAN. We look forward to the time that you can comment on that. Thank you.

I yield back my time, Madam Chair.

Chairman ROS-LEHTINEN. Thank you very much. Thank you for that maiden voyage.

Welcome to all of our wonderful freshmen.

I would like to yield 5 minutes to our wonderful ranking member, Mr. Berman.

Mr. BERMAN. Thank you, Madam Chairman, and I will follow your lead, and I am going to yield my 5 minutes to the tentative and I think soon-to-be ranking member of the Africa Subcommittee, the long-time chair of that subcommittee and, to a great extent, one of my key mentors on the issue of Sudan, Mr. Payne.

Chairman ROS-LEHTINEN. Mr. Payne is recognized.

Mr. PAYNE. Thank you very much, Mr. Chairman, for yielding.

Ambassador Lyman, the AU was very involved in this IGAD, which is, as most of us know, the East African Intergovernmental Authority on Development, which has several East African countries, about six or seven, Kenya, Uganda, et cetera. And they were very involved, as you know, actually in the negotiations in Naivasha. How strong do you believe that the AU and IGAD will remain in Sudan as they move forward to the more difficult times?

Ambassador LYMAN. I think the roles are going to be different. The Africa Union is now charged with overseeing the post-referendum negotiations over the issues we talked about. And the high-level panel that the AU has created to do this is headed by former South African President Thabo Mbeki and then with former Burundian President Buyoya and former Nigerian President Abubakar. And they have a staff and have overseen the structure of the negotiations. I am happy to say that we in the U.N. worked very, very closely with them. We are official observers in those discussions and worked very closely with them on the negotiations.

IGAD now plays I think a different and more political role. The IGAD summit some weeks ago was a very important step in confirming assurances from the Government of Sudan about the referendum and proceeding with the CPA. They are not as active as

they used to be in Naivasha and elsewhere in the actual negotiations.

Mr. PAYNE. How do you see the—as we know, Abyei is certainly a very difficult issue to confront. But also, as you know, the Blue Nile and the Southern Kordofan states have also some question about where they really belong. What is your take on those two states?

Ambassador LYMAN. Well, the CPA did not see the popular consultations as the same as for Abyei. Abyei was accorded the right of self-determination to see whether they wanted to be part of the North or the South. That is not included in the terms of reference for the popular consultations. What the popular consultations are supposed to do for those two states is to determine how the CPA has affected them and how their relationships, both internally in the state and with Khartoum, should take place. They are more like if—if I can describe it, good governance consultations, rather than self-determination consultations.

And what we are pleased about with Blue Nile is the tremendous amount of interest taking place as those consultations get underway. People are coming forward. Civil society is coming forward, and they will look very carefully at both the governance of the state and the way the central government impacts on their lives.

As you know, elements in those states fought on the side of the SPLM, but they live in the North. And they are part of the North. So the question really that is being posed is, what kind of political structure will we be seeing in the North that accommodates their interests and the interests of everyone else in the North?

Mr. PAYNE. And the final question about Egypt and the Nile, Egypt can be very, very constructive, or they can be very destructive. And they have changed roles during this whole conflict. The Nile is something that Egypt feels concerned about. How do you think the negotiations regarding Egypt and the North and other countries will go on the Nile?

Ambassador LYMAN. I think it is not a secret that Egypt was very concerned about the whole self-determination vote and the implications of it. But toward the latter part of the year, Egypt became very supportive. And just prior to the referendum, President Mubarak, along with President Gaddafi, came and urged the government to go ahead and go through with the referendum and follow the dictates of the CPA. And I think the attitude of Egypt is that they are going to work with the new Government of Southern Sudan.

Now, water, as the chairwoman said, is one of the issues to be negotiated, how the water is managed, the Nile, which cuts through both Southern and Northern Sudan, are going to be managed, access to water, amounts of water. Those negotiations have not gotten very far, and they will be important, and clearly Egypt will be watching them very closely.

Mr. PAYNE. Thank you very much.

Chairman ROS-LEHTINEN. The chairman-designate of the Africa, Global Health, and Human Rights Subcommittee, Mr. Smith from New Jersey, is recognized.

Mr. SMITH OF NEW JERSEY. Thank you.

And, Mr. Ambassador, thank you for your extraordinary service and your leadership. Let me ask a couple of questions.

First, you mentioned the first step beginning the process of removing Sudan from the State Sponsors of Terrorism List. Ambassador Williamson and I—we were serving with him at the U.N. Human Rights Commission when it was a commission in Geneva. And he led the effort on getting the focus on genocide being committed in Darfur, did an outstanding job doing it. He makes a point in his testimony that the—you must make that determination purely on the merits, not tilted to some other political considerations. And based on what you said, it sounds like that is the process you are going to pursue, but I would just like to hear you say it in your own words or further elaboration.

Secondly, churches play a key role, perhaps even a central role in the provision of humanitarian and development aid and in promoting dialogue and mediating crises. Will the faith-based sector in the new Republic of Southern Sudan, if that is what emerges here, receive a significant amount of money to immediately have a high impact on health care delivery and the like?

Thirdly, the ICC chief prosecutor said that Bashir may have skimmed upwards of \$9 billion. Is that true? What do we know about that?

And finally, I mentioned in my opening about the 35,000 southerners who remain in the North in forced servitude. In the mid-1990s, I held a hearing on slavery in Sudan, was roundly criticized when I had it. And I can tell you by whom if you ask. Roundly criticized. But we brought out the point—and I even had a woman, a mother who told the harrowing story of how they broke into her home, stole her son, kidnapped her son, gave him an Islamic name, and then he became part of a slavery regime. What are we doing about that?

Ambassador LYMAN. Thank you very much, Congressman. On the first question, with regard to the State Sponsors of Terrorism, first and foremost, they have to meet all of the conditions under that law. So it has to be on the merits of that.

But secondarily, we have also said that the final step has to be in the context of they are also meeting the conditions of the CPA.

So it is, first and foremost, they have to meet those criteria. And then, second, when we would take the step would be when they have also—if they meet all those criteria, that they would also have to meet the criteria under the CPA.

On churches, I don't know of the exact plans on USAID, but I will say this, they play an extraordinarily important role in Southern Sudan, as you know. And they have been very important in conflict resolution, and I think they will play a major role in the development side. There is no question it is one of the elements of society.

I will just take a second to say something that has bothered me about the peace process; it has not been terribly transparent. That is, it has been carried on—and we are part of this, too—between two parties, but civil society hasn't been brought in very much. I think now, as we move forward, there must be much broader transparency and involvement of civil society in what comes next, and that very much includes the churches.

On the \$9 billion, I have seen the accusation. I haven't seen the proof, so I cannot say.

On slavery, it is a very, very bitter memory for people who suffered that. That includes some people in the Abyei area.

Clearly, the independence of the Southern Sudan, if that is what the vote will show, may alleviate that problem and other security steps, but clearly, that has to go if it exists anymore. But the memory is there, and I know people who have spoken to me about the bitterness that they feel about it.

Mr. SMITH OF NEW JERSEY. Finally, let me ask one final question with my time. Are there sufficient resources available at the UNHCR, as well as within our own Government as well as other contributors, to assist the southerners in the North to register them, as you said, to mitigate the incidents of retaliation? And what kind of numbers are we talking about in terms of funds?

Ambassador LYMAN. The Southern Sudan Government talks about another—or up to 500,000 people coming. So that would be another 350,000. We have made it a very, very strong part of our diplomacy with the North that no retaliation or violence takes place against the southerners in the North. We have been back to them on this over and over and over again. And so far, that has been—they have respected that. And they claim they will respect it.

But the future of those people in terms of citizenship and economics, et cetera, is still an important consideration. Now, UNHCR is just beginning, really, now that it has access to start to register people, et cetera. There is sufficient international stocks of emergency supplies to handle people when they come south, let's say to get 3-month supply of food, et cetera.

The problem is how well these people can be integrated for long-term development because some of them aren't farmers; they haven't been farmers, et cetera. And this is something we have under discussion now with the Government of Southern Sudan and how our development programs can help in that regard. That, to me, is becoming the most serious challenge. So far, we have been able to work in the North without any retaliation against those people.

Chairman ROS-LEHTINEN. Thank you so much.

I am pleased to yield to the gentleman from New Jersey, my good friend, Congressman Sires.

Mr. SIRES. Thank you, Madam Chair, and congratulations.

Ambassador Lyman, as I listen to you, I sense hope in your voice that this is going to succeed.

But as I listen carefully to what you say to me—excuse me, to the committee, I am not as optimistic. I mean, there is no infrastructure, no help, no way of feeding. There is a referendum governing one end of the country. What can we—what steps can we take to continue to encourage the peace?

And I worry, when you split these countries—we don't have a good experience in Korea still. The tensions are still there. And I worry when all this money comes in to try to help, I look at Haiti and the lack of infrastructure. Sorry, but you sound optimistic, but I am not as optimistic as you are, and I do hope that we can con-

tinue—we have so many years of war, that I do hope that this leads to a peaceful future. Can you just tell us what we can do?

Ambassador LYMAN. You caught me on a good week. A couple of months ago, I was much less optimistic, and I am very encouraged that this referendum has come off and what I think it signifies for the future.

But I wouldn't underestimate the problems ahead. Look, there are several different peace problems. One is peace in the South itself, where there have been clashes in the past, proxies supported by the North, et cetera. Now, we are working hard to build up their security capability. By that I mean their ability to manage conflict, to manage local issues, communicate better, coordinate better, et cetera.

Lots of people—lots of countries along with us are training people, et cetera. President Kiir has promised a very inclusive political process in the future for a new constitution in the South. He must follow that path. Otherwise, there will be dissension, and there will be trouble.

I am reasonably optimistic that they will rise to the challenge. But I think it is going to be a good long struggle.

The other danger is in the continuing tensions that will exist from time to time between the North and the South. One of the points we have emphasized so much to both sides in the last few months is, don't support proxies; that is, that the North doesn't support proxies in the South and vice versa, that the South doesn't support proxies in Darfur or someplace else. It is a very important part of keeping peace, and they have got to resolve their tensions in other ways.

I think that the hope for peace in the area comes from their inevitable interdependence, whether it is in the oil sector, it is the trade sector, et cetera. Both sides need each other right now, and both sides now are not interested in going back to war. And we can build on that, and they can build on that. It is not going to be perfect, and there are going to be crises, and there are going to be threats. But I guess I am more optimistic now than I was a few months ago.

Mr. SIRE. And the other issue that I have a concern of is, you talked about the oil. Obviously, the oil is in the South, and the North is going to feel that they have been excluded of its wealth. I just don't see them sitting back and saying, well, you had this referendum; you keep the oil, and I will stop the water from going South.

Ambassador LYMAN. Actually, their leverage is greater because all the pipelines to export the oil are in the North. So what they have had to do—and the Norwegians have been extremely helpful in this regard, in laying out all of the complexities of how two countries with shared resources can work out a fair compensation. During the CPA, they split the oil revenues 50/50. But that was temporary. Now there is a question of whether the South will keep that ratio, whether they will pay a fee for the use of the pipelines, et cetera. Those are the details they have got to work out now. But they kind of need each other on the oil.

And the other thing which is very important—and, again, we are grateful to the Norwegians for this analysis—that oil isn't that

great. Over the next 5 years, it will decline substantially in output. Both sides have to develop an economy that is less dependent on oil. And that is an important reason for them to turn their attention away from war.

Chairman ROS-LEHTINEN. The chairman-designate of the Oversight and Investigations Subcommittee, Mr. Rohrabacher of California.

Mr. ROHRABACHER. Thank you very much, Madam Chairman.

And, Mr. Ambassador, what is the population of Sudan, both North and South?

Ambassador LYMAN. Oh, I was afraid you were going to ask me that. It is about 8 million in the South.

Mr. ROHRABACHER. And what is it in the North?

Mr. LYMAN. 38 million overall, thanks to Rich.

Mr. ROHRABACHER. I see.

Ambassador LYMAN. 38 million overall, about less than a third in the South.

Mr. ROHRABACHER. And I will tell you, when I worked in the White House, he had all the answers, as well. I just want you to know that.

Ambassador LYMAN. Yeah.

Mr. ROHRABACHER. So 38 million all together. And how much have we spent in Sudan?

Ambassador LYMAN. Since the CPA, overall, for all expenditures, peacekeeping and everything else, we have spent \$10 billion.

Mr. ROHRABACHER. How much?

Ambassador LYMAN. \$10 billion.

Mr. ROHRABACHER. We have spent \$10 billion.

Ambassador LYMAN. Much of that for peacekeeping and relief because of the wars and the displacement, et cetera.

Mr. ROHRABACHER. Right.

Ambassador LYMAN. But that is the figure over—

Mr. ROHRABACHER. Now, is that just us or is that the overall spending? We have spent \$10 billion or—

Ambassador LYMAN. No, we, the U.S.

Mr. ROHRABACHER. We. And how much has been spent then? We have spent \$10 billion. How much have the other philanthropists of the world spent?

Ambassador LYMAN. They have contributed—of course, the peacekeeping, they contribute toward a formula in the U.N.

Mr. ROHRABACHER. Right.

Ambassador LYMAN. There is a formula that they always contribute to.

Mr. ROHRABACHER. Okay.

Ambassador LYMAN. On the economic side, I know, for example, that other donors have been doing about \$700 million a year in the South.

Mr. ROHRABACHER. Uh-huh.

Ambassador LYMAN. I don't have the figures for what they are doing in Darfur. I can try and get those for you.

Mr. ROHRABACHER. Okay. But your guesstimate would be that we are the biggest contributor and almost 50 percent, maybe, of what has been spent has been from us?

Ambassador LYMAN. We are clearly the largest donor, and I will try to get you more accurate percentages.

Mr. ROHRABACHER. Okay. Now, what a fortuitous day for you to be testifying because President Hu from China has just arrived. And I was wondering how much the Chinese have actually contributed to this effort.

Ambassador LYMAN. Well, the Chinese, of course, as members of the Security Council, pay whatever their share is of peacekeeping costs as permanent members of the Security Council. They also have begun a development program in the South. They also contribute a fair number of peacekeepers to the U.N. peacekeeping force. We don't contribute soldiers; they do.

Mr. ROHRABACHER. Right.

Ambassador LYMAN. They have some engineering companies, et cetera, in the peacekeeping operation.

They are, of course, as you know, big investors in the oil industry in Sudan.

Mr. ROHRABACHER. Right. But you don't know what they have spent. And I think that is significant because it is my understanding that the Chinese perhaps are benefiting greatly by their association with the government in the North and et cetera.

Ambassador LYMAN. There is no question that oil has been a successful investment for them. But now that the oil lies largely in the South, they understand that they have to develop relationships in the South, as well. And they are beginning development programs, road programs, health programs, et cetera, in the South.

Mr. ROHRABACHER. Let me just note that—now, first of all, do you believe that the Chinese have played a positive role in Sudan? Is that what you would tell us today, that, by and large, the Chinese have played a positive role there over the years?

Ambassador LYMAN. I think they are playing a more positive role now than they played before, to be perfectly candid. I think they were very resistant, as you well know, in the U.N. to sanctions on Sudan. And so there is a history there.

Mr. ROHRABACHER. And they were opposed to the sanctions—

Ambassador LYMAN. They don't participate—

Mr. ROHRABACHER. Excuse me one moment, but they were opposed to those sanctions because they had a direct relationship with the tough guys who were running the country. Isn't that right?

Ambassador LYMAN. Yeah.

Mr. ROHRABACHER. And the guys who signed contracts for who gets to benefit from the oil.

Ambassador LYMAN. Right. There is no question about that. Now, more recently—and they do most of their diplomacy behind the scenes. They don't work in concert with the rest of us envoys who meet all the time.

They have done some facilitation on the peacekeeping side. They contributed peacekeepers. And they have been supportive now of the referendum process. They have been openly supportive of that and, as I said, starting to do more in the South.

Mr. ROHRABACHER. Okay. I only have about 30 seconds left, and let me just note that we are entering a new era in government. We can no longer afford to have a trillion-and-a-half-dollar deficit. We

figured that will destroy our country. And especially if we are going to be investing \$10 billion in a country with 38 million people—\$10 billion for 38 million people—and then see that another country, perhaps our economic adversary, like China, is benefiting greatly from our investment. Those are the things we need to pay attention to, and we will be.

Thank you, Madam Chairman.

Chairman ROS-LEHTINEN. Thank you so much.

And because the ranking member had given his time to Mr. Payne, now Mr. Payne is recognized, as the ranking member-designate of the Africa, Global Health, and Human Rights Subcommittee, for his questions.

Mr. PAYNE. Thank you very much. I am doing better under this new setup than I did under my own.

Mr. ROHRBACHER. Well, let's discuss that later.

Mr. PAYNE. Let me continue, I think, on the China discussion. As you indicated, China was very, very noninvolved, as you know. And there were several meetings that were held with the Chinese. The Congressional Black Caucus actually met with the Ambassador and, kind of, had a pretty tough meeting with them, and they asked for a second meeting. They had never been to Darfur. They were still selling weapons. They just had no interest in the problems of Sudan.

I had the opportunity to go to Beijing, and the second-in-command of the Government of China asked the question in the Great Hall, once again, about what were they going to do. Since then, as you have mentioned, they have sent people to Darfur, they have started participating in U.N. peacekeeping.

How do you think China will react and do you think they will be a true neutral party as this process moves forward?

Ambassador LYMAN. I think the Chinese will have—you know, I don't want to speak for them really, but they have a stake in the oil sector. They have a stake that those are Chinese companies that own a good deal of the infrastructure, as well as their share in the oil industry. They are very concerned about that. They want to make sure that whatever is worked out between the two entities on oil protects those interests. And, of course, they import oil from Sudan, so they want the stability of supply.

I am pleased that they have begun development programs in the South. I think that is very important. I think we need every donor we can to help in the South.

How they will progress in their relationship between the two it is a little hard for me to predict. Obviously, they will want to have relations in both countries to pursue their interests.

Mr. PAYNE. Now, in the South, the South has the potential of a great agricultural program if they get going. At one time, Sudan was the breadbasket of all of Africa—and with the oil. Are we looking at developing, helping them develop that agricultural sector as we move forward?

And, secondly, what does Khartoum have left? What will their major resources be? Are they industrializing and manufacturing?

Ambassador LYMAN. There was a conference in Nairobi some months ago in which the U.S. was a major participant—General

Gratiation was there and others—just on agricultural development in the South.

It will have to be a major focus of their development efforts. They have this potential, but it is just not being realized at all. So that has to be a major part of their economic development, no question about it. You go to Juba now, and all the fruits and vegetables are coming from Uganda. You know that the potential isn't being realized.

In the North, they, too, have to develop the agriculture sector. They import a lot of food, which they shouldn't. And they are now turning more attention and investment to the food sector, knowing their oil revenues are going to go down, that they have extraordinary economic potential. They are getting investment from Arab countries in the agriculture sector. And I think that is going to be one of the major areas they look to, as well.

Mr. PAYNE. Yeah. There is a lot of new technology on getting water out of the desert now.

I have agreed to yield the balance of my time back to the ranking member, who I think has a question he would like to ask, Mr. Berman.

Chairman ROS-LEHTINEN. The ranking member is recognized.

Mr. BERMAN. I thank you, Mr. Payne, and you, Madam Chairman.

And I just wanted to thank you, Ambassador. I was sitting here, thinking. I came to Congress 28 years ago. You were a key figure in the Africa Bureau at that time, during some incredible times—the fight against apartheid, the other conflicts in Africa going on—the role you played there; and, later on, Ambassador to South Africa and the new South Africa; the leader of our refugee programs during some of the most—I am sure Mr. Smith remembers those years in Southeast Asia and in Africa, former Soviet Union, the places—you worked there; your role before that at USAID, assistant secretary for IO, serving both Republican and Democratic Presidents.

You really do give the term “diplomat” a great name with your stellar service. That you would come out of the academic world—I don't know if that is retirement—but to take this on is a great tribute to you. Thank you.

Chairman ROS-LEHTINEN. Thank you so much, Mr. Berman.

Ambassador LYMAN. You are very kind, Congressman. Thank you so much.

Chairman ROS-LEHTINEN. Thank you.

Now I am pleased to yield to the chairman-designate of the Terrorism, Nonproliferation, and Trade Subcommittee, Mr. Royce of California.

Mr. ROYCE. Ambassador Lyman, you have a long association with these problems on the continent of Africa. And we have many NGOs who are here today, as well.

One of the things that comes with that experience of long being engaged with these types of regimes is that it gives you an important historical check on your assumptions going forward and, in particular, in dealing with Khartoum, which has broken promise after promise.

When dealing with somebody like Bashir, who is in power not because he is a peacemaker, but because he is the most ruthless; when looking at that situation—and I have seen firsthand the result of that ruthlessness in Sudan, in Darfur, Sudan. I remember we had a “Nightline” camera crew we took in to interview some of the survivors of an attack. And I remember a town, Tina, that had been bombed from the air. That was not an attack by the Janjaweed. Those were Antonovs that bombed that town. I remember interviewing a young man who had lost his hand. He had lost his hand to the Janjaweed, but with his other hand he was able to draw pictures, as other kids did, of these Antonovs that had bombed their village, and of mechanized armor that was from the Khartoum government there to support the Janjaweed in the attack.

So, in looking at this, the NGO community, I think, is very hesitant to reach assumptions that all is going to end well. And, in one particular regard, there is an issue that all of us are concerned about, and it has to do with that issue of the state sponsor of terrorism list. Joseph Kony of the Lord’s Resistance Army could not have abducted 10,000 children and abused so many over the last 20 years and made child soldiers out of them without the armaments he got from Khartoum, and without being able to send his fighters up to Khartoum to be patched up without the support that he had. And they didn’t allow people to go into South Sudan to take him out when we had the opportunity to do it.

So the question I have is, have you made it very clear to Khartoum that any support for the LRA would prevent them from being taken off the terrorism list and, basically, that for you, this is a red line? That is my question.

Ambassador LYMAN. I would say categorically we have said that. Any support of them by proxies or other such entities would preclude our following through on that.

Mr. ROYCE. Very good.

Ambassador LYMAN. And, in general, I would say, in dealing with the regime, the way forward is for them to understand that this is the way for them to go forward because it is worse for them if they don’t, in terms of peace, in terms of any thoughts of prosperity.

Mr. ROYCE. And that is logical. But then we have the historical record, and we have the fact that, for 10 years, between 1994 and 2005, Sudan is the only documented supporter for the LRA. And we have a U.N. report last November that LRA commanders reached out to Sudan’s military in Darfur for support. Now, we don’t know much more than that, other than that that happened.

Would the State Department certify to Congress that there are no links between the government in Khartoum and the LRA before taking them off the terrorism list? I guess that is a little harder question.

Ambassador LYMAN. It is a harder question, and I will get you a definitive answer because I have to talk to the people who do that kind of analysis.

But I can tell you this. I have discussed personally—and I know General Gratton has—the LRA with the government and made it very clear that any support to the LRA would be an obstacle to nor-

malization of relations with us. That is a terrible group. That is a horrific group.

Mr. ROYCE. Yeah, it is the most horrific group, probably, on the planet.

Ambassador LYMAN. Right.

Mr. ROYCE. And the fact that the Khartoum government would support—Ambassador Lyman, thank you for your service.

Chairman ROS-LEHTINEN. Thank you so much.

The gentleman from Florida, my good friend, Mr. Rivera.

Mr. RIVERA. Thank you very much, Madam Chairman.

Ambassador, in our administration's enthusiasm to engage local authorities and roll out basic materials and services as a conflict-mitigation strategy, have appropriate safeguards to prevent waste, fraud, and abuse been implemented?

Ambassador LYMAN. One of the things we are working on most intensely with the government in the South, which is where most of our development assistance is going, is exactly that—that is, to get good financial controls, good budget controls, et cetera. And we don't put money through the government without those kinds of assurances. So we are watching that very closely. This is a young government in the South, and getting better controls, better financial controls is one of the top priorities.

We are also doing that at the state level, because resources have to be sent down to the state level. So we are working with the state governments in the South to make sure they have those controls in place. And we will continue to do that.

Mr. RIVERA. Thank you very much, Mr. Ambassador.

A couple of other questions. What is the status of the S/CRS flyaway teams that have been deployed to South Sudan? And what are they doing exactly?

Ambassador LYMAN. Those teams are out visiting and staying in areas throughout the South to be able to get an understanding of whether there are conflicts developing in the South, whether the state governments are capable of dealing with them, so that proper assistance and responses can be made.

It is kind of an extended outreach for the United States to know what is happening out there, to make sure that the potentials for conflict in the South, which are serious, are being addressed, that we know what is happening, that we have good information. And they have been effective over these last couple months.

Mr. RIVERA. If you could drill down on that just a little bit further, what types of program funds are they administering? To what end? Are they implementing directly? Are they employing contractors or providing budget support to local institutions?

Ambassador LYMAN. They are only providing information. It is up to USAID and other programs to then help with those states and help in their security. The flyaway teams are information-gathering teams.

Mr. RIVERA. A few governance questions. Is the administration planning to certify that an elected government has taken office to justify removing restrictions on U.S. assistance to Sudan under section 7008 of the State Foreign Operations and Related Programs Appropriations Act of 2010 as carried forward?

Ambassador LYMAN. Assuming that they voted for secession, they will not become fully independent under the CPA until July. And then, of course, we would have to have legislation with the Congress that would authorize assistance to that entity. We don't have to do it right away because independence becomes official at the end of the CPA.

Mr. RIVERA. Will the Secretary of the Treasury also be moving to make such a certification to provide debt relief to the regime?

Ambassador LYMAN. Debt relief is—there are sanctions against our supporting debt relief. And it depends on how the debt is divided, also, between the North and the South. If some of the debt is assumed by the South and they become an independent entity—and I would want to consult with the Congress closely on this—we could support the South in doing that.

But any general debt relief, assuming that the North carries much of that debt—there are sanctions. And they would have to be removed for us to support action on debt relief for the North.

Mr. RIVERA. Thank you, Madam Chair. I yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you very much. The gentleman's time has expired.

And now I would like to yield for our last—no, we still have one more—the gentleman from Ohio, Mr. Chabot, who is the chairman-designate of the Subcommittee on the Middle East and South Asia.

And thanks for subbing for me this weekend, Mr. Chabot.

Mr. CHABOT. Happy to do it, Madam Chairwoman. I appreciate the opportunity to do that. And you are loved down there, there is no question about that. So we appreciated filling in for you.

Mr. Ambassador, thank you for your time here this afternoon. And I know you have answered a lot of questions, so just a couple that I have.

Relative to the referendum, and assuming that it goes the way that virtually everyone believes that it will and that the vote in the South is to essentially secede, could you—and I know you have already talked about this to some degree, but could you discuss again what mechanisms are expected to take place relative to the oil revenues and wealth sharing and that sort of thing in the disputed areas?

Ambassador LYMAN. The two entities face some choices on how to handle the management of the oil sector. One is to create a joint management of the sector. I don't think that is going to happen, but that is one option out there.

Another is to have the South take an equity position in the infrastructure in the North so they are part owner, as well, and the economics works out that way.

A third option is simply for the South to pay a fee for transporting the oil through the pipelines. And there are a number of variations on this, all of which—I owe what limited knowledge I have of this to the Norwegians, who have laid this out in great detail for the two parties.

So they will choose among these potential ways of cooperating, and then the political decision is, how much does the South pay to the North? Is there a premium for peace, to put it bluntly, in what

they pay? And that is going to be the political side of the negotiation.

On the other issues, there are working groups on all the other issues looking at them technically. For example, on currency, if both countries move to a new currency, how do they do it very carefully, not to destabilize the other? Because you could do that. And they have agreed in principle that they won't destabilize each other, but then the question is, what is the timing? How do they do it in the proper way? So there is a working group on that.

And similarly on borders, there is a working group, although, again, the decisions there are very political, because there are five disputed border areas. Most of the border is agreed, but five areas are disputed, and they haven't agreed on how to solve the dispute. And that is now a major issue to be resolved.

Mr. CHABOT. Thank you.

And then on another area, Mr. Ambassador, I was here for 14 years and then gone the last 2, and so I have gotten a little behind in some of these things over the last 2 years. But I have been to the Darfur region on two different trips, one to the refugee camps in Sudan and then to the refugee camps in Chad. And, at the time, things seemed to be simmering down somewhat, to the extent that the Janjaweed attacks had been, shall we say, limited compared to the way they had been previously, although many people were still in the camps.

Has there been any progress in the people moving out of the camps and back to their villages, or is it too dangerous in most places for that to occur?

Ambassador LYMAN. Again, I have to apologize because Darfur isn't in my brief. I don't have the up-to-date details.

I don't think there has been a lot of movement in that regard. There was some violence very recently between the South African—Sudan Armed Forces and one of the rebel groups that displaced a lot of people additionally.

But I would defer to General Gratton when he is here and my colleague Dane Smith to give you a more accurate up-to-date. I apologize that Darfur I am not as sharp on.

Mr. CHABOT. That is quite all right, Mr. Ambassador. Thank you very much for your time.

I yield back the balance of my time, Madam Chair.

Chairman ROS-LEHTINEN. Thank you so much, Mr. Chabot.

And the gentleman from Pennsylvania, Mr. Marino, which is a much revered name in Miami, yields his time. And we thank you so much because we are so short of time.

So we are going to say, thank you very much, Mr. Ambassador, for your time. Get back to work. We are going to shoo you out of there.

I am going to welcome Ambassador Richard Williamson and Omer Ismail to our panelist table. And I am going to give you the briefest of introduction. Gentlemen, I am going to be ruthless with my gavel because we want to get to the question-and-answer period. So, as you settle in, let me introduce you.

Ambassador Williamson has served as the President's special envoy for Sudan and as the U.S. Representative to the United Nations Human Rights Commission, where he pressed for the adop-

tion of a resolution condemning the atrocities in Darfur, in conjunction with the United Nations commemorations of the 10th anniversary of genocide in Rwanda.

Welcome, Mr. Ambassador. And I know that your book is here floating about.

And Omer Ismail—thank you so much, Omer. You are so loved. A humanitarian, human rights activist, working with numerous organizations to stop genocide and mass atrocities. Mr. Ismail was born in Darfur but was forced to flee Sudan in 1989.

Thank you gentlemen both for being here. I will gavel you down in 5 minutes so we can get to our question-and-answers because we have votes on the floor in a little bit. Thank you.

Ambassador Williamson, if you could start.

**STATEMENT OF THE HONORABLE RICHARD S. WILLIAMSON,  
PARTNER, SALISBURY STRATEGIES, LLC (FORMER SPECIAL  
ENVOY TO SUDAN AND AMBASSADOR TO THE U.N. COMMISSION ON HUMAN RIGHTS)**

Ambassador WILLIAMSON. Thank you very much, Madam Chairperson, and congratulations on that. Good to see Ranking Member Berman again. And I have to note, Don Payne has spent more time working on Sudan than any other American leader, and we are all in his debt. And, as Congressman Smith said, we have worked together in the past. It is good to be good with you again.

I think in Sudan you have to first start with the fact that there has been marginalization for 200 years that has resulted in discrimination—discrimination economically, educationally, health, politically, injustice. And that permeates the country, and that creates instability. And the South is only a small part of the story.

Second, we have to recognize that, unfortunately, in Sudan, it is too common that the political leaders feel comfortable resorting to violence as a legitimate way to pursue their political objectives and engage in their atrocities.

And, thirdly, we have to recognize the nature of the regime. The vote is a shining moment. The Sudan people deserve most of the credit. The international community—U.S. brokered the CPA, President Bush. And while I have criticized President Obama and his administration, they deserve credit for their initiative over the last 4 months, the diplomatic surge, which was extremely helpful.

But the vote is not the end of the story. It may not even be the beginning of the end of the story. The contested border areas, Abyei, oil revenue sharing, and citizenship are not just the headlines of issues. It is the fundamental dispute which, over 6 years, have been known. For 6 years, Khartoum has blocked progress on those issues. And for the last 6 months, 4 months notwithstanding, the initiative, little substantive, particularized progress has been made.

Fourth, my experiences of the CPA, the regime in Khartoum breaches commitments. Look at just the CPA. They agreed to abide by the Abyei Border Commission. It made its determination. The South accepted it; the North refused. They agreed to abide by the permanent arbitration court in The Hague in its determination of the border. That process went forward. The South accepted it; the North refused. In the CPA, the North agreed to disarm and de-

mobilize their militias; they did not. They committed to transparency in oil revenue sharing and accounting; they did not.

It is important to recognize that incentives alone are inadequate, promises are illusory, and incentives without steel, without some threat of coercion, have proven a failure in the past, and they will let down the Sudanese people again.

Underlying all this, what is the U.S. goal? In 2005, it was in part the separation, and we paid for that. It would be overpaying now to say that because haltingly, imperfectly, in a delayed manner and having cost many lives, that we should now be overly generous for the performance of commitments made. The marginalization continues, the injustices continue, atrocities continue.

The week before the vote began in the referendum, 18 bombs dropped in the South. The U.N. certified that they were from the Sudan Armed Forces. And the South is not the only area subjected to this. Darfur and the Nuba Mountains cannot be separated. We should not rush to give benefits.

The nine neighbors and China have not been helpful, but we have reached a tipping point where they see that separation is going to happen, so they have been, on the margins, helpful. They can do more. The administration has tried to encourage it. They should. There is an enormous development challenge, but it has to have burden sharing, and the European Union and others have to increase their participation.

I am concerned about a process that begins in a litany of incentives before performance, before specific agreements, before verification mechanisms are put in place, before there is monitored results. As Ronald Reagan used to say, "Trust but verify." I am concerned about it, and I fear, once again, the Sudanese people will be denied what they need.

Thank you, Madam Chairperson.

[The prepared statement of Mr. Williamson follows:]

## THE SUDAN REFERENDUM: A MOMENT, NOT AN END

Testimony of Ambassador Richard S. Williamson  
Before the Foreign Relations Committee  
House of Representatives, United States Congress  
Washington, D.C.  
January 18, 2011

It is a pleasure to be here to share my views about the situation in Sudan, the recent plebiscite in Southern Sudan and the many challenges ahead. However, first let me congratulate Congresswoman Ileana Ros-Lehtinen on her recent election to chair the House Foreign Affairs Committee. And let me thank Chairwoman Ros-Lehtinen and Congressman Howard Berman for inviting me to appear before the Committee and share my perspectives.

Currently I am a principal in the consulting firm of Salisbury Strategies, LLP, Senior Fellow at the Chicago Council on Global Affairs and a Non-Resident Senior Fellow at the Brookings Institute. It's been my honor and pleasure to serve in a number of government positions, among them was service in three ambassadorships, Assistant Secretary of State for International Organization Affairs, and most recently serving as President George W. Bush's Special Envoy to Sudan where I worked to alleviate the humanitarian suffering in Darfur and for the full implementation of the Comprehensive Peace Agreement (CPA).

## THE VOTE

From January 9<sup>th</sup> through January 16<sup>th</sup> millions of south Sudanese went to the polls to exercise their right of self determination. This right, recognized in the United Nations Charter and in the UN Universal Declaration on Human Rights, finally came to the long suffering people as a stipulation of the CPA. While during the recent vote there was violence, with a number of tragic deaths, and there were some technical and other difficulties, overall the vote went well.

This is a moment of satisfaction, even celebration, over the south Sudanese people overcoming decades of death, destruction and despair during which vicious violence and horrendous atrocities were too common afflictions on innocent people. It is a moment in which we should recognize the struggle, stamina and strength of these extraordinary people. The progress is ultimately their hard won achievement. It is the people of south Sudan, those living there and those driven from their homes, who seized this opportunity to make their world anew. It is these people who have never given up on their dream to overcome a history of marginalization and violence who we should celebrate: their courage, their commitment, their character. It also is a moment in which we should note the contribution of many remarkable Sudanese leaders such as Dr. John Garang and President Salva Kiir who demonstrated vision, wisdom, political skill and patient guidance. And, notwithstanding their role in the atrocities, their use of proxy militias and their failures to live up to so many of the commitments made in the CPA,

it is appropriate to acknowledge that the government of Sudan, however reluctantly, allowed the vote to go forward.

Furthermore, the broader International Community has been deeply engaged in assisting this process. The IGAD member states of east Africa and the Troika of the United States, Norway and Great Britain played very useful roles in nurturing discussions and ultimately helping broker agreements that ended the long Sudan North/South Civil War, the longest in Africa which claimed over 2 million lives and displaced over 4 ½ million south Sudanese.

President George W. Bush and his first Special Envoy to Sudan, Senator Jack Danforth, deserve special recognition for the critical, indeed indispensable role played by the United States in achieving this peace agreement. And the United States has continued to be deeply engaged in nurturing the implementation of the CPA. It is a great example of the power and influence and resources of the United States harnessed to good purpose in realizing a major diplomatic achievement and contributing to a more peaceful world. It has been a cause in which there has been common purpose of President Bush and, now, President Obama, and the United States Congress; of Republicans and Democrats.

In spite of that common cause, I was sorely disappointed in the Obama Administration's policies and performance on Sudan during its first 20 months; a poor performance that witnessed a rise in violence and an increase in deaths in Darfur and southern Sudan, decreased flow of humanitarian assistance to the displaced people in Darfur struggling to survive in desperate conditions, multiple violations of commitments absent United States government rebuke and an erosion of the principle of accountability. However, and this is significant, President Obama's personal involvement in Sudan policy and diplomacy since last September and a general United States diplomatic surge, undoubtedly have contributed to the vote going forward. The administration deserves recognition and praise for its renewed focus. I would like in particular to single out Ambassador Princeton Lyman, an able and experienced foreign service officer, who agreed to come back into government service when asked to do so and help this process the past four months.

More generally, the United States, the United Nations and many, many other donor countries have continued to assist the south Sudanese with significant humanitarian assistance and development aid, often coordinated through the Sudan donors consortium. And the United Nations peacekeepers (UNMIS) have helped crowd out the space for violence. Also, it is important to acknowledge the extraordinary efforts made by thousands of civilians in a large number of Sudanese and international non-governmental organizations who have labored tirelessly, often in very difficult conditions, to help the south Sudanese during this critical transition period. While serving as the President's Special Envoy to Sudan, I witnessed the good work of these dedicated people and visited with them in Khartoum, Juba and in the camps. They are extraordinary individuals dedicated to a cause greater than themselves. They provide medical assistance, help supply basic needs, assist in helping improve governance and so many other activities crucial to the survival of so many Sudanese in need in the south, Darfur and elsewhere in Sudan. Their continued efforts are necessary and require support if the Sudan people are to achieve a better future. Many are true heroes whose selfless work will not receive wide recognition

but to whom all are indebted who hope for a better, more peaceful, more stable and more prosperous Sudan.

Finally I want to acknowledge the contribution of the dedicated advocacy community in the United States and abroad who have kept a laser focus on developments in Sudan and sought to ring the bell and alert those in public office to developments and hold them accountable when they felt their leaders were falling short in their responsibilities. Yes, while I served as the President's Special Envoy to Sudan I felt their heat from time to time, I felt its discomfort and often disagreed with their critiques; just as from time to time I heard constructive criticisms from some members of Congress; but I never questioned their motives, their commitment and, truth be told, they helped me do a better job. Similarly, I believe that community of dedicated humanitarians in their advocacy will continue to play a vital role going forward.

So I repeat, the voting that just ended is an extraordinary moment toward which many contributed; and for which the south Sudanese themselves deserve the lion's share of the recognition and credit. It is appropriate to celebrate this moment just as it is appropriate also to recognize the contributions of so many others. But this is not the end of the story. To paraphrase Winston Churchill, this is not the end, however, it may be the beginning of the end. And the most perilous period lies yet ahead. To have travelled so far and through such costly and treacherous waters at such sacrifice of human life, it would be unconscionable now to not see this process to its successful conclusion. A sustainable peace is achievable, we can see that now; but it definitely is not inevitable. And the history, habits and heritage of Sudan has been vicious violence; not conciliation, cooperation and compromise. The pattern and practice has been retribution, not renewal and rebirth.

Yes, note and applaud the achievement; but we cannot lose sight that the goal was not the vote but a sustainable peace where long marginalized people can live in dignity and seek their dreams in freedom. It is not a time for "gold stars and cookies;" it is time for robust diplomacy. There must be a combination of incentives and credible threats of coercive steps if negotiations are not in good faith, deals are broken or there is a resort to violence. As Bismarck once said, diplomacy without the credible threat of force is like written music without instruments. To finish the job that has begun, we need incentives and we need steel.

#### OUTSTANDING ISSUES

Extremely difficult problems, especially those that have been surrounded by a long history of marginalization, discrimination and injustice; violence and atrocities; mayhem and murder; and a path of broken promises and breached commitments are not resolved by agreements in principle, frameworks or promises to negotiate in good faith. Detailed, specific and verifiable commitments must be reached. As President Ronald Reagan used to say, "Trust but verify." And the outstanding issues between south and north Sudan are very difficult indeed.

The five contested border areas, oil revenue sharing, the future of Abyei, popular consultations, citizenship, security, liabilities and currency are just some of the most urgent matters that must be resolved before a separation can occur with any chance of success. None of these fundamental issues is

new. They have been long acknowledged. The processes for resolution of many were stipulated in the CPA. But as we meet today they are not resolved. The uncertainty around their resolution adds to the tension and instability that lingers. They create a haunting specter that darkens the path forward and puts at grave risk any chance of real, sustainable progress. Left unresolved, it is hard to imagine the results of the Referendum being honored and a future without a return to the terrible times of terror and tragedy in the south.

#### THE CONTEXT

To set a successful strategy, one must examine the history, heritage and habits in Sudan. And one must be mindful of past performance; promises kept and promises broken. And especially in Sudan, it is prudent to be mindful of practices used to achieve goals; including how frequently there has been a resort to violence and the particularly brutal ways in which campaigns of violence have been prosecuted. In the case of north and south Sudan, it is not a pretty story.

Going back at least to the Ottoman Empire in the 19<sup>th</sup> century, Sudan has had a history of favoritism for a minority of Sudanese in the north who are Arab and Muslim, and severe marginalization of those in the periphery who are not. This discrimination permeated all areas of life. Power and privilege were reserved for the Arab Muslims of the north. Among the denial and discrimination of those on the periphery, such as the southerners, were in areas of education, health care, economic opportunities, political participation and justice. Tragically, this gross discrimination continued into the 20<sup>th</sup> century under the British. When Sudan achieved independence in 1956, the reins of power were handed over to the same minority that had held privileged positions in the colonial period. Unsurprisingly, the new government continued the discrimination. Of course, this fragmentation and marginalization have prevented the people from gaining any sense of shared community, common cause or nationhood. This has been accentuated by periodic efforts of the government to impose Islamist Sharia law upon the south.

I once asked an old Sudan hand how the government could do such awful things to their own people. His reply was instructive. He said, "They don't believe those people are their own."

During the decades of war, the north armed Arab militias. They engaged in coordinated attacks of the Sudan Armed Forces and their Arab militia proxies in the south. They targeted innocent civilians. Fire fell from the sky and atrocities were committed. Over 2 million died. 4 ½ million were displaced. And we should remember that rebel movements also on occasion committed terrible deeds. In Sudan there are no white hats but among the innocent civilians who have been and continue to be preyed upon. Nonetheless, there is a stark difference between those with the dusty brown hats and those with the darkest black hats on whose hands is the stain of so much innocent blood.

As I have already noted, the 2005 Comprehensive Peace Agreement was a great diplomatic achievement that ended the worst violence. It charted a six year transition period in which a number of critical issues were to be resolved leading up to the plebiscite on separation just completed. It invited an effort by the north to make unity attractive. This was not an invitation acted upon, and the probable vote for

separation is the consequence of the north's inability or unwillingness to take steps to unify the country and forge a common identity of equality and respect and shared identity.

Let's look at some of the agreements made in the CPA. The north agreed to disarm the Arab militias. It has not done so. Indeed, there are ample reports that during the past two years the north has supplied more arms to their Arab militia proxies in the south and other areas in anticipation of renewed large scale fighting. The north agreed to disband their proxy militias. They have not done so. The north and the south agreed to the creation of the Abyei Border Commission, a new independent international panel of experts, to study the history of the area and determine the border between the north and the south; and the north and the south both committed to accept the border determination of the Commission. That body was created, did substantial research and issued its determination of the appropriate border demarcation. Their decision was not precisely what either the south or the north had hoped for. As it had committed, the south accepted the Abyei Border Commission border decision. The north did not. The north and south agreed to an oil revenue sharing arrangement during the transition up to the Referendum. Integral to that agreement was the stipulation that the north ensure a transparent process and accounting for the ongoing implementation of the oil revenue sharing. The north has failed to be transparent. After the May, 2008, Abyei flare up during which Sudan Armed Forces stayed in their barracks while Misseriya Arabs burned the city to the ground displacing over 50,000 south Sudanese, the south and north agreed to the Abyei Road Map. Among the matters addressed was once again dealing with the contested border areas. Both parties agreed to submit the issue to the Permanent Arbitration Court in The Hague. The south and the north agreed to be bound by the Court's decision. That determination was less favorable to the south than the Abyei Border Commission's demarcation line. Nonetheless, the south lived up to its commitment and accepted the Court's decision. The north did not.

Suffice it to say that there is a clear pattern. And that pattern does not suggest that it would be prudent to accept on faith any conceptual agreements, any deals in principle, nor even any specific detailed agreements unless and until they are monitored and verified. To do otherwise would be worse than being naive, it would be irresponsible. It would invite violations, disappointment, and, in all likelihood, it would invite a return to large scale violence in which more innocents will die.

Furthermore, it must be remembered that violence in the south increased in 2009 and increased further in 2010. Casualties rose in 2009 and rose further in 2010. Deaths increased. And there are reputable reports that the north had further armed some of their agents of destruction during this period. Indeed, just one week before the Referendum, the United Nations verified that Sudan Armed Force aircraft had dropped 18 bombs in the south. Compared to the scales of violence and the casualty rate during the war, this was low intensity violence. But that is little comfort to those who are dead or their loved ones left behind. And it suggests a willingness to return to violence as a legitimate instrument to pursue political objectives. This too should argue against any leap of faith for good intentions or rush to overstate progress in the slender hope of substantial progress. It suggests the requirement of specific, detailed commitments on all the critical matters and verification of each and every step with appropriate incentives and adequate sanction for nonperformance.

The challenges in the coming months also include severe stress on both the Government of Sudan in Khartoum and the Government of Southern Sudan in Juba which must be taken into account.

In the south, competing ambitions among various prominent political personalities, militia factions and tribes have been submerged to make a united cause against the north and move toward separation. As the votes are counted and the path traveled toward independence, we can expect that many of those ambitions will be unleashed. The jockeying for power will be robust. The stress on President Salva Kiir will be considerable. While the President's Special Envoy to Sudan I came to appreciate Salva as the indispensable man to keep the competing interests within the south harnessed to the common cause of full CPA implementation and to restrain the considerable political pressure to lash out against the north for their misdeeds and agreement violations. But he will be seen by some natural competitors in the south as less indispensable as separation approaches. His room to maneuver and compromise on outstanding issues with the north will become increasingly circumscribed. The stress will grow and it will be inhospitable to being overly accommodating to the north's demands.

In the north, the government's legitimacy will be challenged by some for having agreed to dismember Sudan. Already there are reports of various opposition leaders conspiring to unify to bring down the government. But then in Sudan "conspiracies" always seem to be a robust growth industry. Such rumors are not new. And it must be considered that some might overstate the vulnerability of the government to exact support for the north's positions in negotiations or to exact benefits from the credulous outsiders. There might be further stress on the government from rebel movements in Darfur or other disaffected areas that sense vulnerability in Khartoum and want to seize the moment to advance their cause and address their grievances.

A final note regarding the context is to review the past patterns and practices of all the parties in dealing with disputes. My experience is that the north is well practiced in the art of addressing critical issues that have achieved international attention and concern. They like to set up elaborate processes to address the outstanding issues. They like to deliberate, and discuss, and debate and delay; and then discuss and deliberate and delay some more. Meanwhile the process itself is a form of denial. The international community's attention wanders to other pressing issues. The urgency seems to have passed. The circumstances have not changes, but the crisis atmosphere passes. Meanwhile, the south is too trusting and willing to hope for the good faith of their interlocutors. Surely this time Khartoum means what it says. But Khartoum does not. Should the United States encourage such a leap of faith? And as we approach the July date for separation, as the political pressure grows, the anticipation and risks, will Washington succumb to the temptation to pressure those we believe most responsive to our sway and coercion, the south, to accept more concessions to satisfy the north?

#### THE PATH FORWARD

It is appropriate to celebrate this moment of a credible Referendum in Sudan as stipulated in the CPA. It is a considerable achievement in which the United States played a significant role, including the efforts of the Obama administration during the past 4 months. But it is only a moment. The heavy lifting

remains to be done. The critical issues remain unresolved. The stakes are high. The time is short. And the cost of failure will be paid in innocent Sudanese blood.

Like Charlie Brown and Lucy every autumn, shouldn't we expect that despite promises and commitments and pledges of good faith that once again as Charlie Brown runs up to the football and swings to kick it that Lucy, at the last moment, will pull the football away and Charlie Brown will swing his foot and land on his backside?

We should not put much stock in any agreements in principle or frameworks or agreements to negotiate to agree on any of these critical issues. We should not give "cookies and gold stars" in anticipation or hopes of progress. It is time to be realistic, keep our eyes wide open, be tough minded and demand specific verifiable agreements and the means to monitor performance.

There should be some transparency on the pace and good faith efforts of all parties during the upcoming negotiations. The heat must be on both parties. Neither can be allowed to stall to gain last minute advantage.

Throughout the Bush administration, the United States Government engaged with all the parties in Sudan. During negotiations incentives were discussed and penalties stipulated. When commitments were breached and actions taken that violated innocent Sudanese, at the very least, vigorous public condemnations were expressed. And, under President Bush, the United States Government clearly supported the principle of accountability in Sudan and took steps to oppose impunity. In Sudan to offer incentives with no credible threat is neither smart nor effective. To provide rewards for past commitments haltingly and imperfectly lived up to is overpaying for obligations to which the parties have already subscribed and weakening your hand when the heavy lifting that lies yet ahead.

Finally, the north/south issues, including full implementation of the CPA, cannot and should not be dealt with in isolation to the continuing marginalization of the peripheries, and the genocide in slow motion in Darfur. Before the United States becomes too generous with various incentives, we must alleviate the humanitarian suffering and bring an end to the death, destruction and despair in Darfur.

Finally, regarding Sudan's designation on the Terror List initiated by the Clinton administration. I am not current on the Government of Sudan's activities with Hamas, a foreign terrorist organization, but we know there has been some past activities. Nor am I briefed on Khartoum's current areas of cooperation with United States intelligence services. But we can agree that before the administration formally informs Congress of any intention to lift Sudan, or any other country, from the State Sponsor list that the case must be made on the merits and not tilted due to some other political considerations.

#### CONCLUSION

The Sudanese people have suffered greatly. They have endured more than any people should ever endure. The Government of Sudan has a responsibility to protect the people living within their borders. Instead of meeting this responsibility they have perpetuated atrocities and suffering on their own people. Innocent people have been targeted due to ethnicity, race and region. The United States and others also have a responsibility, a responsibility which we have not met, to help the afflicted, the marginalized, the innocent victims. At this moment when some progress has been made we must press on for a just resolution consistent with the CPA that will provide an opportunity for sustainable stability and renewal.

Thank you.

Chairman ROS-LEHTINEN. Thank you so much. Thank you. Mr. Ismail?

**STATEMENT OF MR. OMER ISMAIL, ADVISOR, THE ENOUGH PROJECT**

Mr. ISMAIL. Congratulations and thank you, Madam Chair. And thanks to the esteemed members of your committee. I will get down to it.

The United States has a crucial role to play in laying the groundwork for peace and stability in Sudan from this moment forward. The Southerners have come out. They cast their vote. They are going to decide their destiny, which is going to be the separation from the mother country of Sudan. But, as everybody agrees, including President Obama in his op-ed in the New York Times, that the work is just beginning.

So the United States should capitalize on this current momentum in Sudan to address three crucial issues that will establish peace and stability in all of Sudan and the neighboring countries in the region.

First, the relationship between North and South Sudan must be clarified before secession formally takes place in July. This involves detailing the economic arrangements between North and South after separation, the legal status of populations in both the North and the South, as well as resolving the status of contentious border areas. Without agreement on these issues, anxieties on the ground and among the leadership of both governments have the potential to spark violence.

Second, the conflict in Darfur must be reprioritized. An inadequate peace process has trickled along for years while violence has intensified in recent weeks. Now is the time to revitalize the Darfur peace process, one that has inched along for years with very limited effect on the ground in Darfur.

Number three, at a time when political changes will be underfoot in both the North and the South, the U.S. should press both governments toward inclusive governance and pluralism to ensure that peace endures in Sudan, both in the North and the South.

Sharing oil revenues, the currency, citizenship, border, and the issue of Abyei are very crucial, but until now, the international community has been content to let the Sudanese parties delay making the difficult and necessary decisions to ensure a peaceful transition. In place of this unassertive mediation, the U.S. should jump-start a far more proactive international mediation, modeled upon the Naivasha peace process that produced the CPA.

The Sudanese Government in August unveiled its own Darfur strategy that would nationalize or domesticate the political forces, and focus on the return of IDPs, development and implementation of justice locally. We believe that this plan is not only problematic but that it hides the government's true intention of seeking a military solution in Darfur.

We believe the way forward is for the U.S. to have a decisive roadmap to secure peace in Darfur based on a sound diagnosis on why efforts to date have fallen short of the mark. This will require robust engagement with the mediation team, significant diplomatic

and technical support, and securing constructive participation by the Europeans, China, and the regional actors.

Finally, the U.S. should capitalize on the opportunity for political reform that South Sudan's secession presents for both the North and South.

In the North, several of the processes that the United States should strongly support are specifically mandated under the CPA, including a constitutional review that involves public participation as well as popular consultation in the border states of Southern Kordofan and Blue Nile. Investing in civil society groups, independent voices, political party development, and other building blocks to a more democratic future are fundamentally steps that the U.S. can take toward preventing future conflict in Sudan.

In the South, we see a fragile new state that is filled with potential. It is in the interest of the United States to help lay the foundation for good governance and invest in real institution and capacity building. The development of a strong Parliament and judiciary, as well as executive institutions that deliver services, share power, and transparently administer tax on oil revenue will be key to the peace in Southern Sudan.

As the United States moves forward to urgently ensure that the two Sudans separate amicably but find the common ground necessary to sustain peace in a tumultuous corner of the world, we must do what we can to help deliver on the promises to all Sudanese.

Thank you, Madam Chair.

[The prepared statement of Mr. Ismail follows:]

**Testimony of Omer Ismail,  
Policy Advisor at the Enough Project  
Before the Committee on Foreign Affairs  
U.S. House of Representatives  
01/18/2011**

Thank you, Congresswoman Ros-Lehtinen and members of the Foreign Affairs Committee for the opportunity to speak about Sudan at this historic moment. The United States has a crucial role to play in laying the groundwork for peace and stability in Sudan from this moment forward.

Six years after the signing of the U.S.-brokered Comprehensive Peace Agreement, the agreement that ended a two-decade long civil war that cost two and half million lives and prompted four million people to flee, South Sudan is on the precipice of independence. Starting last Sunday, millions of South Sudanese came out in waves to cast their ballot between secession or unity. The referendum was a euphoric event for the overwhelming number of South Sudanese who desire independence and importantly, took place in an environment of relative peace. Early assessments are uniformly positive about the technical conduct of the vote, including those of former U.S. President Jimmy Carter, who said recently that the vote met international standards.

Credit must be given first and foremost to the South Sudanese themselves, whose steadfast commitment to determining their own destiny defied the conventional wisdom that doubted this day would ever come. But the role of the United States government, in its concerted efforts to press the Sudanese parties and the international community to ensure the successful and timely conduct of the referendum, proved indispensable. Since President Obama's attendance of the U.N. meeting on Sudan in September, the administration has shown itself to be engaged at the highest levels on Sudan. This diplomatic commitment has helped deliver a peaceful referendum that just three months ago seemed a near impossible feat. But, as President Obama himself said in a *New York Times* op-ed, this election is just the beginning. Now is when the difficult work begins and when U.S. high-level engagement is more critical than ever.

The U.S. should capitalize on the current momentum in Sudan to address three core issues that will lay the groundwork for peace and stability in all of Sudan and the surrounding region. First, the relationship between North and South Sudan must be clarified before secession formally takes place in July. This involves detailing the economic arrangements between North and South after separation, the legal status of populations in both the North and South, as well as resolving the status of contentious border areas. Without agreement on these issues, anxieties on the ground and among the leadership of both governments have the potential to spark violence. Second, the conflict in Darfur must be reprioritized. An inadequate peace process has trickled along for years while violence has intensified in recent weeks. Third, at a time when political changes will be underfoot in both the North and the South, the U.S. should press both

governments toward inclusive governance and pluralism, to ensure that peace endures in Sudan for the long-term.

#### 1. Post-Referendum Issues

There is a range of outstanding issues between the North and the South that if left unresolved, could reignite conflict. Like any divorce, how assets will be split between the two parties is a paramount question. Oil is an economic lifeline for both the North and the South but how oil revenues will be divided after secession has not been decided. Similarly, how the 38 billion dollar Sudanese debt will be managed after separation must also be addressed.

The citizenship status of southerners in the North after secession remains unknown, and if left unresolved, could force over one million southerners to become stateless. Left without legal protection, southerners in the North may be vulnerable to retributive violence or harassment.

The two parties also continue to disagree over where the 1,300-mile North-South border lies and how the border—over which many communities reside and travel—will be managed. The status of the volatile border area of Abyei is of particular concern. The Comprehensive Peace Agreement granted the residents of Abyei their own referendum vote that would determine whether the area belongs to the North or the South. But because of a lack of agreement between the Sudanese parties on who is eligible to vote, Abyei's referendum did not take place as scheduled last week. The parties and international mediators including the U.S. are heavily engaged in negotiating a resolution to Abyei's status, but the parties appear far from an agreement. Meanwhile, a series of violent clashes took place last weekend in Abyei, in a sign of how quickly tensions on the ground can break loose.

As U.S. lead negotiator Princeton Lyman has said publicly, the technical expertise for how these issues can be managed have been put forward, but “the tough political decisions on these issues” remain. This is where the U.S. must exert its energy. Until now, the international community has been content to let the Sudanese parties delay making the difficult but necessary decisions to ensure a peaceful transition. In place of this unassertive mediation, the U.S. should jumpstart a far more proactive international mediation, modeled upon the successful example of the African-led but internationally supported negotiations that produced the CPA. Part-and-parcel of such an approach would be the direct involvement by the U.S. and its international partners in pressing the parties on compromise proposals and establishing unambiguous timelines. The U.S. should also press influential actors, including the Arab League, the European Union, and China, to put forward the incentives and consequences necessary to push the parties toward a deal. Across these ranging issues, enough trade-offs could take place between the two parties for a grand bargain to be struck. But without intensified U.S. diplomacy, negotiations may continue to drag on with little result, giving tensions on the ground opportunity to flare.

## 2. Darfur Peace Process

Second, the U.S. should capitalize on the current momentum in Sudan to engage deeply in the other major war theater in Sudan – Darfur. In recent weeks, as the world focused on the referendum in South Sudan, we have seen an alarming escalation in violence in Darfur, tied partially to the breakdown of the Darfur Peace Agreement of 2006. The recent violence, which has led to the displacement of thousands, was reminiscent of the attacks in 2004/2005 during which the Sudanese Armed Forces and its allied militias indiscriminately attacked civilians. And though these clashes have had severe humanitarian consequences, reports indicate that the Sudanese government continues to block the U.N. from accessing the areas impacted.

It's time to revitalize the Darfur peace process, one that has inched along for years with very limited effect on the ground in Darfur. The Obama administration has taken a positive first step with the appointment of a full-time, lead negotiator for Darfur, former Ambassador Dane Smith. As Ambassador Smith assumes this role, we believe that there are several recommendations to keep in mind. The Sudanese government in August unveiled its own Darfur strategy that would nationalize or domesticate the political process, focus on return and development, and implement justice locally. We believe that this plan is not only problematic, but that it hides the government's true intention of seeking a military solution to the conflict. This should not be the way forward. Rather, we would like to see the U.S. devise a new strategy to secure peace in Darfur based on a sound diagnosis of why efforts to date have fallen so far short of the mark. Advancing that strategy will require robust engagement with the mediation team, significant diplomatic and technical support, and securing constructive support from the Europeans, China, and regional actors. The U.S. should also articulate a roadmap to peace in Darfur that could bring the different rebel factions to the table through a clear process with defined objectives.

The mediators need to address the core issues that drove Darfuris to rebel, and the reasons why over three million still remain displaced. Much deeper and sustained U.S. involvement is essential to any possible success, as Darfuris still see the U.S. as the key country that can help them achieve their rights, just as the U.S. did in southern Sudan.

## 3. Democratic Transformation

Finally, the U.S. should capitalize on the opportunity for political reform that South Sudan's secession presents for both the North and the South.

In the North, the political landscape is already shifting, with opposition parties in the agitating for greater inclusivity and pluralism, and calling for new elections and a constitutional review. The sort of political configuration that emerges in the North is significant as it is directly tied to the potential for mass violence to break out in Sudan once more. It is widely acknowledged that Sudan's long history of conflicts is rooted in the exploitative governance strategy that Khartoum has long pursued, one in which power and resources have been hoarded at the center, stoking political and economic grievances

in the peripheries. The Sudanese government's past response to these grievances have led to unquantifiable horrors, those seen in the genocide in Darfur and the North-South civil war.

At this moment, the U.S. has an opportunity to engage with the Sudanese government, to prevent the regime from moving toward a more extremist agenda. Khartoum should be encouraged to shift its strategy to one that addresses grievances through power-sharing, rather than taking arms. Several of the processes that the United States should strongly support are specifically mandated under the CPA, including a constitutional review that involves public participation, as well as popular consultations in the border states of South Kordofan and Blue Nile. Investing in civil society groups, independent voices, political party development, and other building blocks to a more democratic future are fundamental steps the U.S. can be take toward preventing future conflict in Sudan.

In the South, we see a fragile new state that is filled with potential. In its assistance to the South, the U.S. must help lay the groundwork for good governance and invest in real institution and capacity building. The development of a strong parliament and judiciary, as well as executive institutions that deliver services, share power, and transparently administer tax and oil revenue, will be keys to peace in southern Sudan. Given the South's history of internal divisions, inflamed by Khartoum's meddling, inclusive governance will be the most important ingredient for conflict prevention in southern Sudan. The southern government has already taken important steps by bringing back renegade commanders, but much work remains. The southern government has laid out plans for a constitutional review and new elections shortly after secession. Holding the southern government to these commitments to democratic governance should be a central part of the U.S.'s South Sudan policy going forward.

The opportunity for the people of South Sudan to express their will and determine their own destiny was a central element of the CPA, but even as we bear witness to this historic occasion it is important that we remember the unrealized promise of the CPA to bring democratic transformation to all of Sudan. As the United States moves forward to urgently ensure that the two Sudans separate amicably but find the common ground necessary to sustain peace in a tumultuous corner of the world, we must do what we can to help deliver on the promise to all Sudanese.

Thank you again, Congresswoman Ros-Lehtinen and members of the Foreign Affairs Committee for this opportunity to speak.

Chairman ROS-LEHTINEN. Thank you, gentlemen. You have proven that you can be brilliant and succinct. Thank you.

I will yield my time to the gentleman from Florida, Mr. Rivera.

Mr. RIVERA. Thank you very much, Madam Chair.

Ambassador Williamson, thank you very much for being here. By the way, what years were you at the United Nations Human Rights Commission?

Ambassador WILLIAMSON. Oh, it was 2004, I think it was.

Mr. RIVERA. I was there in the late 1980s and early 1990s, working for one of your predecessors, U.S. Ambassador Armando Valladares.

Ambassador WILLIAMSON. I was assistant secretary for IO at the time, and Armando was working for me. He did a great job, pushed an important issue, and we should continue to put pressure on the island prison.

Mr. RIVERA. Thank you. And thank you not only for those words, thank you for your service.

With respect to the roadmap, Ambassador, pursuant to the roadmap presented, the administration is poised to remove Sudan from the state sponsors of terrorism list, facilitate high-level visits, exchange ambassadors, ease sanctions, and advance negotiations for debt relief in exchange for Khartoum meeting its own obligations under the Comprehensive Peace Agreement.

United States leverage with regard to Darfur would be reserved to lifting sanctions that cannot be removed without legislative relief. In your opinion, does Khartoum care about the remaining sanctions? And, realistically, what leverage would the United States have, with regard to Darfur, if the United States pursues this course?

Ambassador WILLIAMSON. First, a generic observation, Congressman: The less a regime deserves the mantle of legitimacy, the more they desire it. And those actions all raise into question the legitimacy of the government of Khartoum. So it is beyond whatever economic benefit or other benefits; it goes to their legitimacy within Sudan and outside.

Second, as I noted earlier, I am concerned about being too anxious to provide incentives. Remember, the Comprehensive Peace Agreement was agreed to 6 years ago. When I was special envoy, it was my view, after meeting with the leaders often in Khartoum, meetings that drew the criticism from Senators Obama, Biden, and Clinton, that they had already made a decision at the time they signed CPA that they may be having to give up the South.

I have noted that all the difficult issues that matter have not been resolved. We have a long way to go beyond the 6-month period when separation will become official before we know if those commitments will be made. And I also know, from my various positions in government, there is a bureaucratic momentum once you start the process. Again, to cite President Reagan, "Trust but verify." We have to see more.

Mr. RIVERA. Thank you, Ambassador.

In November 2008, Ambassador Lyman participated in a conference hosted by the Embassy of Sweden and the United Nations Association on the "responsibility to protect." And according to a meeting summary, he suggested that Darfur would be excluded from obligations inferred from the responsibility to protect because the crimes were committed prior to adoption of the world summit outcome document in 2005.

What is your position on this? And does the United Nations have a responsibility to protect marginalized populations in Sudan in the event that the regime in Khartoum decides to crush all remaining opposition following a vote for independence in Southern Sudan?

Ambassador WILLIAMSON. I think the general responsibility to protect preceded the millennium summit outcomes document adopted in September 2005. Furthermore, I think when you look at the genocide in slow motion that continued after the adoption of that document, it is important for the United States and the international community to step up to its responsibility.

Let me note, I am loathe to ever disagree with Ambassador Princeton Lyman, who I have the greatest respect for. But, in this

case, I do think we have a responsibility. I have noted that as recently as 2 weeks ago Khartoum was involved in bombings in the South. They have been involved in bombings in Darfur. They continue to engage in coordinated attacks. It is less intense only because there are fewer targets of opportunity. This should be a concern. It is not delinked from the North/South nor the difficulties in the Nuba Mountains. We have to be more robust.

And one of the disappointments has been that those violations of past agreements have occurred, innocent lives have died, and there has been a reluctance from the administration to hold to account and publicly criticize the perpetrators of these atrocities.

Mr. RIVERA. Thank you very much. Appreciate your service, again. Nice seeing you after 20 years.

And I yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you so much.

I am pleased to yield to the ranking member-designate of Africa, Global Health, and Human Rights, Mr. Payne of New Jersey.

Mr. PAYNE. Thank you very much.

Let me ask you, Mr. Ismail, what do you think of the prospects of a right to return for the people of Darfur? Has the government thought of any plan? Is it safe for some areas to have a right to return?

For people to live in refugee camps for now until the next generation is wrong. So I would even like to see sanctions held until the government comes up with a plan of the right of people to return to their properties.

Mr. ISMAIL. I am in agreement, Mr. Payne, because the Government of Sudan has put every obstacle in the way of peace in Darfur, and the refugees and the IDPs cannot return today to their regions, to their place of origin because, A, there is nothing there, after they have been burned and all the infrastructure that were there support to life was destroyed during the attacks. And, again, there is another reason, because most of these areas were occupied by people who, in some reports, we have seen that they don't even belong to Sudan, let alone belonging to Darfur and being citizens of Darfur.

Number three, the violence still continues. And until today, contrary to the SOFA agreement, the agreement of the deployment of the U.N. troops, the Government of Sudan is still putting the obstacles in front of UNAMID and the U.N. troops that are supposed to protect those people and supposed to provide safe havens for those people who are willing to voluntarily return to the areas.

Yes, the sanctions should remain until that issue is addressed in Darfur.

Mr. PAYNE. Thank you very much.

Ambassador Williamson, I remember meeting you in Abyei. The flames were still smoldering.

What is your take on the East? We heard very little about the East, and, as we know, there are problems there. How do you see the government in Khartoum moving forward with the problem in the East, with the separation from the South? Will there be panicking? Will the East decide that they should have some protest against the government and do something perhaps that happened in Darfur when that began? What do you think about that part?

Ambassador WILLIAMSON. Thank you, Congressman Payne.

I think relevant to that is what has been the U.S. policy goal, a bipartisan policy goal in Sudan. And it is to bring sustainable peace, stability, and justice—justice that has been denied due to marginalization.

And you are correct, in the East, in the Nuba Mountains, as well as Darfur, as well as in the South, they have been victims of those injustices. And if there is dismemberment of Sudan and the South is independent next July, you still have the root cause of injustices that will not be addressed. And I am loathe to be too generous until those issues are dealt with for those who have been subjected to violence as well as the injustice. And I think the instability and traumas will continue both in the East as well as in the West.

Secondly, Congressman, there is a lot of talk about the stress that is going to be on the North after separation if it comes. And I acknowledge that that is true. There will be people that say the government has lost its legitimacy. The opposition will try to unite. The rebel movements may move more aggressively in Darfur or overreach. But there also will be stress in the South.

Political competition has been suppressed because of a unity to try to move to CPA implementation. And I would suggest to you that the competition that will be unleashed in the next 6 months, in the next 12 months, also will be severe in Juba, that it will be difficult for the Government of Southern Sudan to be excessive in its concessions, especially those that are aren't meritorious, and that the negotiators have to be mindful of that, as well.

Thank you.

Mr. PAYNE. In the seconds I have, Luis Ocampo said that Bashir should still be indicted. Where do you think that is going?

Ambassador WILLIAMSON. I am very concerned. It is ironic that President George Bush, who opposed the ICC, was a stronger supporter for international accountability of the regime in Khartoum than this administration has been.

Chairman ROS-LEHTINEN. Thank you very much.

Chairman-Designate Smith of the Africa, Global Health, and Human Rights Subcommittee.

Mr. SMITH OF NEW JERSEY. Gentlemen, thank you very much for your testimony and for your leadership.

New York Times reporter Jeffrey Gettleman wrote a piece, "Roots of Bitterness in a Region Threaten Sudan's Future." It was in the New York Times on January 15th. And he talks about how most people in Abyei are armed to the teeth.

My question, first, is, where have all those AK-47s gone that we believe the Chinese Government helped to facilitate, well in excess of 100,000? Are they there? Are we perhaps being a little too optimistic about the prospects of a peaceful transition here or what?

Ambassador WILLIAMSON. I think, Congressman, if you are dealing with Sudan, you have to have a fault of optimism to be able to deal with such a difficult issue. So I have no fault there.

But, as you know, if it is Human Rights First, if it is the small-arms commission of the U.N., the documentation of Chinese small arms has been irrefutable. And we can assume—there have been credible reports of the flow of those arms down into regions near the border, directed by Khartoum. It is a matter of great concern.

I think, as Congressman Payne said, we were together in Abyei when the smoke was still coming up where the charred bed remains, where there were no homes as far as you can see. And then in the Gok, where 50,000 people were living under torn sheets during the rainy season when you couldn't walk without mud up to your ankles.

The tragedy of Abyei goes on. It goes on because of the oil. The vote was good, but the tough issues lie ahead.

Mr. ISMAIL. May I add, there is information that is coming from Abyei that the weapons are there and the violence can spark at any moment. You might have heard of this project that The Enough Project, with Harvard University and others, have launched. And these are the eyes in the sky that are going to show us what is happening in Abyei, so stay tuned.

And, also, the small arms are there, and other open sources that are saying 55,000 of the 105,000 standing army of Sudan are in or around the area of Abyei. If that is not a spark that is going to start something, I don't know what it is. So we have to be vigilant, we have to work hard to avoid that clash from happening.

Mr. SMITH OF NEW JERSEY. Let me ask about the Sudanese slaves. I mentioned earlier about the 35,000. Do you have any recommendations on how to liberate them from the bondage that they live in in the North?

Also, on debt, \$35 billion to \$40 billion of indebtedness, mostly to other countries like Saudi Arabia and Kuwait, but also, if my understanding is correct, about \$2 billion to the U.S.

When the administration talks about the roadmap, could you again say whether or not you believe—because debt is certainly a part of that—lifting the designation as a state sponsor of terror—and other issues, obviously, are in there, as well—could you speak to that roadmap, if you would, how comfortable you are with it, either of you.

And finally—I will run out of time. Why don't you go on those issues?

Mr. ISMAIL. I will start with the roadmap in Darfur, as well in the South, because, as you know, all these issues that we are talking about are real issues, the border and the Abyei issue, as far as the South is concerned, the debt and currency and the citizenship.

If you listen to the rhetoric coming out of Khartoum, that the Southern Sudanese are going to be stripped of their citizenship the day after announcing the secession—and I don't know how they are going to define a Southern Sudanese from another Sudanese that are living in the North today. And how about dual citizenship, something that the government gives to itself. Some ministers in the Government of Sudan today, they hold other passports from different countries, including this country. And they are not going to allow the Southerners who were born and raised in Sudan as such to have dual citizenship. I don't understand that. We have to work hard on these issues.

And the roadmap for Darfur, we have to revitalize the peace process. We have to support the mediation. And we have to have to some high-level people who are involved in this, because the alternative of that is going to be violence in Darfur.

Mr. SMITH OF NEW JERSEY. Thank you.

Ambassador WILLIAMSON. Quickly, Congressman, the most important thing with the slave tragedy is being very vigorous to push the rule of law, which doesn't exist. It is still the rule of position and power. And, second, shining light on it. That is the best disinfectant to human rights abuses. The United States and others should both engage in speaking out more aggressively.

Chairman ROS-LEHTINEN. Thank you very much.

The gentleman from Missouri, Mr. Carnahan.

Mr. CARNAHAN. Thank you, Madam Chairman. And let me first just say congratulations again. We are looking forward to working with you in this new Congress and with your leadership. And thank you for holding this timely and important hearing.

I really wanted to focus my time and again acknowledge this referendum. I think it is cause for hope. The international community, especially the African Union, the U.N., have played important roles in implementing the Comprehensive Peace Agreement and were key facilitators of the referendum.

I guess, with multilateral engagement, these efforts have been met with some criticism. But I would like to ask our two panelists here why it is important for the U.S. to continue to engage in these international organizations to leverage the work in Sudan. What have been some of the tangible benefits so far? And how might we, going forward, maximize these collaborative efforts?

And if we could start with Ambassador Williamson, please.

Ambassador WILLIAMSON. Thank you, Congressman.

I think if we look at Sudan, we see a long history of various multilateral mechanisms making a contribution. The IGAD process itself, where it has seven Eastern African countries, the troika of the United States, Britain, and Norway, were instrumental in being the midwife of the Comprehensive Peace Agreement.

Since then, there has been significant multilateral efforts with respect to peacekeeping, first, the African Union forces, then the U.N. forces, both in the South and in the West. They have not stopped violence. They can't. They don't have the capacity. The areas are too big. But they have crowded out the space for violence, and they have given some window for peace negotiations and discussions.

I think you can also look at the assistance where it has been an international effort through the Sudan Consortium. I think that Congressman Rohrabacher—and he will probably raise it, about the burden sharing. The U.S. clearly has made a disproportionate contribution. Nonetheless, the Sudan Consortium has involved other countries, many other countries. Norway has taken the lead in coordination of the consortium, and there has been that assistance.

But, finally, sir, if I could, let me note that, to the degree there has been humanitarian success in Sudan, whether it is in Darfur or in the South, the unsung heroes are the humanitarian NGO organizations, their workers, who are Sudanese as well as from countries all over the world, and the Sudanese nationals who also participated in that, some risking their own lives.

So it has been a collective effort. I do think the U.S. deserves note not only for its lead on the humanitarian assistance and its pivotal role in the political process, but this is a victory for the Su-

danese people. But there have many who have helped it along through international organizations and other mechanisms.

Mr. CARNAHAN. Thank you, Ambassador.

Mr. Ismail?

Mr. ISMAIL. Thank you, Mr. Congressman.

And I think the United States is standing to benefit a lot from the subject in Sudan. It is a huge country, as it stands today, 1 million square miles, bordering nine countries. If you just consider the western country of Chad there and its natural extension of Sudan in the Sahel and you put Nigeria into the equation, you will find about 520 million people living in and around Sudan. If Sudan unravels, then this whole population is going to be thrown in a tailspin.

We have seen the spillover of the LRA into Sudan and the spillover of Darfur into Chad and the destabilization that has created. This is very important. Besides the \$10 billion that we just talked about here that the United States is spending in the South, there are today over \$1 billion that the United States is spending in Darfur to keep about 3½ million displaced alive. That is a huge burden.

If the Sudan was left to its own devices—and we have seen violence of the scale that we have seen before in Darfur and the South—only God knows how much we are going to spend to keep some of these people alive in refugee camps, not in their homes.

Mr. CARNAHAN. Thank you. I yield back.

Chairman ROS-LEHTINEN. Thank you so much, Mr. Carnahan.

Mr. Rohrabacher?

Mr. ROHRABACHER. Thank you very much, Madam Chairman.

And Ambassador Williamson was right. I would like to focus a little bit on the disproportionate contribution that the United States is making, not only in Sudan, but this, I think, exemplifies many of the crises, humanitarian crises, that we find around the world.

If there is anything the last election should have told the rest of the world, it is that the United States can no longer afford to do this. We are going broke. And once our economy is broken by this irresponsibility that we have had, then we will be able to help no one—not our own people, not other people in crisis. The world needs to take that into consideration, notice it, and plan their futures proportionally.

I would suggest that we—that is not to say that in Sudan and other places that we have seen these horrible tragedies take place, the heartrending murder of innocent people—we care about that. But we can no longer afford to carry as big a burden as we have.

And what makes it worse, perhaps—and, Ambassador Williamson, you seem a bit pessimistic that, after this \$10 billion of investment that we have made, that we will actually succeed. It is a rough road to go.

Let me ask you, is the roadmap that has been set down—do you consider that to be adequate? And if it is adequate, has it been enforced and followed? Or the roadmap will not succeed because it does not address the issues that need to be addressed?

Ambassador WILLIAMSON. Congressman Rohrabacher, if I could make a few points that I think are relevant.

First, it is noteworthy that when the regime came to power in 1989, total exports were \$500 million. They grew to \$9.5 billion by 2008, almost all from oil, which is why the oil revenue sharing is crucial.

Second, with that sort of money coming in, the Government of Sudan, who designed the genocide in Darfur, as of the end of 2008 their total contribution to the humanitarian needs of the people in Darfur was \$30 million. I think that is not irrelevant to the considerations of how much faith we should have.

Secondly, China gets 6 percent of its imported oil from Sudan. They have now tipped, where they understand it is in their interest to have stability. They should step up more for humanitarian assistance.

The larger question you raised on humanitarian assistance is beyond my purview. It is up to the 435 of you and the hundred across the way to make those decisions, ultimately.

But I do think there is an impulse in America that is worthy, that is part of our mission, that recognizes whether it is human rights, humanitarian assistance, we have an obligation to step up. But we should be tough-minded about it, get others to step up too, especially in these times of economic peril.

And, finally, let me just say on the roadmap, on good days I am optimistic, but my experience teaches me to maybe be a little skeptical and cynical. And I think the talk of incentives without the talk of coercion, without the talk of steel, without the talk of being tough, is a matter of great concern. As Bismarck said, diplomacy without coercion is like sheets of music without instruments.

Mr. ROHRABACHER. And no amount of humanitarian, you know, assistance is going to increase the standard of living of anybody for any length of time unless it is accompanied by a democratization and a change in character of a regime that is capable of the type of violence that you have just described. Isn't that correct?

Ambassador WILLIAMSON. Yes, Congressman. I think it is important to note, in the South, not only do they have 80 percent of this oil revenue, but they have other mineral resources, and they have among the richest agricultural land anywhere, outside of Illinois, which of course has the best.

Mr. ROHRABACHER. Let me note before my time runs out, which is one moment, and that is, Madam Chairman, if we are going to help people in the future and they have this potential wealth that exists, it is not wrong for us to suggest we are going to help you in this crisis but we expect to be paid back one way or the other.

Chairman ROS-LEHTINEN. Thank you.

The gentleman from Ohio, Mr. Chabot.

Mr. CHABOT. Thank you, Madam Chair.

Just a couple of questions briefly.

Could you discuss the roles of both the African Union and the Arab League in all of the things that we are talking about here this afternoon, and what do you anticipate it will be in the near future?

Ambassador WILLIAMSON. Quickly, my experience is it has been uneven. The African Union, understandably, is worried about countries being split. There are only two African countries that have just two ethnic groups. Most of them have multiple ethnic groups. They are concerned about a contagion, as are the nine neighbors.

But I think, now that they have understood the inevitability of this, they have played a more constructive role. The Arab League was unhelpful, as was the African Union, on questions of accountability, but they have been helpful on some of the development issues.

And Qatar, in particular, should be singled out and the minister of state for foreign affairs, Al Mahmoud, for their extraordinary leadership in trying to get constructive discussions going on Darfur.

So, could they have done more? Yes. Should they have done more? In my opinion, yes. Do we wish they had done more? Absolutely. But they have made contributions and more lately than they did a few years ago.

Mr. CHABOT. Thank you.

And then, finally, what can we do to ensure that the corruption, which is endemic in much of Africa, doesn't take root—although, certainly, there is already corruption in Southern Sudan—but doesn't thrive in what may soon be Africa's newest country.

Ambassador WILLIAMSON. Transparency, transparency, transparency are your first three priorities. Second, good governance will require helping train a larger coterie of people to run the agencies and departments of a newly independent Southern Sudan. And, third, some good green eyeshades from outside donors and others to try to monitor it.

And, ultimately, as Congressman Rohrabacher indicated, if there is, in fact, a democratic process of accountability, that is a useful and often determinative aspect in corruption fighting.

Mr. CHABOT. Thank you.

Thank you. Madam Chair, I yield back the balance of my time.

Chairwoman ROS-LEHTINEN. Thank you very much.

Thank you to the presenters. Thank you to our panelists, and great members.

Tomorrow, at 10:30, in this room, we will be having a briefing on China.

And, with that, this briefing is adjourned.

Thank you, gentlemen.

[Whereupon, at 6:32 p.m., the committee was adjourned.]



# A P P E N D I X



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**Ileana Ros-Lehtinen (R-FL), Chairman**

January 18, 2011

You are respectfully requested to attend an OPEN briefing of the Committee on Foreign Affairs, to be held in **Room 2172 of the Rayburn House Office Building (and available live, via the WEBCAST link on the Committee website at <http://www.hcfa.house.gov>)**:

**DATE:** Tuesday, January 18, 2011

**TIME:** 4:30 p.m.

**SUBJECT:** Sudan at the Crossroads

**BRIEFERS:** Panel I:  
The Honorable Princeton Lyman  
Special Advisor for Sudan  
U.S. Department of State

Panel II:  
The Honorable Richard S. Williamson  
Partner  
Salisbury Strategies, LLC  
(Former Special Envoy to Sudan and Ambassador to the U.N. Commission on Human Rights)

Mr. Omer Ismail  
Advisor  
The Enough Project

**By Direction of the Chairman**

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

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Hearing/Briefing Title: *Sudan at a Crossroads*

Date: *January 18, 2011*

Present	Member
X	Ileana Ros-Lehtinen, FL
X	Christopher Smith, NJ
	Dan Burton, IN
X	Elton Gallegly, CA
X	Dana Rohrabacher, CA
X	Donald Manzullo, IL
X	Edward R. Royce, CA
X	Steve Chabot, OH
	Ron Paul, TX
	Mike Pence, IN
	Joe Wilson, SC
	Connie Mack, FL
	Jeff Fortenberry, NE
X	Michael McCaul, TX
X	Ted Poe, TX
X	Gus M. Bilirakis, FL
	Jean Schmidt, OH
X	Bill Johnson, OH
X	David Rivera, FL
	Mike Kelly, PA
	Tim Griffin, AK
	Tom Marino, PA
X	Jeff Duncan, SC
X	Ann Marie Buerkle, NY
X	Renee Ellmers, NC

Present	Member
X	Howard L. Berman, CA
	Gary L. Ackerman, NY
	Eni F.H. Faleomavega, AS
X	Donald M. Payne, NJ
	Brad Sherman, CA
	Eliot Engel, NY
	Gregory Meeks, NY
X	Russ Carnahan, MO
X	Albio Sires, NJ
	Gerry Connolly, VA
	Ted Deutch, FL
	Dennis Cardoza, CA
	Ben Chandler, KY
	Brian Higgins, NY
	Chris Murphy, CT
	Frederica Wilson, FL
	Karen Bass, CA
	William Keating, MA
	David Cicilline, RI

**Opening Remarks of Rep. Donald M. Payne**  
**Full Committee Briefing: "Sudan at the Crossroads"**  
**Tuesday, January 18, 2011**  
**4:30 PM in 2172 RHOB**

“Thank you, Chairman Ros-Lehtinen and Ranking Member Berman, for holding this important briefing at this very critical moment in Sudan’s history. Let me also express my deep appreciation to the witnesses, who are certainly among the most knowledgeable people on Sudan. Ambassador Lyman, former Special Envoy Williamson and Mr. Ismail have all been deeply engaged for decades in the intense international struggle to bring justice and peace to the people of Sudan. I thank all of you for your commitment and selfless determination to make this day a reality.

“Today Sudan is indeed at a Crossroads. The weeklong referendum has just concluded, and by all accounts, the outcome is clear; the people of South Sudan have chosen independence.

“My friends on the ground during the voting process have relayed stories of remarkable moments that illustrate the hope and excitement that lies in the hearts of the South Sudanese---

- A police man after voting looked around and told people in line *“I crossed the river... come join me.”*
- A pregnant woman while online to vote gave birth, and was later able to cast her vote for the sake of her new baby.

“As I reflect on the over 20 years that I’ve worked to call attention to Sudan, I remember many pivotal moments of my own- and the Congress’- struggle to see the people of South Sudan exercise their right to self-determination.

“I recall my first visit, in 1993, to Nimule a town near the Ugandan border, which was the front line of the struggle back then, to help mediate negotiations between two factions of the SPLM. That was when I first met the late Dr. John Garang- father of South Sudan’s quest for autonomy, as well as a young military commander, Salva Kiir— now the president of the Government of South Sudan. Upon returning from that trip I, along with other Members, introduced a resolution in the House calling for the right to self-determination for the people of South Sudan, which was passed by this body.

“I recall over a dozen visits to South Sudan and the Darfur refugee camps in Chad with Reps. Lee, Wolf and Tancredo, along with Senator’s Feingold, Frist, Brownback and many other dedicated Members of this institution. After one such visit in 2004, I sponsored a resolution to call the world’s attention to the atrocities in Darfur, which,

“I recall visits to Nairobi and Naivasha, Kenya in 2004 and 2005 for the critical Intergovernmental Authority on Development (IGAD) negotiations that culminated in the signing of the Comprehensive Peace Agreement, which I witnessed on January 9<sup>th</sup> 2005 in Nairobi.

“And I remember with great sadness visiting Abyei after the town was burned down by Bashire’s government and pro-government militia in May 2008, displacing more than 50,000 people. I again introduced a bill focused on Abyei.

“The United States- backed by the steadfast support of the American people who have also played an important as advocates for peace and justice in Sudan, especially Darfur- has long been a critical partner in the peace process that led us to where we are today.

“Early on, the Obama Administration laid out an ambitious strategy and later a roadmap for further U.S. engagement in the peace process. I commend the Administration for making good on that promise by stepping up its diplomatic and material support to ensure a referendum which was declared on Sunday by IGAD as timely, peaceful, and inclusive.

“Now a critical transition period begins and we enter a new phase in our struggle. The North and South must work to reach agreement on the contentious border region of Abyei, as well as critical priorities of the CPA which are necessary to ensure long-term peace. The parties must work diligently to resolve key issues, including the demarcation of the border, security, debts, resources, citizenship and the important popular consultation process in the Blue Nile and Southern Kordofan states. And the United States and this Congress must continue to support these efforts, along with the peace process in Darfur.

“Today, the people of Sudan are pregnant with hope, and in just six months, with appropriate engagement they will give birth to a new nation. Like any newborn, South Sudan will be fragile and weak and will need our continued support for decades to come. And its big brother in the North-- as it works to earn the trust of the international community and demonstrate the ability to turn the page on its ugly past-- will also need support to foster democracy, rule of law, justice in Darfur, and peace for all Sudanese people.”

