AFRICA'S NEWEST NATION: THE REPUBLIC OF SOUTHERN SUDAN

HEARING

BEFORE THE

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS

OF THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

ONE HUNDRED TWELFTH CONGRESS

FIRST SESSION

JUNE 16, 2011

Serial No. 112–90

Printed for the use of the Committee on Foreign Affairs

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

U.S. GOVERNMENT PRINTING OFFICE

66–903PDF WASHINGTON : 2011

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512–1800; DC area (202) 512–1800
Fax: (202) 512–2104 Mail: Stop IDCC, Washington, DC 20402–0001

COMMITTEE ON FOREIGN AFFAIRS

ILEANA ROS-LEHTINEN, Florida, *Chairman*

CHRISTOPHER H. SMITH, New Jersey
DAN BURTON, Indiana
ELTON GALLEGLY, California
DANA ROHRABACHER, California
DONALD A. MANZULLO, Illinois
EDWARD R. ROYCE, California
STEVE CHABOT, Ohio
RON PAUL, Texas
MIKE PENCE, Indiana
JOE WILSON, South Carolina
CONNIE MACK, Florida
JEFF FORTENBERRY, Nebraska
MICHAEL T. McCAUL, Texas
TED POE, Texas
GUS M. BILIRAKIS, Florida
JEAN SCHMIDT, Ohio
BILL JOHNSON, Ohio
DAVID RIVERA, Florida
MIKE KELLY, Pennsylvania
TIM GRIFFIN, Arkansas
TOM MARINO, Pennsylvania
JEFF DUNCAN, South Carolina
ANN MARIE BUERKLE, New York
RENEE ELLMERS, North Carolina
VACANT

HOWARD L. BERMAN, California
GARY L. ACKERMAN, New York
ENI F.H. FALEOMAVAEGA, American Samoa
DONALD M. PAYNE, New Jersey
BRAD SHERMAN, California
ELIOT L. ENGEL, New York
GREGORY W. MEEKS, New York
RUSS CARNAHAN, Missouri
ALBIO SIRES, New Jersey
GERALD E. CONNOLLY, Virginia
THEODORE E. DEUTCH, Florida
DENNIS CARDOZA, California
BEN CHANDLER, Kentucky
BRIAN HIGGINS, New York
ALLYSON SCHWARTZ, Pennsylvania
CHRISTOPHER S. MURPHY, Connecticut
FREDERICA WILSON, Florida
KAREN BASS, California
WILLIAM KEATING, Massachusetts
DAVID CICILLINE, Rhode Island

YLEEM D.S. POBLETE, *Staff Director*
RICHARD J. KESSLER, *Democratic Staff Director*

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS

CHRISTOPHER H. SMITH, New Jersey, *Chairman*

JEFF FORTENBERRY, Nebraska
TIM GRIFFIN, Arkansas
TOM MARINO, Pennsylvania
ANN MARIE BUERKLE, New York

DONALD M. PAYNE, New Jersey
KAREN BASS, California
RUSS CARNAHAN, Missouri

CONTENTS

Page

WITNESSES

Mr. Eduardo Hiiboro Kussala, bishop, Diocese of Tambura-Yambio 14
Mr. John Eibner, chief executive officer, Christian Solidarity International—USA 23
Ms. Dana Lyons Wilkins, campaigner, Global Witness 29
The Honorable Roger Winter (former Special Representative on Sudan, U.S. Department of State) 36
The Honorable Princeton Lyman, Special Envoy for Sudan, U.S. Department of State 45

LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE HEARING

The Honorable Frank Wolf, a Representative in Congress from the Commonwealth of Virgnia: Letter to President Obama submitted for the record 11
Mr. Eduardo Hiiboro Kussala: Prepared statement 17
Mr. John Eibner: Prepared statement 25
Ms. Dana Lyons Wilkins: Prepared statement 31
The Honorable Roger Winter: Prepared statement 39
The Honorable Princeton Lyman: Prepared statement 49
Ms. Rajakumari Jandhyala, Deputy Assistant Administrator, Bureau for Africa, U.S. Agency for International Development: Prepared statement 70

APPENDIX

Hearing notice 90
Hearing minutes 91

AFRICA'S NEWEST NATION: THE REPUBLIC OF SOUTHERN SUDAN

THURSDAY, JUNE 16, 2011

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,
AND HUMAN RIGHTS
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:15 p.m., in room 2172, Rayburn House Office Building, Hon. Christopher H. Smith (chairman of the subcommittee) presiding.

Mr. SMITH. The subcommittee will come to order. Good afternoon, ladies and gentlemen. We are holding today's hearing for the purpose of focusing on the creation and showing our solidarity with the creation of the new nation on the African continent, but also of assessing its myriad of challenges in transitioning successfully to independence.

Recent brutal attacks by the Khartoum government on disputed areas in the North-South border area have raised alarms about renewed violence in this country that already has suffered far too much. For decades, the Government of Sudan in Khartoum has waged war, genocide against the people of Southern Sudan and facilitated the enslavement of its people. Even as we meet today, the regime of President Omar al-Bashir is seizing territory, causing the displacement of more than 100,000 people and killing countless other Black Sudanese.

Sudan, geographically the largest country in Africa, has been ravaged by civil war intermittently for 4 decades. The first Sudanese civil war occurred during the period of 1955 to 1972 and the second ran from 1983 to 2005. More than 2 million people have died in Southern Sudan over the past 2 decades alone due to war related causes and famine, and millions have been displaced from their homes.

Since 1989, the United States has maintained multiple sanctions against the Government of Sudan because of human rights concerns in Southern Sudan, as well as the western region of Darfur and Sudan's support for international terrorism.

I have had face-to-face meetings with General Bashir in Khartoum pushing for lasting peace and an end to the abuses of his government. Unfortunately in that meeting he was far more interested in discussing the end of U.S. sanctions than he was in discussing how to end the suffering that his government and the rebel groups it sponsors have inflicted on countless innocent lives.

Beginning in 1995, human rights organizations have raised the issue of kidnapping of African Southerners by Arab elements from the North in conjunction with the second civil war between the North and the South.

I would note parenthetically that right here in this room, in 1996, I actually held the first hearing on chattel slavery in Sudan, with the focus also on Mauritania, but we did focus primarily on Sudan. And we heard from men and women and mothers who had had their children kidnapped and sold into slavery. It is now estimated that between 11,000 and 35,000 Sudanese are being held against their will and subjected to vicious exploitation and violent abuse in the North.

The Khartoum government claims that slavery is the product of intertribal warfare, which is not under its control. However, credible sources indicate that the Government of Sudan was involved in arming and otherwise backing numerous militia groups involved in kidnapping and enslaving these Southerners. Regardless of who initiated their enslavement, their freedom must be secured as part of the South's declaration of independence.

One Sudanese slave, Simon Deng, escaped and is now living in freedom in the United States. Deng said that every night while he was in captivity he would go to sleep thinking maybe tomorrow someone will come to my rescue. He now goes to sleep thinking of those fellow slaves left behind, knowing that they are thinking and dreaming the same thought, living on that same hope that tomorrow someone will come to rescue them.

These people enslaved in the North must not be forgotten in the celebration and the inauguration of a new country. The United States and the rest of the international community must not let their suffering continue.

On January 9th, South Sudan, as we all know, held a peaceful and transparent referendum on Southern secession as called for in the 2005 Comprehensive Peace Agreement. According to the South Sudan Referendum Commission, 98.8 percent voted for secession. In early February, Sudanese President Bashir officially accepted the result of the referendum. The United States, the African Union, the European Union, the U.N., and others endorsed the result as well. On July 9, 2011, the Republic of South Sudan will officially declare its independence.

Unfortunately, a mutual military buildup, occasional clashes and unresolved issues from the CPA led to a tense atmosphere in the Abyei region. On May 19th, according to the U.N. report, a Sudanese Armed Forces Joint Integrated Unit convoys, accompanied by U.N. peacekeeping forces, was attacked by the SPLA outside of Abyei. The Northern military unit was being moved to a newly agreed upon position. The Sudan People's Liberation Army denied deliberately attacking the Northern military unit as retaliation for an earlier SAF attack on an SPLA Joint Integrated Unit, but that May 19th attack took place in an area controlled by the Southern Sudan police force.

As usual, the Khartoum government has vastly overreacted. Northern military forces invaded Abyei, displacing as many as 100,000 people and began moving Arabs into the area. This ethic cleansing of the Abyei area will have a far reaching impact on the

resolution of this dispute. The indiscriminate bombings in Southern Kordofan, attacks in the Nuba Mountain area and reported door-to-door murders of non-Arab Africans is creating a scene as horrific as any during the civil wars.

We are nearly on the eve of independence for South Sudan, yet many issues remain unresolved. There is the undefined border, citizenship questions regarding Southerners living in the North, governance issues for the post-independence nation, equitable sharing of oil revenues, the question of liberation and repatriation of Sudanese still held in bondage and, of course, the continuing Northern military attacks.

The United States, one of the guarantors of the CPA, has a great deal at stake in South Sudan's successful transition to independence. Since 2004, the U.S. has spent $9.8 billion in humanitarian and other assistance. But that monetary investment is far outweighed by the moral commitment to see this transition through to a successful conclusion. Now we must do all that we can to help this new nation come into being in peace and help its government to safeguard the life, liberty and fundamental human rights of its people.

I would like to now yield to my friend and colleague, Mr. Payne, for his opening comments.

Mr. PAYNE. Thank you very much, Mr. Chairman. Thank you for holding this important hearing. This is a very critical moment in the history of Sudan. Many of us have been dealing with Sudan for many, many years. And I see my colleague, Mr. Wolf, who has been on the battlefield for this issue for so many years. And I want to also express my deep appreciation to the witnesses who certainly are among the most knowledgeable people on Sudan. Ambassador Lyman, the Honorable Roger Winter, former Special Representative on Sudan, USAID Deputy Assistant Administrator, Ms. Rajakumari Jandhyala, have all been deeply engaged in the intense international struggle to bring justice and peace to the people of Sudan. I would also like to thank the private panel witnesses whose engagement is vital in bringing peace and development to the people of Sudan and the individuals who for many, many years NGOs have made a tremendous goal in working toward a solution to the problems in Sudan. And we appreciate all the work that they have done over the years. I would like to thank all of you for your commitment and selfless determination to make peace in Sudan a reality.

I spoke to President Salva Kiir yesterday. He told me that he is committed to a peaceful resolution of the crisis. Later, I will mention some other issues we discussed. But he is determined to withhold any retaliation because he wants to see a peaceful transition and the new independent state go into being without disruption.

Today Sudan is at a crossroads. In less than 23 days, on July 9, 2011, the world will witness the birth of a new nation, the Republic of South Sudan. With independence day rapidly approaching, a myriad of issues remain unresolved. Yet, let us not forget that the referendum that facilitated this secession is a sign of tremendous progress, the peaceful nature of the referendum in which a stunning 98.8 percent of South Sudanese voted for independence was

a testament of the great hope and excitement that lies in the hearts of the people of South Sudan.

Unfortunately, recent violence in Abyei and Southern Kordofan also remind us of the important work that remains to be done to ensure a peaceful transition to statehood.

My first visit to Sudan was in 1993, when the SPLA controlled a town near the Ugandan border. That was the frontline at that time. I saw the suffering of citizens firsthand. Since then, I have visited liberated areas over a dozen times, but never to Khartoum. I refuse to go to Khartoum because I refuse to recognize an illegitimate government and I will never step my foot into that city.

With deep sadness, though, I remember visiting Abyei in May 2008 just after the town had been attacked and burned to the ground by Bashir's forces and pro-government militia. And we have some photos that we took. And this was 3 years ago. And the same thing happened several days ago. The people of Abyei have suffered and suffered. And the suffering should end. It is wrong. It is absolutely wrong. These pictures from that sad day depict the physical and human devastation caused by the bombing. The atrocity displaced more than 40,000 people. And upon return, I introduced a resolution to highlight this heinous act of violence. We must remember the human cost of such acts of aggression.

The people of Abyei have suffered severely after prolonged civil war. For many of the displaced, the right to return home is increasingly becoming more and more difficult. We do not want to see Abyei turn into another longstanding dispute like Kashmir.

Compounding this is the recent fighting in Southern Kordofan, the latest flash point in this conflict. Humanitarian organizations on the ground have reported that just 2 days ago, northern forces detonated as many as 52 bombs, leaving as many as 7,000 people without access to food, water and shelter. There are disturbing reports of Northern forces going door to door to find and kill SPLM supporters, as well as denying and manipulating humanitarian assistance and aid.

The new violence is by no means an isolated or localized incident. Bashir has done this before; many, many times. Remember Darfur. The people of Darfur are still suffering and many remain in displaced camps on the border of Darfur in Chad.

South Sudan's President, Salva Kiir, has shown considerable restraint thus far because he does not want to go to war and seeks a peaceful resolution to the crisis. As I mentioned, I spoke to President Salva Kiir yesterday. He confirmed the level of violence and aggression by the Bashir regime in Southern Kordofan and Abyei.

The U.S. must support the people of Southern Sudan by providing support in the security sector so that they can better defend themselves. In 2008, President Bush approved a request by the South for an air defense system. To this day, this pledge has not been fulfilled. The South purchased tanks, but the Obama administration has not allowed the tanks to be delivered from Kenya to South Sudan.

We cannot stand by idly as Bashir continues his aggression, brings in his weapons, brings in his planes, brings in his tanks, and the U.S. Government said that the South Sudanese cannot have a few tanks to try to protect themselves. It is wrong.

Ambassador Lyman, I look forward to hearing the latest update on Abyei and Southern Kordofan. The outstanding issues seriously endanger the viability of peaceful relations between the North and the South. We must use all available diplomatic and political tools, including possible sanctions and other accountability measures, to ensure progress in the remaining CPA negotiations.

Despite recent fighting, the U.N. has continued to provide vital aid in the region. In order to ensure an effective peacekeeping mission after July 9th, the new UNMIS mission must include a Chapter 7 mandate to adequately protect civilians. Looking past July 9th, the governor of South Sudan will need our support in order to meet the demands of the people.

South Sudan continues to have some of the worst human development indicators in the world. In a country ravaged by decades of war, the challenges are daunting. The U.S. and international community must help the Government of South Sudan provide its people with health care, education and prosperity in order to ensure peace. South Sudan will need to build infrastructure and to provide employment opportunities.

In an emerging country where oil deposits account for roughly 98 percent of the region's revenues, we must also work to ensure the new developing economy will be diversified and include sustainable land use, agricultural development and conservation, thus ensuring stability and shared benefits for the South Sudanese people. Let us not forget that peace will depend not only on troops, but on development.

The United States Government, backed by the steadfast support of the American people, have long been a critical partner in the Sudan peace process. We must reinforce our past investments in diplomacy and development to ensure that the current progress evolves into stability and continued growth.

In less than 23 days, South Sudan will become the newest nation in the world. Like any newborn, the country will be fragile and weak and they will need our continued support for decades to come. We must remain engaged and commit our support to democracy, rule of law, justice, and peace for the people of South Sudan.

Thank you very much, And I look forward to hearing from the witnesses.

Mr. SMITH. Thank you, Mr. Payne. I would like to now yield to Mr. Fortenberry.

Mr. FORTENBERRY. Thank you, Mr. Chairman, for convening this hearing. Mr. Chairman, my home State of Nebraska has the largest number of Southern Sudanese refugees in the United States. And the independence of Southern Sudan was closely followed back home and it is a true testament to the character of Nebraskans that they supported their neighbors before, during, and after that referendum. I have been particularly impressed by the civic engagement of local youth in particular as I hear frequently from students wanting to better understand Sudanese history and circumstances and how they could actually help themselves.

I met recently with a young Nebraskan, 24 years old, who returned to Southern Sudan to bring needed access to clean water to his former community. I learned of a local Omaha church's work to bring portable hospital equipment and medical supplies to un-

derserved areas of Southern Sudan as well. The Southern Sudan diaspora is strong in Nebraska and refugees, as well as their neighbors and new friends, want to help ensure a stable and successful independent state in whatever capacity they can.

I wish, Mr. Chairman, the story of Southern Sudan's independence could all be good news as well, neighbor helping neighbor, the great humanitarian capacity of the human spirit, the extraordinary event of people realizing their highest democratic ideals. But sadly, it is not that easy.

The grave conflict in Abyei and the resulting refugee spillover will finally receive much needed attention in this hearing. Knowing that Abyei would be the hotspot of any conflict, we have been watching this area very closely. And I know Ambassador Lyman has been working with painstaking care to broker peace.

I look forward to learning more about a new temporary DA, Demilitarization Agreement, between the North and the South as the Sudanese People's Liberation Army, according to media reports, just said hours ago that it was readying for more fighting. Furthermore, in the last several days my office has received numerous alarmed reports from advocacy groups of imminent chemical warfare bombing, executions and ethnic attacks in the Nuba Mountains. Southern Sudan's Vice President has reported to the U.N. Security Council that ethnic cleansing was underway in the South Kordofan state, especially against Southern sympathizers in the Nuba Mountains.

While this area is just north of what will be the North-South border, I am intensely concerned that the scope of violent oppressive action against those with ties to the South is very real. While the extent to which these attacks have been perpetrated by the Sudanese Armed Forces or militia groups does remain unclear, the violence is a violation of the Comprehensive Peace Agreement and warrants immediate investigation.

I am also concerned about the potential areas of conflict that are outside the current scope of international attention in the Upper Nile. Concerns have been expressed that certain breakaway groups, including the Nuer, haven't fully been absorbed into the emerging southern culture. Nascent conflicts in other lesser known areas could also threaten potential stability. The potential sources of ethnic conflict, including any imbalance of government power in Southern Sudan's dozens of ethnic groups, does loom.

Sudan, of course, has many sad experiences with this. A major source of North-South conflict stems from colonial time when Northern groups were given preference in government positions over Southerners.

I am keenly interested in hearing from our witnesses, in particular Ambassador Lyman, about the steps that the Government of South Sudan is taking to create a government inclusive of ethnic minorities, also women, to mitigate the risk of conflict that has historically marred too many post colonial independent African states.

And importantly as we discuss the future of a healthy and vibrant Southern Sudanese state, we must also be clear that we want a future, stable and viable North. However, China's relationship with Northern Sudan is of particular concern. Just today China announced it would be welcoming President Omar al-Bashir

with an official state visit later this month to deepen "their deep and profound friendship," according to China's foreign ministry spokesman.

Sudan is China's third largest trading partner in Africa, and China has been its largest arms supplier, as well as a major oil investor. Will China's unrestrained, mercantilistic agenda deepen this geopolitical conflict? It is an important question.

Thank you again, Mr. Chairman, for convening this hearing that is of personal importance to many of my constituents, many of whom have suffered and sacrificed so much to have their chance to realize their democratic hopes manifested in an independent Southern state. I look forward to relaying the proceedings of this hearing to them.

Mr. SMITH. Thank you, Mr. Fortenberry. The chair recognizes Mr. Carnahan.

Mr. CARNAHAN. Thank you, Mr. Chairman and Ranking Member Payne. Thank you for holding this hearing on the situation in Sudan. As the anticipated July 9 date of the South Sudan independence quickly approaches, I hope that we work toward a meaningful way forward in an important and conflict torn region.

I have watched with growing concern as the deteriorating security situation has come to a head with recent violence in oil producing border regions. Where there have been reports of aggression attributed to both sides, it is clear that the North's Sudanese Armed Forces invasion of Abyei violated the terms of the Comprehensive Peace Agreement and has inflamed further security and humanitarian crises and warrants measured reevaluation of our policy toward Khartoum.

The Sudanese people have endured many years of ethno-religious violence, state-sponsored oppression and genocide that has resulted in the loss of as many as 2.5 million lives with millions of others displaced. With recent crises in Abyei and South Kordofan, these numbers continue to rise.

It must remain a U.S. priority to support viable security agreements that advance implementation of the CPA. We look forward to hearing from our witnesses today on the status of our diplomatic and development efforts to these ends. We also hope to hear more about the work of the international community to complement our interests in Sudan.

With the mandate for the U.N. mission in Sudan set to expire next month and the Sudanese Government maintaining that it will not allow an extension, I am particularly interested in hearing what role you think a U.N. mission could and should play in either the North or the South. I am also interested in hearing what role you think the African Union should have in any negotiations and peacekeeping.

While improvements are certainly needed, UNMIS and other peacekeeping missions address some of our most challenging security situations and directly impact U.S. national interests.

In closing, I would like to thank the panelists for their testimonies and presence here today. I hope that your answers and opinions will help us realize avenues toward stability and peace between the North and the South.

Thank you. I yield back.

Mr. SMITH. Thank you very much. The chair recognizes the gentlelady from New York, Ms. Buerkle.

Ms. BUERKLE. Thank you, Mr. Chairman. And thank you for all you do on behalf of human rights throughout the world.

The future of South Sudan is of great importance to me because of the Sudanese presence in the Syracuse area. Syracuse has been home to over 500 of the Lost Boys of Sudan. In fact, my district office has a graduate student interning with us by the name of Pierre Anthony, who is one of those Lost Boys.

I am also pleased and very honored to have with us today in the hearing room a very prominent member of the Sudanese diaspora and a constituent of mine, Father Darius Makuja. Father is a professor of medieval theology at Le Moyne College in Syracuse. He holds master's and doctoral degrees in historical theology from St. Louis University. He has published work on the situation in Sudan, including an article in the journal Encounter entitled, "Religious Fundamentalism and Political Hegemony: A Case of Islamic Fundamentalism and Conflict in Sudan."

Father Makuja is originally from Torit, near the Ugandan border. He is an important advocate for the South Sudanese in America, not only in assisting them but also in helping call attention to the challenges the South Sudan faces and will continue to face in the aftermath of obtaining its independence.

In a referendum in January 2011, the Southern Sudanese people overwhelmingly voted in favor of independence from the North. South Sudan is due to gain its independence on July 9th. Tragically, bloodshed along the ill-defined border between the North and the South Sudan over the last 3 weeks has raised fears that the two longstanding rivals will return to open conflict. A number of sensitive issues between the North and the South remain unsettled, how to share oil revenues, where to draw the common border, and how to split the national debt.

Moreover, Khartoum government forces seized the disputed region of Abyei, tanks and troops, on May 21st, causing tens of thousands of people to flee and drawing an international outcry. Despite the United States, the United Nations and Southern Sudanese officials calling on the North to withdraw, the North seems to be further entrenching itself. And it remains to be seen whether an agreement cannot only be reached, but also be abided by.

The security situation remains grave with intense fighting, sporadic artillery fire, and a continuing military buildup along the contested border between the North and the South.

For several years, the United States has engaged in humanitarian development and peacekeeping work in Sudan and has participated in efforts to resolve the civil war between the North and the South. The United States of America has a stake in seeing that the Republic of South Sudan becomes a successful, a stable, and a secure state.

I thank our witnesses for being here today, and I look forward to hearing their testimony. I yield back my time.

Mr. SMITH. Thank you very much, Ms. Buerkle. The chair recognizes Congresswoman Bass.

Ms. BASS. Thank you once again, Chairman Smith.

For the past several years, the world has watched as conditions in Sudan have continued to deteriorate. Despite the hopeful passing of the peace referendum decision in January, the road to independence for South Sudan has not been easy. Recent government assaults on innocent civilians have increased the humanitarian and refugee crisis throughout Sudan and the region and destabilized the delicate balance of peace. My deepest condolences go out to the people of Sudan that have been affected by the recent violence. To those who were displaced, have lost family members or were wounded during the attack, my thoughts are with you.

In addition to the violence of the Sudanese Armed Forces, the Sudanese Government continues to delay the implementation of aspects of the Comprehensive Peace Agreement and has taken steps to impede its progress. We must do all we can to ensure the peaceful transition of governments and the equitable division of resources to guarantee the safety and well-being of all Sudanese people.

A good demonstration of democracy is a willingness to embrace change for the overall betterment of a country and the human rights of its citizens. I believe we must assist in the implementation of the Comprehensive Peace Agreement by urging both sides to end the violence and cease all military actions. We must continue providing U.S. assistance to promote stable governance in South Sudan, strengthening multilateral international engagement, and preventing terrorists from having a safe haven in Sudan.

I support President Obama's statement yesterday insisting that both sides must be held accountable to their international obligations and agreements. The United States must remain active and expand our diplomatic engagement in Sudan, along with our United Nations partners. We must have the opportunity to play a key role in advancing a healthy democracy, economic growth, and a peaceful and prosperous future for the Sudanese people in the region.

I look forward to hearing from all of the witnesses today and learning more about the current conditions in Sudan, as well as how the U.S. can promote the peaceful independence of the Republic of South Sudan. Thank you.

Mr. SMITH. Thank you very much, Ms. Bass. I would like to now recognize Congressman Frank Wolf, who is chair of the Subcommittee on Commerce, Justice, Science, and Related Agencies on the Appropriations Committee. Mr. Wolf.

Mr. WOLF. Thank you, Chairman Smith. I want to thank you for your actions on this issue and so many others, but being the first out of the box to deal with this. And I also want to publicly thank Congressman Payne for his faithfulness over the years on this issue in good times as well as bad times.

I remember reading Samantha Power's book, "A Problem from Hell: America and the Age of Genocide." Her frustration at the lack of U.S. action in the face of human suffering was palpable and understandable. She examined cable traffic and State Department press guidance, which eliminated any doubts that the horrors taking place in countries like Rwanda were not unknown to policymakers like U.N. Secretary General Kofi Annan, who knew what was taking place in Rwanda, and former Secretary of State Warren

Christopher, who also knew what was taking place. Bill Clinton had the good sense of going to Rwanda and apologizing for the lack of action by his administration.

Have we learned nothing yet? Are we ready to see another Rwanda? Today in Sudan we see unfolding before us what can only be described as a recurring nightmare in that country, a genocidal government hell-bent on maintaining its grip on power, treating civilian populations as mere collateral damage. And in the face of these murderous policies in Abyei and Southern Kordofan and the Nuba Mountains, the White House can hardly muster more than a Friday night 7:45 press statement by the Press Secretary and not by the President of the United States to come out and in the Rose Garden and say what should be said. Press statements released at 7:35 Friday in this town communicate to me volumes about the priority, or the lack thereof, of the matter at hand.

Last week, with news reports of a rapidly deteriorating situation in Sudan, I wrote President Obama urging him to act swiftly to dispatch former Secretary of State Colin Powell to Sudan to attempt to secure a peaceful resolution of the crisis and salvage the Comprehensive Peace Agreement in the weeks remaining before South Sudan can become an independent nation.

Don Payne was there at the signing. Secretary Powell was there at the signing. Roger Winter was there at the signing. Secretary Powell, given the opportunity and given the sticks, may very well be able to deal with this, and yet the response from the White House is zero, zero, zero.

I submit a copy of that letter for the record.

[The information referred to follows:]

FRANK R. WOLF
10TH DISTRICT, VIRGINIA

COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEES:
CHAIRMAN—COMMERCE JUSTICE SCIENCE
TRANSPORTATION-HUD
STATE AND FOREIGN OPERATIONS

CO-CHAIR—TOM LANTOS
HUMAN RIGHTS COMMISSION

Congress of the United States
House of Representatives

June 9, 2011

241 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-4610
(202) 225-5136

13873 PARK CENTER ROAD
SUITE 130
HERNDON, VA 20171
(703) 709-5800
(800) 945-9653 (IN STATE)

110 NORTH CAMERON STREET
WINCHESTER, VA 22601
(540) 667-0990
(800) 850-3463 (IN STATE)

wolf.house.gov

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

Dear Mr. President:

I am deeply concerned by the rapidly deteriorating situation in Sudan, especially in Abyei and Southern Kordofan. I strongly urge you to act swiftly to dispatch former Secretary of State Colin Powell to Sudan to attempt to secure a peaceful resolution of the crisis and salvage the Comprehensive Peace Agreement (CPA) in the weeks remaining before South Sudan becomes an independent nation. I am afraid Sudan could plunge into another major war if a peaceful resolution is not soon found.

Secretary Powell working in partnership with Special Envoy Princeton Lyman would make a compelling team at this critical juncture. Powell was present at the signing of the CPA in Nairobi, as was I, and he is a respected diplomat of the highest caliber who is well-versed in Sudan policy and history.

Time is running short and the situation is grim. The Office of the United Nations High Commissioner for Refugees (UNHCR) estimates that roughly 100,000 people have been displaced by the recent violence in Abyei. News reports also indicate that many people were forced to leave their homes so rapidly that they have little in the way of food, shelter or basic provisions. In addition, in the chaos, some children have been separated from their parents. Reports indicate more than 100 civilians have been killed in the recent fighting.

A statement last week from the United Nations Security Council called Khartoum's military operations in Abyei a "serious violation" of the 2005 CPA which ended more than two decades of brutal civil war. Sudan's President Bashir, himself an indicted war criminal, has unabashedly rejected calls to pull out northern troops and has ordered U.N. peacekeepers to leave the north when the mission mandate ends on July 8.

These developments are not entirely unexpected, especially in light of the North's 2008 unprovoked scorched earth attack on Abyei. In fact, a recent Congressional Research Service report indicated that, "The invasion of Abyei seems to have been pre-planned, according to Sudanese and regional sources. The Sudanese Armed Forces have been building up their military presence in the Abyei region since January 2011. The government of Sudan claimed that they attacked Abyei in order to restore law and order. But a day after the invasion, pro-government

militias and government forces were seen looting and burning, according to United Nations and South Sudanese officials."

A poignant piece in *The Washington Post* two weeks ago, authored by actor and activist George Clooney and Enough Project co-founder John Prendergast, highlighted Khartoum's long record of broken agreements and flagrant disregard for basic human rights.

The pair wrote, "…(t)he list of dishonored agreements and massive human rights crimes in Sudan is shocking in scope. In Darfur, the Khartoum regime has cleared millions from their lands, allowing ethnic groups allied with the government to move into the deserted areas. In the oilfield areas of southern Sudan in the 1990s, the regime strategically killed and displaced hundreds of thousands of indigenous residents to facilitate Chinese oil exploitation. In the Nuba mountains during the late 1980s and 1990s, the vast majority of locals were forcibly displaced by Sudanese government attacks, and hundreds of thousands died. The international community threatened real consequences during and after these incidents and after other targeted crimes against civilian populations. But the consequences never came…."

Not only did the consequences never come, but in recent months administration policy has focused heavily on incentives for Khartoum in the hopes of securing a favorable outcome to the CPA. But as Clooney and Prendergast point out, "…what's happening to the people of Abyei is the regime's unacceptable answer."

Indeed, the regime's answer is unacceptable and must not be allowed to stand. I urge you to call upon Secretary Powell, given his historic involvement with the CPA, and to do so swiftly.

Best wishes.

Sincerely,

Frank R. Wolf
Member of Congress

FRW:ea

Mr. WOLF. Not only is engagement at the highest levels needed, but the engagement must include sticks. We have seen time and time again that dangling carrots before an indicted war criminal, Bashir, will never yield the desired results.

My sense of urgency is even greater today. This week, I had the opportunity to meet a young man who was an intern in my office. He has been living in Sudan for the last 2 years engaged in humanitarian and development work. He is back in the States briefly but remains in close contact with folks in Sudan, including in areas that are presently cut off from the rest of the world. What I heard from these sources is bone chilling. Door to door targeted killings of the SPLM supporters, mass graves, Antonov bombers indiscriminately shelling civilian populations; in short, an unfolding tragedy of the highest order right before our eyes, and the administration knows it.

And when we look at this and Samantha writes her next book, the cables will show what we now know and what no one is doing anything about.

The committee has before it today several distinguished witnesses, including my friend Roger Winter. These panelists will undoubtedly urge the administration to consider a variety of policy options to stem the killing and avert a mass humanitarian crisis. I pray they will be given every consideration.

And the thought that China is welcoming Bashir—I did not know it until Congressman Fortenberry said it—is incredible. What more do you need to know? China has been aiding them with regard to the Antonov, with regard to the Soviet Hind helicopters, with the AK–47s, and supporting the genocide in Darfur, the number one supporter of the genocide in Darfur that many people are so concerned about, the Chinese Government. And keep in mind, Hu Jintao, the President of China, was the architect of the policies to really bring about the destruction of Tibet. And you had the 2009 Nobel Prize winner, President Obama, holding a steak dinner for Hu Jintao when the 2010 Nobel Prize winner was in jail and his wife was under house arrest, and now we find that they are welcoming Bashir. What more do we need to know? Lives hang in the balance.

Mr. Chairman, I appreciate you having these hearings.

Mr. SMITH. Chairman Wolf, thank you very much for your statement and for your leadership on human rights. Let me just note that originally Special Envoy Princeton Lyman was scheduled to testify first. He was called to the White House. So we have reversed the order and we will invite what was Panel 2 to become Panel 1. I would like to—if they could make their way to the witness table—just recognize Bishop Andudu Adam Elnail, whose diocese actually represents the Nuba Mountains, among other areas, and Bishop Abraham Nhial Yel, whose—these are both Episcopal bishops whose diocese includes Abyei. If they wouldn't mind standing. I know they are here. And thank you for your tremendous leadership.

I would like to now introduce our very distinguished and knowledgeable panel, beginning with Bishop Eduardo Hiiboro Kussala, who is originally from Southern Sudan. When he was just 9 years old, his mother was killed in a Northern government military raid

on his village. His family fled Sudan and eventually settled in neighboring DRC. Bishop Hiiboro's family eventually returned to Sudan and he became a priest in 1994. After serving refugees in the Central African Republic, he returned to Sudan where he has been an outspoken and totally courageous advocate in demanding protection for his people. We welcome the bishop to our panel, and thank him for being here.

We will then hear from Dr. John Eibner, Christian Solidarity International. He is the CEO for CSI in the United States. He has traveled to Sudan over 100 times since 1992, often working in frontline situations to document slavery and other gross human rights abuses. Dr. Eibner played a leading role during the last civil war to raise awareness of these human rights issues among the public and policymakers. Dr. Eibner also served as CSI's main representative at the United Nations in Geneva and has written extensively on human rights issues for a range of well-known publications. I would note parenthetically that both Chairman Wolf and I have traveled to many human rights abusing countries around the world with CSI, including China in the past. So we welcome you, Dr. Eibner.

Then we have Ms. Dana Wilkins, who is a campaigner for Global Witness, an NGO that works to prevent natural resources from fueling conflict and corruption. Ms. Wilkins recently returned from Southern Sudan where she did extensive advocacy and information exchange with government officials, local civil society, and members of the donor community. Ms. Wilkins has been working to ensure that there is transparency and accountability in Southern Sudan's oil sector after independence to help prevent a return to war and also to provide equity and fairness to the people from those reserves.

Then we will hear from Ambassador Roger Winter, who first went to Sudan in 1981 to do humanitarian work for a nonprofit group, which we all know and respect on this committee, the U.S. Committee for Refugees. Ambassador Winter continued his work until early 2001, when he became Director of the U.S. Office for Foreign Disaster Assistance at USAID. While at the office in that role and subsequently as Assistant Administrator at USAID, Ambassador Winter participated on the U.S. team—led the team—to what then became the 2005 Comprehensive Peace Agreement. Ambassador Winter has served as the U.S. Special Representative on Sudan from 2005 to 2006, when he retired.

I would just note that all of our witnesses have very extensive biographies, which will be made a part of the record. But to allow maximum time for your testimony and questions, they will be made a part of the record. So, Bishop, if you could begin.

STATEMENT OF MR. EDUARDO HIIBORO KUSSALA, BISHOP, DIOCESE OF TAMBURA-YAMBIO

Bishop HIIBORO. Thank you, Chairman Smith, for calling this important and timely hearing concerning the Sudan and for giving me the opportunity to testify before this committee on behalf of the people of South Sudan. I also would like to thank the ranking member, Mr. Payne, and all the members of the subcommittee for their longstanding commitment to the welfare of my people.

With the committee's permission, I would like to enter my full written testimony for the record, and I will summarize it.

Mr. SMITH. Without objection, so ordered. And that goes for all of our distinguished witnesses.

Bishop HIIBORO. My name is Bishop Eduardo Hiiboro Kussala. I am the bishop of the Catholic Diocese Tambura-Yambio in southwestern Sudan. And I am very grateful to have come from my native Sudan to share with you the gratitude, the hopes and the concerns of the new nation. The Sudanese church in her prophetic role has accompanied the Sudanese people in times of peace and war. The church has been building peace, providing basic services and serving millions of Sudanese people across the generations.

As international aid actors come and go, it is an indigenous church sharing the hopes, the suffering of the people, giving voice to those often who are not heard. I have come here definitely to thank you, the American people, and express to you the hopes of the people of South Sudan. We thank you for the efforts you did in order to get for us, with our own collaboration and yours, the referendum successfully done.

Our hope in South Sudan is that we are going to have a nation of our own since time immemorial, a country that would hope to be a country of dignity, peace, freedom and human prosperity. The achievement of the referendum was a collective effort for which we thank you and ask you then that the homework is not finished. We are seeing the responsibilities that come to us as people of South Sudan to be accountable, transparent and consistent in building a nation of dignity and peace. And we can all do this very well with your collaboration.

And my visit here, definitely, is to invite you, the American people, the American Government to be consistent, to persevere, and to remain focused on the cause of the people of Sudan. You all have very well expressed and discussed the problems that we have gone through. I want to recommend an immediate stop to the violence that is going on within Sudan at the moment. I would like to recall what we have gone through and to ask you that it is time to stop it. If we do not stop this war, it is quite clear that it will spread and go beyond control. There is a possibility that there is this intolerance within South Sudan. Let us seize this opportunity and stop this war and give Sudan what it has lacked for decades.

And I would like to express what has been missing on the accord that was signed in 2005, the Comprehensive Peace Agreement. Many of the things that have not been implemented remain a stumbling block. If we can remain focused and have those things realized, we can save South Sudan the possibility of enjoying its future. And we can also guarantee a stable Northern Sudan that can protect the regional members from going into conflict.

I want to underline the importance for the support of the displaced and refugees. The humanitarian support has to continue. And as much as we know, under the name for peace and development, the hope for the people of South Sudan is that July 9th will be the end of the decades of suffering and pains of our people and is a moment in which we can say the past is gone and now we can have a new life.

The fear that grows around us can be stopped if this House, if the Congress, if the American people can be consistent, I repeat.

I want to conclude with a special appeal that July 9th should be an opportunity for the Government of the United States and our friends to guarantee peace in that part of Africa and that the peace will serve as a balance rod for the rest of the countries in the region.

Having ended Africa's longest war, Africa's largest country is at a crossroads. The road after the violence and suffering of our past has been a long one. But with the continued support and ongoing commitment of the Congress, we can all help bring millions of South Sudanese a chance to enjoy the hope and the freedom of justice and peace it sorely deserves and has long awaited.

I was born into this war. I lost my mom in the war and I have grown as much as I am in the refugee camps in the most difficult areas. And I represent millions of orphans in my country who have gone through the same history. My story is a story of the people of South Sudan and the people of the Sudan. Sudan must not return to war again so they will not lose many mothers and children due to this war. And that is my interest. And I pray that this House will continue consistently to extend and to get Sudan stable and into freedom.

Thank you and God bless you.

[The prepared statement of Bishop Kussala follows:]

Testimony by

Bishop Eduardo Hiiboro Kussala

Bishop of the Roman Catholic Diocese of Tombura Yambio
South Sudan

Presented to:

Subcommittee on Africa, Global Health, and Human Rights
Christopher H. Smith, New Jersey, Chairman

House Committee on Foreign Affairs

"Africa's Newest Nation: The Republic of South Sudan"

June 16th, 2011

I. Introduction

Thank you, Chairman Smith, for calling this very important and timely hearing concerning the Sudan and for giving me the opportunity to testify before this committee. I also would like to thank the Ranking Member, Mr. Payne. Mr. Smith, I appreciate the longstanding commitment to the welfare of my people you have demonstrated for years. Mr. Payne, I thank you for your steadfast leadership, tireless travel, and deep concern for the peace and security of my country.

My name is Bishop Eduardo Hiiboro Kussala, I am the Bishop of the Catholic Diocese of Tombura Yambio in southwestern Sudan. I am very grateful to have come from my native Sudan to share with you the gratitude, hopes, and concerns of our new nation.

In my testimony, after providing a brief background and context, I will explain the role of the Catholic Church in responding to needs, alleviating human suffering, and providing hope to millions of Sudanese people. I will summarize what we see as the principal threats to these efforts and to the peace and security of Sudan and her neighbors. Finally, I will conclude my remarks with seven recommendations for the U.S. government to consider.

II. Background

In a few weeks time the world's newest nation will be born – the Republic of South Sudan - with its independence marked in a ceremony in its capital, Juba, on July 9.The journey to this point has been long and difficult. Millions have died along this long walk to freedom. Millions more were driven from their homes, and many, like me, were driven from their country.

But due to the tireless efforts and sacrifices of countless people, undeniably including the support and leadership of the U.S. government, the people of southern Sudan will celebrate a peaceful and historic achievement next month. I was born into this war. I was made an orphan and a refugee in the decades of its bloody conduct. Mindful of all this war has cost us, I find it difficult to adequately express to you how profoundly grateful and proud I am to see Sudan at the brink of peace.

We in the Church have tried to bring people at every level of society together – from cattle herders and subsistence farmers to diplomats and presidents – building the bridges needed on this journey to peace. Supported by many international organizations like Catholic Relief Services, Solidarity for Southern Sudan, and the U.S. Conference of Catholic Bishops, we continue this work, charting the way and laying the foundation for the road to peace and prosperity.

Next month's ceremony is just the beginning of a new journey. This new country needs our attention, our support, and our continued prayers. Decades of war and neglect devastated southern Sudan and her people. Access to clean water and good sanitation is limited. Medical care is rudimentary. Educational opportunities are scarce. But progress, while slow, is being steadily made. Peace is possible, and development is another name for peace.

Enormous threats to that peace and progress are emerging. The Comprehensive Peace Agreement (CPA) signed in 2005 will end in 2011 and the Sudanese Church is concerned that many of the key provisions within this historic agreement have not been implemented.

There are flashpoints along the north/south border, most recently in Abyei and the Nuba Mountains of Southern Kordofan. People across southern Sudan call out for security and justice, as do their brothers and sisters in Darfur.

III. The Role of the Church

The Catholic Church proclaims that human life is sacred and that the dignity of the person is at the core of a moral vision for society. Our belief in the sanctity of human life and the inherent dignity of the human person is the foundation of all the principles of our social teaching. Our tradition proclaims that the person is not only sacred but also social. How we organize our society directly affects human dignity and the capacity of individuals to grow in community.

Our Church teaches that the role of the government and other institutions is to protect human life and human dignity and promote the common good. Human dignity can be protected and a healthy community can be achieved only if human rights are protected and responsibilities are met, "The Church has always had the duty of scrutinizing the signs of the times and interpreting them in the light of the Gospel" (Vatican II, *The Church in the Modern World*). The Church is a teacher of truth for humanity and has the right and duty to speak on political and social issues that affect the people. These duties will be essential in promoting an inclusive and responsive Government of South Sudan.

The Sudanese Church in her prophetic role has accompanied the Sudanese people in times of peace and war. The Church has been building peace, providing basic services and serving millions of Sudanese people across the generations, as international aid actors have come and gone. It is an indigenous Church, sharing the hopes and suffering of the people, giving voice to those who often are not heard.

IV. The Way Forward

Although we've come a long way, and are within reach of our independence, major obstacles to our peace and prosperity remain. The Church in Sudan is concerned that four issues in particular hold the potential for a return to violence if they are not resolved.

First, the Sudanese Church recognizes the need for the full and timely implementation of the Comprehensive Peace Agreement (CPA). We are encouraged to note that the CPA signatories have created structures to negotiate post-referendum arrangements that will be crucial to a peaceful future. However we are concerned at the late establishment of these structures, and the absence of Church, civil society and other actor's participation in them, which could lead to a lack of transparency and inclusiveness. The US government and international community must assist in resolving the technical, logistical and political obstacles to resolving the remaining issues. We place our trust in you, and others like you who have accompanied the peace process so far, particularly the Intergovernmental Authority on Development (IGAD) and friends of

IGAD (USA, UK, Italy and Norway); the African Union; the United Nations; and the Arab League to continue to encourage the signatories of the CPA to honor their agreement and to act in the best interests of the people of Sudan.

Secondly, the violence and suffering along the north-south border must be addressed and cannot be allowed to obstruct the promise of Sudan's peaceful referendum. The border states of Southern Kordofan and Blue Nile will remain potential flashpoints until the legitimate aspirations of the people of these two states are met. These communities have repeatedly endured violence and displacement during the war and through this interim period due to the fighting between different clusters of the Sudan Armed Forces (SAF) and the Sudan People's Liberation Army (SPLA). Despite previous agreements including binding international arbitration, there have been long standing difficulties in resolving the status of Abyei and conducting popular consultations in Southern Kordofan. But there is no excuse whatsoever for allowing these political difficulties to take a military toll on innocent people. We demand that our governments make an urgent and concerted effort to agree to an immediate ceasefire, the withdrawal of troops to allow for a neutral security force, unobstructed humanitarian access and the flow of humanitarian supplies to those in need, and guarantees for the safety and resettlement for those displaced.

Thirdly, the Church in Sudan is appalled by the increasing number of inter-ethnic clashes in southern Sudan, most prominently in Jonglei, Upper Nile, Lakes and Warrap States; the ongoing attacks by the Lord's Resistance Army (LRA) in Western Equatoria; and the continuing insecurity in Darfur. We are particularly alarmed by the increase of abuse, rape and killing of women, elderly and children, aimed at destroying the social fabric within and between communities. We strongly condemn these atrocities and any other form of violence and urge both the NCP Government in Khartoum and the Government of South Sudan in Juba to fulfill their obligations to protect their citizens and bring to justice those responsible for committing and encouraging such attacks.

Finally, the rights of minorities, particularly the religious and ethnic minorities historically marginalized, must be protected throughout Sudan and South Sudan. It is important to create a climate of security and protection, and respect of basic human rights, in accordance with Sudan's obligations under the Universal Declaration of Human Rights and the African Charter on Human and Peoples' Rights.

The new constitutions of these two nations must reflect the full rights and dignity of all its citizenry. Sudan's war of visions and identities must end. The people of Sudan will not overcome our history of division and violence until we all recognize and accept our broad diversity and common dignity. True peace and prosperity will come when we overcome the temptation to oppose or oppress others based on different ethnic, cultural, or religious affiliations.

IV. Recommendations for the U.S. Government

In light of these concerns, the Church in Sudan urges the United States Government to undertake the following:

1. Deploy every diplomatic resource, employ every incentive, and apply every consequence necessary to ensure the Government of Sudan and the Government of South Sudan bring an end to the fighting in the three transitional areas of Abyei, Southern Kordofan, and Blue Nile; and that the parties negotiate and observe a full separation of military forces and the deployment of international buffer forces such as those proposed by IGAD and the African Union.

2. As signatories to the Comprehensive Peace Agreement, continue to work intensively with the international community to ensure the parties fully uphold their obligations within that agreement and urgently resolve key outstanding issues including issues of citizenship, border demarcation, trans-boundary rights, international treaties and conventions, foreign debt, and shared natural resource management including oil production and water usage.

3. Urge the UN Security Council to continue support for peace keeping missions in Darfur, Sudan and South Sudan with adequate funding, appropriate logistical support, and sufficient mandate to provide civil protection.

4. Ensure that humanitarian assistance is timely and sufficient; that humanitarian access to vulnerable populations across all of Sudan, in particular Darfur, and South Sudan is secured; and that the security and rights of minorities, including the right to movement, are protected.

5. Provide robust and long-term support to programs promoting good governance, civic education, and citizen participation in the constitutional drafting process which will contribute to the capacity of the Government of South Sudan and South Sudanese civil society to establish an accountable, inclusive, and representative government; an independent judiciary; and a free media.

6. Increase long-term development assistance to South Sudan that focuses on building a diverse economy and on lifting people out of poverty. Special emphasis should be placed on health, education, agriculture, micro-finance, and infrastructure development.

7. Contribute technical and financial assistance to programs that promote peacebuilding, community reconciliation, and conflict early warning systems. Substantial peacebuilding assistance should include South Sudanese civil society and in particular reflect the historical contribution of faith-based communities.

V. Summary/Conclusion

I conclude with expressing my sincere gratitude to the Government and people of the United States for the generous assistance to the hungry, the poor, and the displaced of Sudan. Our Church has helped distribute that assistance, but more importantly, our people have benefited from that assistance. I, my Church, and my country are truly grateful for your solidarity.

For most of our history and much of my life, it seemed unlikely the people of southern Sudan would have the opportunity to exercise their right to self-determination. That such an exercise

was possible, let alone as successful and peaceful as it was, is a testament to the hard work and dedication of your government and others of goodwill.

As you have heard, much remains to be negotiated and resolved as we approach the end of the Comprehensive Peace Agreement. Resolving these issues will be critical to Sudan's future, as will concerns for minorities remaining in the north, and conflict in the border areas ofAbyei, Southern Kordofan, and Blue Nile. Likewise, the people of Darfur still suffer, and this suffering and insecurity must be resolved to bring peace and development to the region.

The people of Sudan have made great strides in avoiding a return to conflict that had seemed all but inevitable. Significant and sustained humanitarian and development assistance would help consolidate that progress, and provide tangible encouragement that Sudan's civil war is truly over. It is crucial that the United States remain actively engaged in Sudan and South Sudan through these critical initial years. We have suffered too much and suffered too long to believe our full freedom will be easily or quickly achieved. There have been too many lives lost and too many agreements dishonored to believe these freedoms will be easily defended.

Having ended Africa's longest war, Africa's largest country is at a crossroads. The road out of the violence and suffering of its past has been a long one. But with your continued support and ongoing commitment, we can all help bring this new nation of South Sudan a chance to enjoy the hope and the freedom, the justice and peace, it so richly deserves and has long awaited.

Mr. SMITH. Bishop Hiiboro, thank you so much for your eloquent testimony and thank you for the blessing. We know that South Sudan is in all of our prayers. And there is a lot that divides the House and the Senate and Congress these days, but we are—we will be praying very hard for peace and reconciliation and that has been led by the church. So I thank you so much.

Dr. Eibner.

STATEMENT OF MR. JOHN EIBNER, CHIEF EXECUTIVE OFFICER, CHRISTIAN SOLIDARITY INTERNATIONAL—USA

Mr. EIBNER. Thank you, Mr. Chairman, for affording me the opportunity to testify about slavery. I am particularly pleased that my anti-slavery colleagues, Diane Gooch and Joe Madison, are with us today.

Slavery, an internationally recognized crime against humanity, continues to blight the lives of tens of thousands of Southern Sudanese. It furthermore darkens the prospect of a genuinely comprehensive and sustained peace and threatens the security of Africa's newest nation.

May I begin by introducing Achol Deng, a liberated slave? For about 15 years, Achol served a master in Northern Sudan. She was threatened with death. She was gang raped, genitally mutilated, forced to convert to Islam, renamed Mariam and was racially and religiously insulted. She lost the sight in one eye when her master thrashed her face with a camel whip for failing to perform correctly Islamic rituals. This mother of four said she saw two of her children beaten to death for minor misdemeanors. She lost the use of one of her arms when her master took a machete to it because she failed to grind grain properly.

As Sudan enters a new era of crisis on the eve of Southern independence with fresh waves of violence, it is timely to revisit the slavery aspect of what Francis Deng calls Sudan's war of visions, a cultural conflict that transcends the late North-South civil war, a battle that continues today.

Senator Danforth, a Special Envoy for Peace in Sudan, understood the true significance of slavery. In his report to the President, he rightly identified progress on the eradication of slavery as one of his four tests of the willingness of the belligerents to embark on a course of peace.

In accordance with the Danforth recommendations, the U.S. Government sponsored an investigation by the International Eminent Persons Group on slavery. Their findings largely corroborates CSI's. They observed that slave raiding in Sudan was government sponsored and "commonplace." Slavery, they also noted, included a disturbing pattern of abuse very much like that endured by Achol Deng.

The Eminent Persons proposed a comprehensive policy for eradicating slavery and stated,

> "Eliminating the abuses described in this report will require major political initiatives on the part of both the Government [of Sudan] and of the SPLM/A. The initiatives we propose can only succeed with assistance from the international community. This assistance must be substantial, long term, carefully conceived and above all rigorously monitored."

Regrettably, Mr. Chairman, neither have major political initiatives nor significant long-term carefully conceived assistance been forthcoming. While the CPA created the historic opportunity for ending the civil war, it failed to include a mechanism for the liberation and repatriation of slaves.

Some bold efforts were made following the signing of the CPA to restore slavery to the peace agenda of Khartoum, Juba and the international community. I have mentioned several of them in my written submission, including H.R. 3844 of 2007, sponsored by Mr. Smith and co-sponsored by Ms. Watson. But these constructive initiatives failed as a result of lack of political will in Congress and in Washington generally.

The signing of the CPA did, however, have a beneficial anti-slavery byproduct. It produced an end to slave raids in Southern Sudan. But those already enslaved during the war and their offspring remained in bondage. According to Southern members of the Sudanese Government's former showcase anti-slavery organ, the now dissolved Committee for the Eradication of the Abduction of Women and Children, over 35,000 slaves from Northern Bahr El-Ghazal alone remain in bondage. In addition, slavery is used as a weapon of war against black Africans in Darfur. The enslavement and horrific abuse of Sudanese tactics of the Lord's Resistance Army in Equatoria, which I am sure the Bishop can speak a very long time about, is another appalling and neglected facet of Sudan's slavery problem.

I would encourage members to search for ways to implement the constructive proposals set forth in the report of the Eminent Persons, in particular the need for a financially transparent and functional Sudanese national institution for locating and liberating slaves, a program of research on all aspects of Sudanese slavery, an institution with international and indigenous components to monitor slavery and its eradication, and finally an American or international mechanism to follow up the Eminent Persons' recommendations.

Twelve years ago, Ambassador Susan Rice came face to face with liberated slaves in Marial Bai, Southern Sudan. She pledged then that the United States would work tirelessly to stamp out slavery in Sudan. Let us strive to achieve the goal established by Ambassador Rice. Failure to eradicate slavery with all its overtones of racism and religious bigotry will leave in Sudan a deadly cancer destroying possibilities of reconciliation and undermining chances of sustainable peace and stability for the new state in Southern Sudan.

Thank you, Mr. Chairman, for giving me the opportunity to testify and also for all you and your colleagues do to achieve the eradication of slavery in Sudan and elsewhere.

[The prepared statement of Mr. Eibner follows:]

Dr. John Eibner
CEO, Christian Solidarity International (CSI-USA)
June 16, 2011
House Committee on Foreign Affairs, Subcommittee on Africa, Global Health and Human Rights

Africa's Newest Nation: The Republic of South Sudan
Slavery

Thank you, Mr. Chairman, for affording me the opportunity to testify about slavery in Sudan. This internationally recognized crime against humanity continues to blight the lives of tens of thousands of Sudanese men, women and children. It furthermore darkens the prospect of a genuinely comprehensive and sustained peace, and threatens the security of Africa's Newest Nation.

May I begin by introducing you to Achol Yum Deng. My colleague, Charles Jacobs and I recently wrote about her in *The Wall Street Journal*.[1] For about 15 years Achol served a master in Northern Sudan and was only recently liberated and repatriated to her home in Southern Sudan. The war booty of a man named Adhaly Osman, Achol was threatened with death, gang-raped, genitally mutilated, forced to convert to Islam, renamed "Mariam" and racially and religiously insulted. She lost the sight in one eye when her master thrashed her face with a camel whip for failing to perform Islamic rituals correctly. This mother of four said she saw two of her children beaten to death for minor misdemeanors. She also lost the use of one arm when her master took a machete to it in response to her failure to grind grain property. Hopefully, Achol will now enjoy the fruits of freedom in an independent South Sudan. But she left many other badly abused slaves behind.

As Sudan enters a new era of crisis on the eve of Southern independence, with fresh waves of mass killing and displacement occurring in Southern Kordofan and western Upper Nile, it is timely to revisit the slavery aspect of what Francis Deng calls Sudan's historic War of Visions[2] – a conflict that transcends the late civil war between Khartoum and the Southern-based SPLA, a battle that continues today notwithstanding the signing of the Comprehensive Peace Agreement of 2005.

Some American policy-makers have been inclined to dismiss slavery as little more than a grotesque, but irrelevant side-show to Sudan's political dramas, or to use it simply as a stick with which to beat the aggressive Islamist power in Khartoum – a power which indeed bears primary responsibility for the revival of slavery in Sudan and its use as an instrument of collective punishment in its declared jihad against non-submissive Black African communities in Southern Sudan and other marginalized areas during the late civil war (1983-2005).

It has been a grave mistake to sweep slavery to the margins of Sudanese politics, as all parties, including western partners, have done since the signing of the CPA in January 2005. Not only

---

[1] John Eibner and Charles Jacobs, "Will Freedom Come for Sudan's Slaves", *Wall Street Journal*, January 14, 2011, http://online.wsj.com/article/SB10001424052748704803604576077980847024402.html?mod=googlenews_wsj.
[2] Francis M. Deng, *War of Visions, Conflict of Identities in the Sudan*, Brookings Institution Press, 1995.

does this evil institution warp and destroy human lives on a mass scale. It is also reflects and perpetuates the religious and racial intolerance that fuels Khartoum's use of mass violence as collective punishment against communities that it deems - according to the norms of *jihad* - outside the law. Unless the American government, together with the international community, addresses squarely the cultural and religious roots of Sudanese slavery, it will have failed to address the sources of the ongoing War of Visions.

Sen. Danforth, as Special Envoy for Peace in Sudan, understood the political significance of slavery. In his February 2002 report to the President, the Special Envoy rightly noted: "There is probably no issue other than civilian bombings that concerns Americans more than the continued existence of slavery in Sudan."[3] But more importantly he identified progress on the eradication of slavery as one of his four tests of the willingness of the belligerents to embark on a course of peace.[4]

In accordance with Sen. Danforth's recommendations, the U.S. Government sponsored an investigation by the International Eminent Persons' Group on Slavery and Forced Servitude, headed by the late Penn Kemble and Ambassador George Moose. Their findings largely corroborate those of Christian Solidarity International's own field research. They observed that slavery in Sudan was "commonplace", and included a disturbing pattern of abuse:

> "Capture through abduction (generally accompanied by violence); the forced transfer of victims to another community; subjection to forced labor for no pay; denial of victims' freedom of movement and choice; and, frequently, assaults on personal identity such as renaming, forced religious conversion, involuntary circumcision, prohibition on the use of native languages and the denial of contacts with the victims' families and communities of origin."[5]

The Eminent Persons proposed a comprehensive 16 point policy for eradicating slavery in Sudan, and concluded:

> "Eliminating the abuses described in this report will require, in our view, major political initiatives on the part both of the government and of the SPLM/A. The initiatives we propose can only succeed with assistance from the international community. This assistance must be substantial, long-term, carefully conceived and, above all, rigorously monitored."[6]

---

[3] The historic 1996 Africa subcommittee hearing on slavery in Sudan, presided over by the current Chairman, Mr. Smith, and the 2001 arrest of the current ranking member, Mr. Payne, and myself in the course of a non-violent, civil disobedience demonstration against slavery and related crimes against humanity in front of the Sudanese Embassy were among the many powerful reflections of the American public's deep concern, prior to the launch of President Bush's Sudan peace initiative in September 2001. There were, of course, others in the vanguard of the campaign against Sudanese slavery, such as former Sudanese slaves Francis Bok and Simon Deng, former Congressman Walter Fauntroy, Charles Jacobs of the American Anti-Slavery Group, Joe Madison of Sirius/XM Radio, Faith McDonnell of the Institute for Religion and Democracy, Nina Shea of the Hudson Institute, and Barb Vogel of the STOP Campaign.

[4] *Report to the President of the United States on the Outlook for Peace in Sudan from John C. Danforth, Special Envoy for Peace, April 26, 2002*. http://www.state.gov/documents/organization/10258.pdf.

[5] *Report of the International Eminent Persons Group, Slavery, Abduction, Forced Servitude in Sudan*, Khartoum, May 22, 2002. http://www.state.gov/documents/organization/11951.pdf.

[6] *Report of the International Eminent Persons Group, Slavery, Abduction, Forced Servitude in Sudan*, Khartoum, May 22, 2002. http://www.state.gov/documents/organization/11951.pdf.

Regrettably, significant long-term, carefully conceived assistance has not been forthcoming. While the CPA created an historic opportunity for ending the civil war and the broader War of Visions, it failed to include a mechanism for the liberation and repatriation of slaves.

Some bold efforts were made following the signing of the CPA to restore slavery to the peace agenda of Khartoum, Juba and the international community. According to Sudan Radio, a Southern Minister in the Government of National Unity in Khartoum, Bona Malwal, reminded the world in October 2005 that "many Southern Sudanese are still held in bondage in the North", and "urged the National Unity Government to find a solution to the problem ... as part of the peace process."[7] The President of Southern Sudan, Salva Kiir, declared in a 2006 address to parliament that his "government remains deeply committed to the retrieval of Southern Sudanese women and children abducted and enslaved in Northern Sudan".[8] Here in Washington, two members of this committee, the current Chairman, Mr. Smith, and Ms. Watson launched HR 3844 the Eradication of Slavery in Sudan Act of 2007.[9] But these constructive initiatives failed as a result of a lack of political will in Khartoum, Juba and Washington.

The signing of the CPA did, however, have a beneficial byproduct. It produced an end to Sudanese government sponsored raids in Northern Bahr El Ghazal and western Upper Nile. Slaves ceased to be captured in these regions. But those already enslaved during the war and their offspring, as Bona Malwal noted, remained in bondage.[10] According to a prominent member of the Sudanese government's former showcase anti-slavery organ, the now dissolved Committee for the Eradication of the Abduction of Women and Children (CEAWC), approximately 35,000 slaves from northern Bahr El Ghazal remain in bondage in parts of Southern Darfur and Kordofan.[11]

In addition, the UN Secretary General's International Commission of Inquiry on Darfur confirmed the use of slavery as a weapon of war against Black Africans in Darfur.[12] The

---

[7] Sudan Radio Service, Khartoum, October 21, 2006.
[8] CSI, Press Release, "President Kiir of Southern Sudan Calls for Retrieval of Slaves", April 17, 2006.
[9] http://thomas.loc.gov/cgi-bin/query/z?c110:H.R.3844.
[10] I would encourage Members to see CNN's recently produced television feature entitled "Slavery in Sudan very much alive", http://thecnnfreedomproject.blogs.cnn.com/tag/cnns-david-mckenzie/), and to read the appended post-CPA articles:
Michael Gerson, *Washington Post*, "Putting the face on Sudan's legacy of slavery", April 2, 2010, http://www.washingtonpost.com/wp-dyn/content/article/2010/04/01/AR2010040102803.html.
Michael Gerson, *The Washington Post*, "Stories of Slavery in Sudan", April 2, 2010, http://voices.washingtonpost.com/postpartisan/2010/04/stories_of_slavery_in_sudan.html
Ellen Ratner, *Talk Radio News Service, "Helping souls Recover from a Living Hell", March 31, 2010,* http://talkradionews.com/2010/03/helping-souls-recover-from-a-living-hell/.
Joseph Polak, *Boston Globe*, "A Passover Ritual for all Enslaved Peoples", April 19, 2011, http://articles.boston.com/2011-04-19/bostonglobe/29447891_1_slaves-sudanese-civil-war.
John Eibner and Charles Jacobs, "Will Freedom Come for Sudan's Slaves", *Wall Street Journal*, January 14, 2011, http://online.wsj.com/article/SB10001424052748704803604576077980847024402.html?mod=googlenews_wsj.
JohnEibner, "Eradicating Slavery in Sudan", *Boston Globe*, February 22, 2006. http://www.boston.com/news/globe/editorial_opinion/oped/articles/2006/02/22/eradicating_slavery_in_sudan/
[11] Skye Wheeler, Reuters, "Misseriya and Dinka Grapple with History of Child Abduction, Aweil, November 14, 2008.
[12] UN Secretary General's International Commission of Inquiry on Darfur, January 2005, http://www.un.org/News/dh/sudan/com_inq_darfur.pdf.

enslavement and horrific abuse of Sudanese captives of the Lord's Resistance Army in Equitoria is yet another appalling and neglected facet of Sudan's slavery problem.[13]

I would encourage all Members to search for ways to implement the constructive proposals set forth in the Report of the Eminent Persons Group and in HR 3844 of 2007. In particular, I would like to highlight the need for:

1. A financially transparent and functional Sudanese national institution for locating, liberating and repatriating slaves;

2. A program of research on all aspects of Sudanese slavery;

3. An institution, with international and indigenous components, to monitor slavery and its eradication.

4. An international mechanism to follow-up the Eminent Persons' recommendations.

Such initiatives, like the investigation of the Eminent Persons Group, should ideally involve the international community. The United States has the opportunity to use, together with its partners, the instruments of the United Nations to combat slavery. Can it be, as I am informed, that slavery – a crime against humanity – is not within the human rights mandate of UNMIS? How is it that slavery has fallen off the agenda of the UN Special Expert on Human Rights in Sudan?

Twelve years ago, then Assistant Secretary of State Susan Rice, now the head of our Mission to the UN in New York, came face to face with liberated slaves in the Southern Sudanese town of Marial Bai. She pledged that the United States would work tirelessly to stamp out slavery in Sudan, adding "we have an obligation not only to speak out but to ameliorate the suffering".[14]

Let us all work persistently to achieve the goal established by Ambassador Rice. In so doing, we can bring liberation to the captives and weaken the forces of religious and racial intolerance that fuel Sudan's ongoing War of Vision, for its continuation places at great risk the security of Africa's newest nation. It serves neither the interests of the United States or the victims of slavery for the lofty rhetoric of American statesmen to remain empty. Failure to eradicate slavery – with all its overtones of racism and religious bigotry – will leave in Sudan a deadly cancer, destroying possibilities of reconciliation, and undermining chances of sustainable peace and stability for the new state of South Sudan.

Thank you, Mr. Chairman, for giving me this opportunity to testify, and also for all you do to achieve the eradication of slavery in Sudan and elsewhere.

---

[13] John Eibner, "The International Response to Slavery in Sudan", Conference on Slavery in Sudan and Its Impact on the Peace Process, St. Antony's College, Oxford University, November 5, 2005.
[14] Reuters, "Plight of Sudanese Slaves Witnessed by Top US Official in Africa", Rumbek, Nov. 20, 2000. http://archives.cnn.com/2000/WORLD/africa/11/20/sudan.slaves.reut/.

Mr. SMITH. Dr. Eibner, thank you very much for your testimony and your leadership and for ensuring that we try to stay focused on this horrific issue of slavery. Thank you so very much.

Ms. Wilkins.

STATEMENT OF MS. DANA LYONS WILKINS, CAMPAIGNER, GLOBAL WITNESS

Ms. WILKINS. Mr. Chairman, members of the committee, I am honored to appear before you today to discuss the importance of the responsible management of natural resources in what will soon be the world's newest and most oil dependent state.

In order to support stability and development in South Sudan, the U.S. must ensure that explicit transparency and accountability requirements are included in both the new legal framework governing the country's oil sector and the new North-South oil deal. South Sudan is currently crafting its new petroleum law with a hope to complete it before July 9th. The development of this new legal framework is a critical opportunity for the country to demonstrate its commitment to democratic principles and to the responsible governance of its most important sector.

With more than 98 percent of its budget derived from oil, as Congressman Payne pointed out earlier, South Sudan will be the most oil dependent country in the world. Many analysts are suggesting that for this reason and because of limited capacity, weak institutions, and alleged widespread corruption, the country will be born a failed state.

Global Witness has repeatedly documented how this state failure occurs elsewhere—in countries where natural resource wealth is not managed in a transparent and accountable way, the results can be not only entrenched poverty and failed development efforts, but political instability and even large-scale conflict.

However, this does not have to be the case in South Sudan. If the legal framework developed now is robust and comprehensive, South Sudan has the potential to become a best practice example of a post-conflict country where oil revenues are governed responsibly and transparently.

During my most recent trip to Juba at the start of this month, I had an opportunity to speak with many of the central figures involved in the development of this framework, and I believe the political will to institutionalize transparency is there. However, given so many competing priorities and distractions, and a limited drafting timeframe, the detailed legislative language necessary to guarantee the publication and verification of data may be overlooked.

In order to support good governance in South Sudan's oil sector, the United States must prioritize technical and institutional capacity building through its foreign assistance and push hard for transparency and independent verification in the management of the sector through its diplomatic efforts.

Transparency is not an end in itself. Its purpose is to allow ordinary citizens to see exactly how their natural resources are being managed, which in the case of South Sudan will be paramount in helping build public confidence in the new state.

The publication of oil sector information also helps to prevent corruption and avoid the resource curse, thus driving development through a country's own natural resource wealth.

The new law must explicitly require that detailed production, revenue and cost data, as well as the fiscal terms of contracts be published. But publication alone is not enough. For the oil sector to be sufficiently accountable, it must be independently monitored. For this to happen in South Sudan, there must be an office created independently from the Ministry of Energy and Mining whose sole responsibility is to monitor and verify the petroleum sector. While I was in Juba last, the Auditor General expressed his intention to establish a Petroleum Directorate which will do exactly that, and the United States must support him in this effort. This support should include funding if needed, technical assistance and training and, importantly, political backing for the new directorate to be guaranteed independence and access to information.

So what else can the United States do? The U.S. could also have a significant impact on the ground by supporting local civil society groups. The establishment of a strong civil society watchdog will be critical for the accountable management of oil revenues and for combating corruption. The U.S. should also support South Sudan in signing up to and implementing the Extractive Industries Transparency Initiative, which would put many of the reforms I have spoken about on stronger institutional footing.

Before I close, I would like to take this opportunity to emphasize the importance of transparency in the new North-South oil deal. The current deal, a 50/50 split of southern oil revenues has been managed almost entirely by the government in Khartoum and does not contain any transparency mechanism enabling either the government in the South or the public to verify that the revenues are being shared fairly. This lack of transparency and accountability has led to much mistrust and tension between the North and South, repeatedly threatening the fragile peace of the CPA. Given the North and South's shared reliance on oil revenues and the fact that more than three-quarters of the oil is in the South but the major pipelines and ports of export are in the North, a fair and transparent oil arrangement which supports the economic viability of both parties would be a powerful incentive for sustained peace.

As a member of the Troika and one of the main guarantors of the CPA, the USA should be putting pressure on the negotiating parties to ensure that transparency and independent verification are included in the new deal. We strongly recommend that the U.S. take a more active role in pushing publicly and privately for these crucial provisions.

South Sudan faces a huge struggle in the months and years ahead. But with the help of the U.S. and other donors, that struggle can lead to peace and prosperity for all citizens. Responsible oil management and transparency in the new North-South oil deal will very much be at the center of this success.

Thank you again for this opportunity. I look forward to answering any questions you have.

[The prepared statement of Ms. Wilkins follows:]

global witness

Testimony of Dana L. Wilkins
Sudan Campaigner, Global Witness

"AFRICA'S NEWEST NATION: THE REPUBLIC OF SOUTH SUDAN"

U.S. House of Representatives
Committee on Foreign Affairs
Subcommittee on Africa, Global Health, and Human Rights

June 16, 2011

Mr. Chairman, Members of the Committee, I am honored to appear before you today to discuss the importance of the transparent and accountable management of natural resources in what will soon be the world's newest and most oil-dependent state.

Transparency and Accountability in South Sudan

South Sudan is currently drafting its new petroleum policy and law, both intended to be completed before the 9th of July. The development of this new legal framework is a critical opportunity for an independent South Sudan to demonstrate its commitment to the responsible governance of its most important revenue source.

With more than 98% of its budget derived from oil, an independent South Sudan will be the most oil-dependent country in the world. Many analysts are suggesting that for this reason, and because of limited capacity, weak institutions, and alleged widespread corruption, the country will be born a failed state. Global Witness has repeatedly documented how this happens elsewhere---In states where natural resource wealth is not managed in a transparent and accountable way, the results can be not only entrenched poverty and failed development efforts, but political instability and even large-scale internal conflict.

If the legal framework developed now is robust and comprehensive, and the new law implemented effectively, South Sudan could very well become a best-practice example of a post-conflict, oil-rich country where the natural resources are governed responsibly and finance sustainable development. During my most recent trip to Juba at the start of this month, I had the opportunity to speak with many of the central figures involved in the development of this framework, and I believe the political will to institutionalize transparency is there. However, given so many competing priorities and the limited drafting timeframe, the detailed legislative language necessary to guarantee the publication of verified production, contract, and revenue data may be overlooked.

In order to ensure that petroleum governance in South Sudan is as strong as possible, the United States must prioritize technical and institutional capacity building in the oil sector; and not just support but push hard for transparency and independent verification in the implementation of the new petroleum policy and law.

Transparency is not an end in itself. Its purpose is for ordinary citizens to able to see exactly how their natural resources are being managed, which in the case of South Sudan will be paramount in helping build public confidence in the new state. Transparency also helps to prevent corruption and avoid the resource curse, thus boosting development through a country's own natural resource wealth. Consequently, the new petroleum policy and law must explicitly require that detailed production, revenue, and cost data, as well as the fiscal terms of contracts be published.

Further, it is in having a meaningful understanding of how their natural resources are managed that the public is able to feel a sense of national ownership. By being presented with oil data in a clear and understandable way, and enabled to engage with the government in the management of the sector, citizens can be emboldened with a greater sense of unity and pride, two things which are particularly important for a brand new state.

Publishing data alone is not enough. For the oil sector to be sufficiently accountable, it must be independently monitored. The scale and complexity of oil sector management provides for a high risk of malpractice, and in many developing countries, including South Sudan, this risk is exacerbated by limited technical capacity. Consequently, there must be an office created separately from the Ministry of Energy and Mining, reporting directly to the Legislative Assembly, whose sole responsibility is to monitor and verify the petroleum sector.

During my recent trip to Juba, the Auditor General expressed his intention to establish a Petroleum Directorate within his office which will do exactly that, and the United States must support him in this effort. This support should include funding if needed, technical assistance and training, and political backing for the new directorate to be guaranteed independence and access to information.

So what else can the United States do?

The Role of Civil Society

The United States could also have a significant impact on the ground by supporting and building the technical capacity of local civil society groups to monitor the oil sector. The establishment of a strong civil society watchdog will be incredibly important for the accountable management of oil revenues and for combating corruption.

Civil society engagement is critical for the transparent management of extractive resources and to holding governments accountable for the management of revenues earned. The governance of natural resource wealth is significantly strengthened and decision makers can be held to account when there are procedures in place guaranteeing well-informed civil society oversight.

Civil society engagement also helps to build up local knowledge and expertise by sharing information and collaborating on the analysis of data, which will be very important for South Sudan. In-depth knowledge of the oil sector in is rare, a problem exacerbated by southerners being largely excluded from the oil sector management under the current north-south oil deal.

The Extractive Industries Transparency Initiative

The U.S. should also support the government in South Sudan in its plans to sign up to and implement the Extractive Industries Transparency Initiative (EITI), which would put many of the reforms I have spoken about on stronger institutional footing. The EITI is a voluntary coalition of governments, companies, and civil society groups that work together to support improved governance in resource-rich countries through the verification and full publication of oil, gas, and mining sector data. The three central pillars of the initiative are government publication of information, public disclosure by companies, and the role of civil society in watch-dogging the process.

The EITI process can be a good way to ensure the participation of local civil society organizations with the capacity to monitor this complicated sector. The official commitment to and commencement of the EITI upon becoming an independent country would also provide an ideal platform for coordination and focus of

donor support, which will be essential for the speedy development of the necessary systems and to building institutional capacity. In this effort, the United States should assist South Sudan in the creation of a Multi-Stakeholder Group and an EITI work plan.

The New North-South Oil Deal and Planned Audit

Before I close, I would like to take this opportunity to emphasize the importance of transparency in the new north-south oil deal.

The current wealth-sharing agreement, a 50:50 split of southern oil revenues, is managed almost entirely by the government in Khartoum and does not contain any transparency mechanisms enabling either the government in the south or ordinary citizens to verify that the revenues are being shared fairly. Consequently, this lack of transparency and accountability has led to mistrust and tension between the north and south, repeatedly threatening the fragile peace of the CPA.

Evidence suggests that the concerns expressed repeatedly by southerners about potential mismanagement of the 50:50 revenue split are not unfounded. Global Witness' September 2009 report, *Fuelling Mistrust*, identified significant and continued discrepancies between oil production figures published by the government in Khartoum and those published by the main oil company operating in the country, Chinese-owned CNPC. The differences in reported production figures varied between 9-26% for different southern oil blocks between 2005 and 2009.

Given the north and south's shared reliance on oil revenues---and the fact that more than three-quarters of the oil is in the south but the major pipelines and port of export are in the north---it is absolutely critical that a new oil deal is agreed before the south becomes officially independent. A fair and transparent oil arrangement which supports the economic viability of both the north and south would be a powerful incentive for sustained peace.

Progress on the negotiations so far has been slow and it remains uncertain to those outside of the negotiating room what even the basic structure of the new agreement will look like. All negotiations are being mediated by the African Union's High Level Implementing Panel, led by South Africa's former President, Thabo Mbeki, and the Norwegian government is serving as the lead advisors on the oil negotiations.

As a member of the Troika and one of the main guarantors to the Comprehensive Peace Agreement, the U.S. should be putting pressure wherever possible on the negotiating parties to ensure that explicit transparency and independent verification requirements are included in the new deal. The U.S. is not directly involved in the oil negotiations at the moment, we strongly recommend that this changes and the U.S. takes a more active role in pushing, publically and privately, for these crucial provisions.

In June 2009, the northern and southern governments agreed to complete a full, independent audit of the oil sector. Terms of reference for the audit were agreed near the end of last year and reportedly specify that the audit will cover oil production, oil sales, and companies' costs. It is important that such an audit takes place as soon as possible in order to provide a clean slate for the new oil deal, to address concerns that the

south has been cheated out of due revenues, and to provide guidance for the fair and credible implementation of any new arrangement.

Progress on this audit has been extremely slow. At the moment, a short list of potential auditing firm awaits approval by the technical and high level political committees overseeing this process. Once the list of firms has been approved, a short bidding program will begin, a firm will be chosen, and the audit is expected to take between 6-8 months. While the Norwegian government is taking the lead as the donor advisor on this audit, it will be jointly funded by Norway and the United Kingdom.

For its part, the U.S. government should be publically calling for the audit to be completed by a credible and independent auditing firm given full access to the information necessary to verify the oil sector, and for the audit's terms of reference, findings, and recommendations to be made public. This can be done directly through strong resolution language and contact with the governments in the north and south, and through focused diplomacy by the State Department and the U.S. Special Envoy.

Thank you again for this opportunity, I look forward to answering any questions you have.

Mr. SMITH. Thank you so very much and for the work that your organization has done so well over the years.

I would now like to welcome Ambassador Roger Winter and ask him to proceed.

STATEMENT OF THE HONORABLE ROGER WINTER (FORMER SPECIAL REPRESENTATIVE ON SUDAN, U.S. DEPARTMENT OF STATE)

Mr. WINTER. Thank you. What I want to do is to give just a brief summary of my analysis and recommendations that are in the written testimony. It will be very controversial, and I urge you to try to take a look at the entire document.

I am rather disturbed that what I hear so often these days is a comment like we need to make sure that "both sides" do thus and so. And I think if we look at the record, we will find there is no moral equivalence between the two sides here. None whatsoever. I think that kind of commentary that has been picked up by our media and others is a very damaging thing.

There is Khartoum and there is Juba. They both have problems, but the consequences of their problems are light years away from each other. And one, that is Khartoum, has the potential for affecting all that happens from here on out, whether there is a contentious, bloody relationship between the two countries after July 9, or something that approaches cooperation. So let me try to dispel a little bit that what I think is misguided "moral equivalence."

We know from consistent experience with Khartoum that Khartoum's commitments, its formal or informal agreements, are not reliable. They regularly use agreements as a tactic to buy time or to get people to get off their back; but, in fact, they ultimately do what they want to do. It doesn't make any difference what the agreement said. And we have seen that over and over again, because it is a very rich record of prevarication, of lying, and deception. And we see it in so many ways. Signing a piece of paper doesn't ever seem to actually result in them doing what they said they would do.

So, in the Comprehensive Peace Agreement, many, many of the really key provisions of the CPA were never pursued to implementation by Khartoum. That is also true of the decision of the Permanent Court of Arbitration regarding the boundaries for Abyei. They have been entirely disregarded, and Khartoum has obviously, by their current actions, no interest whatsoever in going by that court's decision; but rather, they will do what they choose to do.

It is also the case, for example, that the things that foster violence right now are things that Khartoum chose not to do.

The issue of demarcation of borders, which is a factor in the current bloodshed that is going on, the failure to demarcate borders that is required by the CPA, it has over and over again been raised as an issue. And nothing—there has never been a consequence to penalize Khartoum for the things they don't do that they promised they would do.

Also, I would like to say it is very clear, my second point, that Khartoum does not at all hesitate to kill its own nationals and destroy their property and livelihoods. That is obvious if you have followed what has happened with respect to the South and the so-

called "three areas." Over and over again, we see the kind of bloodletting that we are seeing right now in Kadugli and Kauda and in Dilling and other locations. This is a pattern that we have seen over and over again: 3 million dead civilians.

If you add up what is documented on the South, if you add what is from Darfur, from Nuba Mountains, from all of these, 3 million bodies is not something that we can just write off. And almost all of them were civilians; and, frankly, almost all of them were children. This is not the moral equivalent of the SPLM and the SPLA. The SPLM and the SPLA have huge problems, absolutely, but they don't rise to this level. Khartoum is used to getting away with murder, in Darfur, in the South, in Abyei, and in Southern Kordofan and elsewhere. And I must tell you, with the way they are behaving right now, I fear a great liquidation of population in Southern Kordofan, in Abyei, and potentially in Southern Blue Nile after the separation of the South. I think we are seeing the beginning of that right now.

I think it is terribly important to not—I love the South, I spend all of my time working to support the South, but the people of Southern Kordofan, the people of Abyei, and the people of Southern Blue Nile are the same people, basically; they just happen to be on the Northern side of the border between North and South and, therefore, will not become part of the independent country. What does that mean? That means that they are locked in there for the long haul, at least right now, and it is not a pretty thing to think about.

Thirdly, I would say there is no reason to believe that what I am talking about right now will change. The track record of an unrepentant National Congress Party in power is, I think, clear and scary.

I would like to say, there is no moral equivalency between these two parties. And I recommend, and I have never done this in my life, okay, I have never recommended something like this before, I think the possibility of massive liquidation of populations north of South Sudan that are basically the same people as in the South, I think they are at risk and I think our talking has not paid off and we are almost out of time. I suggest that it is time, as radical as this may sound to you, it is time to take, I would argue, a military action. I am not talking about going to war; I am talking about a military action against a military installation of the Khartoum government, and do that now as a warning to them that the end of the playing around with this peace agreement is over and they must improve their behavior toward the people not just of Darfur, but most particularly now I am talking about Southern Kordofan, Southern Blue Nile, and of Abyei.

I would like to suggest that this is important because it seems—there are at least reports about the potential for using what I will call illegal weaponry against the civilians in those locations that I just mentioned. So that is one thought.

The second is that the U.S. take steps to strengthen the Sudan People's Liberation Army in meaningful ways and to escalate our efforts to prepare them to at least defend their new homeland. This is, I would suggest, something that is important to deter violence against civilians and the potential for war.

Why? Why am I saying this? I am saying this because the post-independence timeframe, because the borders have never been defined adequately in the controversial areas, because they have never been defined, there are going to be continuing issues between the North and the South until they are sorted out. I think it is very important to have a capable Southern capacity.

I would say thirdly—and this is on the issue of the casualties of civilians and what has happened in the last few weeks—it should tell us something about what is immediately in the future. Almost all of the substantive humanitarian assistance that goes to assist the people in Southern Khartoum and in Abyei and in parts of Southern Blue Nile are delivered through the South. They are delivered from South Sudan and the issue is that starting on the 9th of July, that border is not an internal border of a single state, it is going to be a hard border between two separate countries. And you can bet your boots that Khartoum is not going to allow humanitarian assistance into Abyei, into Southern Kordofan and into Southern Blue Nile. So all of these people who have been damaged and affected by the most recent violence, there needs to be a recognition that Khartoum will not allow humanitarian assistance in the same way the government in the South does for those people who are currently affected.

Thank you.

Mr. SMITH. Professor Winter, thank thank you very much for that very sobering assessment.

[The prepared statement of Mr. Winter follows:]

Statement of
Roger P. Winter
Former Special Representative on Sudan
Before the House Committee on Foreign Affairs
Subcommittee on Africa, Global Health, and Human Rights
June 16, 2011

Chairman Smith, Ranking Member Payne and Members of the Subcommittee, thank you for inviting me to testify on this important issue. I have appeared before this Subcommittee or its predecessors many times over more than two decades, primarily discussing conflict in Sudan. It is my greatest wish that peace will prevail in all of what is now Sudan. However, I believe the widely-shared aspiration for peace in Sudan is at risk, primarily because of the actions of the Khartoum government.

Having begun my work in and on Sudan in 1981, I was fortunate, first as the Executive Director of the nonprofit U.S. Committee for Refugees, then as Assistant Administrator of USAID and subsequently as the State Department's Special Representative on Sudan, to be a member from 2001 to 2006 of the U.S. team that worked on the Comprehensive Peace Agreement and the failed Darfur Peace Agreement. As a result, I have seen the effects on the people of Sudan of the brutal, self-serving, violence-prone Bashir government for more than two decades. From these experiences, I would like to make a few key observations on the South, the so-called 'Three Areas' (Abyei, South Kordofan/Nuba Mountains, and southern Blue Nile), and our and diplomacy on Sudan.

Two weeks from today, June 30, 2011, will be the twenty-second anniversary of the coup that brought the National Islamic Front, now called the National Congress Party, to power. Since then, President Bashir and his cronies have presided over the needless death of nearly three million Sudanese, in the South, in Darfur, in Abyei, in South Kordofan/Nuba Mountains, in Southern Blue Nile, in Beja and, in fact, throughout its territory. Mega-death in Sudan, however, has never precipitated an effective justice response. The unnecessary civilian death goes on unimpeded today. UN peacekeeping efforts, unlike the indispensable UN humanitarian initiatives, are often largely ineffective in protecting Sudanese civilians. The International Criminal Court has proven to be largely irrelevant to the victims. Protective diplomacy since the Comprehensive Peace Agreement in general has been for the most part ineffective. Khartoum sees these efforts to protect Sudanese civilians from political violence as bluster, not genuine protective initiatives of substance. History seems to have proven Khartoum right on that point.

As the CPA process lurched forward over the last six and one half years, it may have seemed to many that it was too long a process and would never end. However, in twenty-three days, South Sudan will become an independent country. Last January, in a political exercise without equal, virtually all the people of South Sudan voted for independence. I have been an observer in numerous elections in Africa and have worked in elections here in the U.S. I have never seen a more orderly, more dignified exercise than 'The Referendum' in South Sudan. It was quiet, efficient, unchallengeable and essentially unanimous. While I fully expect the Southern peoples' choice of independence will in fact occur on July 9, I believe the actions of Khartoum in Abyei, the Nuba Mountains(South Kordofan state), and potentially Southern Blue Nile are like huge flashing red lights. They are signaling that over the next few weeks, and during the post-Independence period, relations between Khartoum and the South will likely be poisonous at best, despite the fact that all these critical areas are not actually in South Sudan.

ABYEI

Historically, the borders between North and South Sudan have been changed numerous times. There are half a dozen currently-contested border situations that present major issues between the CPA signatories that, ideally, need to be negotiated between the parties before Independence. The situation of Abyei is the most controversial and its history should be better understood, even in an abbreviated way, to get the picture.

In 1905, the homeland of the Ngok Dinka, i.e. Abyei, was transferred by the British colonial authorities from South Sudan to North Sudan for administrative purposes. Over a half century the Ngok developed a strong sentiment to return to the South where their physical and cultural heritage would not be an issue. These aspirations, along with other grievances of other Southerners, became the basis for the first phase of civil war in Sudan, starting just before independence from Britain on January 1, 1956. In the 1972 Addis Ababa agreement ending that war, the Ngok were promised a referendum on whether Abyei should be in North or South Sudan. In fact, Khartoum never allowed that referendum. Key Ngok leaders subsequently became key leaders in the Sudan Peoples Liberation Movement (SPLM) when it 'went to the bush' in 1983, triggering the 22 year war that the CPA ended. The two warring parties, Khartoum and the SPLM, ultimately agreed in 2004 to the Abyei Protocol, which was drafted by the United States; it was the last major piece of the CPA to be signed. **Khartoum never implemented any of the key element of the Abyei Protocol** and the U.S. and others never made a major issue of that failure. As a result, there was virtually no functional governance or services for the abandoned population in Abyei for years.

The Misseriya are a neighboring pastoralist population whose large traditional home area lies to the north of Abyei with Muglad as its principal town. The Misseriya, along with another group, constituted the so-called Murahaleen, that in the 1980s were active in raiding Dinka communities for capturing and selling slaves. President Bashir has frequently mobilized Misseriya elements for military purposes in his Popular Defense Forces (PDF) and the Sudan Armed Forces (SAF). He has often mobilized Misseriya for his legions by publically promising them that he would get **all** of Abyei for them, virtually a commitment to a policy of ethnic cleansing. These promises and his payoffs fueled high levels of tension between Misseriya and Ngok Dinka. This had strong implications for the Misseriya way of life. For several dry months of each year, by long-standing agreements with the Ngok, the Misseriya need to bring their animals into Abyei and even further into South Sudan for water and pasture, a necessity that Bashir's inflammatory actions could threaten.

In May, 2008 the 31st brigade and other Misseriya elements of the Sudan government's military attacked Abyei and burned most of it to the ground, displacing the entire Ngok population. The UN protective force in Abyei hunkered down in their fort and did not venture out for days. I was there with several others to document the destruction by photograph and video. There was little if any reaction from the U.S. to Abyei's travail. In the aftermath of Abyei's destruction, the SPLM and the Khartoum government went to the Permanent Court of Arbitration in the Hague. The Court defined the territory of Abyei, which was in dispute; both the SPLM and the Khartoum government promised to implement the PCA decision, though Khartoum ultimately failed to do so.

Specifically, Khartoum sought to undermine the Protocol's intentions: the Protocol clearly sought to provide the basis for a self-determination referendum in which the voters would be members of the Ngok Dinka community and other Sudanese who are **residents**. In a illegitimate effort to takeover Abyei Khartoum began to move nomad Misseriya into Abyei in order to claim residency. (The equivalent of Khartoum's proposal would be if I, a resident and voter who lived in Maryland ten months a year, could

also claim at the same time to be a resident of and vote in Delaware by virtue of spending my summers on Delaware's ocean beaches.) Consequently, the NCP and SPLM could not agree on who would be able to vote in the Abyei referendum and, thus, that referendum has never been held, enraging and terrifying the Abyei population. U.S. Special Envoy Scott Gration essentially threw gasoline on the situation by suggesting, as he approached the end of his tenure, that a sizeable chunk of northern Abyei should be jointly administered by both Ngok and Misseriya, a proposal that would not even come close to improving the livelihood situation the Misseriya could have by having a constructive relationship with the Ngok. Rather, it would help Khartoum. Because of Gration's intervention, many Ngok I know, when I saw them in January this year, literally had tears in their eyes, believing with cause that the U.S. had abandoned them.

After the Southern Referendum vote on January 9, 2011, Khartoum escalated the pressure on Abyei, and last month (May 21) stormed it militarily. Once again, the Ngok had to run for their lives and become homeless paupers; their homes destroyed and looted, their dreams dashed again. Letting Khartoum get away with this kind of repetitive destruction and dislocation makes a sick mockery of the so-called 'right to return'. On June 8 the Associated Press reported that a confidential UN report dated May 29 expressed concern about 'ethnic cleansing ' in Abyei. Juba appealed the takeover to the international community, making no military threats, at least for now.

Some observers suggest that Khartoum 'took' Abyei as a bargaining chip to maximize its leverage in negotiating a final North-South agreement on oil revenues: Khartoum, it was thought by some, would compromise on Abyei if their oil share was big enough. Others suggest the SPLM is holding off any military response until after July 9. Either could be right. What is clear is that additional violent possibilities are likely to be in Abyei's future, with unknown implications for the North-South relationship after July 9. It is clear U.S. diplomacy on Abyei under two Administrations has failed miserably on one of the most predictably explosive elements in the CPA, a failure that may violently ricochet through the region for decades to come.

The only way to ultimately protect the horribly and continuously abused residents of Abyei who have suffered more than almost any community anywhere in this world, is to move Abyei and its residents to the independent South Sudan.

South Kordofan/Nuba Mountains and Southern Blue Nile (SBN)
These two areas are in located in Northern Sudan, just above the north-south border. During the war that the CPA ended, many thousands of the people in these areas joined and fought for the Sudan Peoples Liberation Army. They were attracted by the SPLM's vision of a 'New Sudan' in which people from all walks of life, regardless of race or religion, could benefit equally. Most recruits were of African heritage. Religiously they included both Muslims and Christians. The Deputy Governor of South Kordofan is SPLM General Abdul Aziz Al-Hilu, a heroic figure who led the first SPLA forces into Darfur in the 1990s to protect the people from the ethnic cleansing actions of Khartoum; he is targeted now for death by Kharoum's forces.

For many years, there was a fatwa by Islamic leaders in Khartoum against the people of the Nuba Mountains in what is now South Kordofan State. As a result they lived remotely in the mountains for security. I remember very well in August 1995 going to Nuba, which had essentially been a 'no go' area for years. There was no transport capacity anywhere at the time so I walked, passing burned out churches on the way. After meeting with a group of Nuba Christian leaders for several hours trying to understand their tribulations at the hand of the Khartoum government, I then went directly into a

similar meeting with the Nuba Muslim leadership. Those two communities get on well in Nuba, but the Muslim Nuba leaders insisted to me that Khartoum treats them worse than it does the Christian Nuba because Khartoum views the Nuba Muslims as "not the right kind of Muslims". The genocide in Nuba was real and documented by African Rights, Alex de Waal and many others. Nuba were often just shot on sight by Khartoum forces, no questions asked. Today, again, Nuba are positioned for liquidation by Khartoum forces.

South Kordofan's governor is a fugitive wanted by the International Criminal Court and under his leadership all hell has broken loose in the state-literally. The underlying issue is implementation of the CPA requirements on redeployment of combatants. For the Khartoum forces, this process was simpler than for the SPLA. The SAF elements in the South were overwhelmingly northerners who could return to the North. Southerners who fought on Khartoum's side were generally in Southern militia groups, most of whom were integrated into the SPLA when their units were disbanded. However, in the large SPLA forces in South Kordofan and in Southern Blue Nile, the fighters were overwhelmingly residents of South Kordofan and SBN, i.e. SPLA northerners. While many have been demobilized or otherwise integrated, many have not. Like the 'Popular Consultation' provisions of the CPA, which have been seriously delayed and are in fact controversial, so too has the demobilization or redeployment process been running behind schedule, though the deadline is the end of the transition period **plus 90 days**.

Rather than negotiating a realistic solution, Khartoum sought first to try to force all those not yet redeployed or demobilized SPLA soldiers to go to South Sudan, unsuccessfully seeking to compel these Northerners to move to the South. On June 5, fighting between SAF and these SPLA Nuba forces started, quickly turning into a broader attack on local opponents and Christians. Quickly senior northern SPLM and NCP leaders flew to Kadugli. The SPLM proposed and the two sides negotiated and signed a ceasefire agreement and returned to Khartoum. Two hours after the delegation left, Khartoum forces attacked Abdu Aziz's residence as well as civilians; large-scale violence exploded. Throughout South Kordofan reports of gratuitous violence by SAF and their allies are now the norm. In Kadugli, Christian civilians and clerics have been attacked; 100 Christians were tear-gassed out of a church compound. Advanced Mig 29s are bombing in numerous locations. People are being dragged out of their living space and killed. In Kadugli the Church of Christ was burned. Reputable eyewitnesses saw people, presumed to be SPLA sympathizers, dragged out of the UNMIS compound in Kadugli and executed in front of UNMIS personnel, who did not intervene. And so on. The U.N. High Commissioner for Refugees is reporting that 140,000 people have already been displaced. John Ashworth, an internationally recognized authority on Sudan, and others explains that 'ethnic Nubans are being targeted by the northern military and Arab militias...they are being hunted down for their ethnicity'. Other reports, not just from Kadugli, but in Dilling, Kauda and a dozen other locations, people thought to be supporters of the SPLM had their throats cut. The sky is full of airplanes-Migs, Antinovs, even a Hercules, doing their deadly work but humanitarian flights into SK have been denied since June 5. As one friend on the humanitarian front line told me, "We are losing access from the south and have had none from the north. Nuba needs help! NUBA NEEDS HELP!" What little humanitarian capacity exists is draining away quickly.

The southern part of Blue Nile state also is required under the CPA to redeploy SPLA forces, including those in the Joint Integrated Units, and is also subject to the CPA provision that demobilization would happen by the end of the transition period plus 90 days. While no violence has been reported in SBN, Khartoum's massive violence in South Kordofan could well erupt in SBN.

American Diplomacy: The CPA and its implementation-Some Thoughts

It is my view that the American initiative, in partnership with Kenya, Britain, Norway and others, which produced the CPA was a truly noteworthy American diplomatic success. President Bush deserves significant credit for that achievement. However, producing it and seeing that it was implemented are two very different processes. In my view, the ultimate flaw in the implementation phase that we now face was the inattention or the misguided attention that was paid by the U.S. to the volatile issues beyond those of South Sudan itself. I am referring to the so-called 'Three Areas', all three of which then were potential time bombs, and two of which have exploded in massive violence just as the CPA comes to its close. In my view, Abyei was almost totally ignored by the Bush administration after the CPA was signed. Even when it was destroyed in 2008, Abyei remained 'a lost ball in the tall grass'.

One complication is the many very unique aspects of the Three Areas. These range from location, visibility, history, political importance, political allegiances, and many others. The location factor is key. When Dr. John Garang before his death would make his case for a 'New Sudan', a broad swath of Sudanese as individuals and as a people could visualize the attractions of a 'new' and better Sudan. After the shock of his death, a revitalized National Islamic Front/National Congress Party, having been threatened by Dr. John's vision of a New Sudan, took the low road of selective implementation of CPA provisions. They slow-rolled boundary demarcation, assured no Abyei referendum occurred and seriously undermined any genuine NCP-SPLM partnership, all with explosive implications.

Yes, it is a good thing that Khartoum allowed the Southern Referendum to be held; but Khartoum allowed this to occur only because of the threat posed by the local and international consequences. But destroying Abyei in May, 2008 and invading Abyei several weeks ago, destroying opposition populations in South Kordofan and perhaps elsewhere---these kinds of actions are achievable by the NCP and, they think, strengthen them for the future. And unfortunately for the populations at risk, they are all in the North: Khartoum may attack and expect only a neutered international reaction.

I believe the more than two years of the Obama administration's approach to Sudan made matters worse, emboldening Khartoum, and setting the stage for Abyei's and South Kordofan's current horrors. Perhaps the eccentricities of General Gration's approach to being Special Envoy for Sudan are related to the Administration's commitment to 'reach out' to the Arab and Islamic world. His seemingly intimate relationship with the NCP leadership led to his many public references to that leadership as 'my friends', a penchant that was always noticed by observers, including the NCP's victims, North and South. How does one justify friendship with men who are responsible for three million civilian deaths? Another of his very harmful legacies is the subtle implantation in the U.S.G. system of the characterization of Khartoum and the SPLM as moral equals, a distortion some journalists have picked-up. My greatest issue, though, was General Gration's highly biased approach to Abyei.

General Gration and I one afternoon had an extended discussion about Abyei. I tried to convey my views on Abyei based on fifteen years of studying and visiting Abyei. Periodically he would say, speaking of Abyei residency, "I have to be fair to the Misseriya". I would say "Of course you need to be fair to the Misseriya but which Misseriya are you talking about? Do you mean those that are actual residents living in Abyei or are you referring to others? " In the course of our discussion, he repeated that mantra a half dozen times without ever answering my question. Unfortunately his blind commitment surely underpinned his proposal to give the Misseriya a role in administering northern Abyei thereby emboldening the latest SAF invasion and occupation of Abyei. In my view this misguided approach to Abyei reveals far too much of the Administration's Sudan policies of the past two and a half years.

Mr. SMITH. Let me ask you—you mentioned illegal weapons—are you talking about chemical weapons and those reports?

Mr. WINTER. Not that I know anything, but a lot of where this comes from is what has appeared over Kadugli and other locations that have been being bombed and so forth, was an unusual, very large plane that some people suggested was a Hercules that was escorted by MiGs, the MiGs that are usually attacking and doing other things, and the Antonovs are bombing and so forth. What people saw and reported was this large, different kind of plane that was being escorted by MiGs, and that has triggered some of this speculation is my understanding.

Mr. SMITH. If I can ask, obviously to the lead-up to the full declaration of independence, every day is a day in which all of us are holding our breath. What is your sense as to what happens after July 9th, assuming that these terrible incidents that we have seen, the bloodletting that has occurred, do abate and hopefully there will be an ability to get resources to those who are suffering?

And your point, I think, Ambassador Winter, is very well taken. But when the lights go out, so to speak, and the international community takes some of its focus off on July 10th and beyond, what huge risks then portend for South Sudan in terms of what Khartoum and Bashir might be hatching?

Mr. WINTER. I would suggest that Bishop Hiiboro may know something about this from his own country.

Let me say this. Take, for example, the Nuba people, people of the Nuba Mountains which are an important piece of Southern Kordofan. We are talking about an area that in the early 1990s was under a fatwa. The population there of Nuba are visually determinable pretty much from other aspects of the population. The Nuba are Christian, Muslim, and traditional kinds of religion. The fatwa applied to all of those. It was in fact, by professionals, determined to be genocide.

Now, it is the Nuba in particular that are being attacked now in Southern Kordofan. They have suffered really tremendously over time, and it is they where you hear most of the difficult stories right now about people who are being pulled out of their hovel and shot, or even having that done in the presence of people from UNMIS, soldiers and that kind of thing.

Why I am suggesting some of these actions that I am suggesting now, you can't just let it happen. Something has to happen before independence to try to—you know, try to provide some deterrence for that kind of action.

Mr. SMITH. Let me just ask a process question with regards to your time.

Special Envoy Princeton Lyman was at the White House, and I know he has to be out of this room by 4:30. I am wondering if our distinguished witnesses have flexibility in their time so that he can come and present, some questions will be asked of him, and then we would bring you back. I hate to do that to you, but when the President calls, the Special Envoy had to respond to the White House. Would that be okay?

Mr. WINTER. Within limits, yes.

Mr. SMITH. Within limits, okay. Thank you, Mr. Ambassador.

Mr. WINTER. I have another commitment, too.

Mr. SMITH. I am sorry.

I would then ask Ambassador Princeton Lyman, U.S. Special Envoy to Sudan, who has served in that position since March 31st of this year to come forward. Immediately prior to that, he served as U.S. Senior Advisor on North-South negotiations where he led the U.S. team focused on supporting ongoing negotiations between the parties to the 2005 Comprehensive Peace Agreement.

Ambassador Lyman has held a number of positions in the NGO sector and academia, in addition to a multitude of diplomatic assignments throughout Africa, spanning a decade. Mr. Ambassador, welcome.

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

Ambassador LYMAN. Mr. Chairman, Ranking Member Payne, and other members of the committee, thank you so much for holding this hearing and for the great interest I know you have for this situation.

As you well know, and you know it from the testimony so far, we face a very serious situation right now. I would ask that my full testimony be put in the record because it has a great deal of information on the background to these events that I hope will be helpful to the committee. But I want to focus in this presentation on where we are.

We were relatively optimistic after the referendum of January 9; but in fact in recent months there has been more tension between the parties and we could see that coming in a number of ways.

In Abyei, there was a growing frustration by the population. There was a blocking of the migration. There were forces introduced contrary to the agreement, forces from both sides. And tension was building up there.

We have been working nonstop on these issues all through this period and that includes the more recent events in Southern Kordofan. From the time that the Sudanese forces moved into Abyei, we have been working around the clock to mobilize international opinion in support of the withdrawal of those forces. And from the President, from the Secretary of State, from others in the administration, we have urged people—you know that we don't have direct contact with President Bashir, but we urged many, many leaders from around the world who do, to call him and to say that they are risking a great deal by doing this.

I came just this morning, I had just this morning a meeting with President Obama where we discussed this situation. He is deeply concerned. He follows Sudan events daily; and of course is very concerned not only about the situation in Abyei, but about what has happened in Southern Kordofan.

The Secretary, as you know, was in Addis Ababa just this week in meetings with the parties. And let me say where we are and what has happened in response to this crisis.

On Abyei, we recognized that the situation was growing very dangerous at the beginning of May. And I and former President of Burundi, Pierre Buyoya, and the Secretary General's Representative, Haile Menkerios, immediately flew to Juba and we worked with both parties to resurrect an agreement for the withdrawal of

forces from both sides that both had signed but had not been implemented.

We were moving that process forward when a second incident of attacks from the SPLA on a Joint Integrated Unit triggered what we feel is an extraordinarily disproportionate response by the government to move its forces into Abyei.

Our efforts on Abyei have been to get an agreement as quickly as possible on the withdrawal of forces from Abyei. To do that, we needed to strengthen the U.N. force in Abyei, which had been ineffective in both monitoring fully the introduction of forces that violated the agreement and in preventing the events that took place when the Sudanese forces came into the territory. To do that, we have asked Ethiopia to bring their troops in to the U.N. force because they are willing to enforce the mandate that that U.N. operation has.

There has been long and sometimes painstaking negotiations on that. But I can tell you, particularly thanks to the Secretary's intervention earlier this week, we are fairly close to an agreement that would have the Sudanese forces withdraw from Abyei, reinforcement of the U.N. voice, and a new administration in Abyei. It is not sealed yet, but it is close and we are hoping it will be signed.

Now, on Southern Kordofan, you have heard a great deal of testimony on that, and you know we face an extraordinarily serious problem there. The fighting has broken out. There are reports of very serious human rights abuses, which you have heard about, and there is a serious humanitarian situation where anywhere from 40,000 to 60,000 people are displaced as a result of the fighting.

I have been to Southern Kordofan several times in recent months in the lead-up to the election there, and have been in regular contact by phone with Abdul Aziz, who is the former deputy governor and the leader of the SPLM in South Kordofan, trying to avert the kind of situation that broke out.

Under the auspices of the African Union High Level Panel, negotiations to resolve this immediate crisis have been going on also in Ethiopia, and an agreement is being put together but yet it is not as close as the one on Abyei.

A delegation just flew by helicopter into Southern Kordofan, in spite of the fighting, a U.N. helicopter carrying members of the SPLM and a member of my staff and the AU panel to meet with Abdul Aziz and to work further on the agreement; and, in particular, to get an agreement that covers several things.

First and foremost, we want a cessation of hostilities and full access for humanitarian assistance to those who have been displaced.

Second, and this has been worked on, an agreement that the political grievances which are at the source of the conflict there get fully aired and negotiated between the NCP and the SPLM in an organized way in the future.

And, third, an issue which in part touched off this conflict in Southern Kordofan, a committee to look at how you eventually integrate the SPLA forces inside Southern Kordofan, which as Roger Winter noted, and others, are people who come from Southern Kordofan. They are not Southerners, and they are looking for their place in that state.

Abdul Aziz, as a result of this mission, has agreed to a 30-day cease-fire on certain conditions, and now we and others have to work to see if we can get that done.

These are the efforts we have been making throughout the administration over the last several weeks to arrest what has been a deterioration in the whole process of the Comprehensive Peace Agreement. And there are outstanding issues that need to be resolved by July 9.

First, of course, is Abyei, the future of Abyei, a most contentious issue, and I know members are very familiar with that.

There is the second question of how the proceeds of oil from the South will be apportioned during a transition period and the conditions under which that would take place. There are issues of citizenship that have to be resolved, issues of disputed border areas, and a few others.

There have been lots of discussions on these issues, a lot of technical work has been done; but what we haven't gotten to are the political decisions that will resolve many of these issues. Those negotiations were supposed to start this week, but of course all of us have been diverted to dealing with the crises in Abyei and Southern Kordofan.

Let me take a moment also to deal with Darfur, because as consumed as we are with these current crises and the CPA in general, we are also deeply engaged on the problems of Darfur.

We decided in the administration to put a very intensive diplomatic effort in the peace talks going on in Doha in the country of Qatar. Those talks have been going on for 2½ years without results. My colleague, Dane Smith, Ambassador Dane Smith, who works full-time on Darfur, practically camped out in Doha for several weeks with his staff to try to improve that agreement. We worked very hard to get a second armed movement, the JEM, into those talks with the Government of Sudan, and they did engage in talks. The result of Doha is a draft agreement which is better than the one that came out of Abuja, but it is not signed yet by the government or any of the armed movements.

The question is where we go next from there. We have to do two things. We have to try to work more with the armed movements on getting them into the peace process. It is not that they don't have grievances, but many of them have said what they want to negotiate is the whole constitutional restructuring of Sudan. They don't want to start with Darfur, and that makes for a very complicated process when you are talking about Darfur.

On the government side, we have constantly worked on questions of access and respect for human rights. There is a desire, and a legitimate one, for a peace process that engages many more of the people inside Darfur. But to do that, you have to have conditions in which you don't have a state of emergency, in which people are free to talk, not worry about harassment afterwards. You need security, et cetera.

So what we have said to the U.N. and the African Union that want to lead this process, "Not until these conditions are present, you can't have a process that would be legitimate or credible." So we continue to work on all of these aspects of the Darfur problem.

It is complicated, also, I might just say in passing, by what is happening in Libya. I think you are aware that Libya had been assisting at least one of movements—the head of that movement, JEM, is still in Tripoli—and what happens in Libya could have an impact on the situation in Darfur, something we are watching very closely.

Let me stop there, Mr. Chairman. There is much, much more to go into. But I just wanted to give you a quick view of the efforts that we have been making for the last several weeks throughout the administration, with the President, the Secretary, the National Security Council, myself and others, our Embassy in Khartoum, our consulate in Juba, to get at these issues. Thank you very much.

Mr. SMITH. Mr. Ambassador, thank you very much.

[The prepared statement of Ambassador Lyman follows:]

Statement of Ambassador Princeton Lyman
Special Envoy to Sudan
before the
House Subcommittee on Africa and Global Health
"TOWARD TWO SUDANS"

June 16, 2011

Chairman Smith, Ranking Member Payne, Members of the House Subcommittee on Africa and Global Health, thank you for the opportunity to be here today to discuss progress in Sudan, remaining challenges, and the road ahead as we look to the independence of South Sudan in just a few short weeks.

We meet at one of the most critical moments for the Comprehensive Peace Agreement that was signed in 2005 and brought an end to Sudan's bloody North-South civil war. If we look back at the beginning of this year, we recall how much hope and optimism we had following the peaceful and successful Southern Sudan referendum and the acceptance of its results by the Government of Sudan. At that time, President Bashir recognized the results and vowed to be the first to recognize the South. In the months since, the relationship between the parties has deteriorated and they have returned to the brink of full-scale conflict. In May, after both sides failed to implement security agreements, the Sudanese Armed Forces (SAF) invaded the long disputed area of Abyei and continue to occupy the area. This month, heavy fighting broke out in the northern border state of Southern Kordofan between the SAF and the Sudan People's Liberation Army (SPLA) undermining the delicate process of political reform in this part of north Sudan as envisioned in the CPA. These conflicts in Abyei and Southern Kordofan have brought misery to more than 100,000 Sudanese, forcing them from their homes and straining the ability of humanitarian organizations to provide them needed relief and support.

Mr. Chairman and members of the Committee, we have been engaged around the clock trying to bring this situation back under control and to restore the negotiations on key issues before the South achieves independence July 9. President Obama and his national security team have reached out to and mobilized leaders from around the world to urge the Government of Sudan to reverse its military actions. At the G8 Summit, world leaders stood up and expressed their consternation at the Sudanese government's behavior in recent weeks. The UN Security Council has also taken a united stand in calling for the Government of

Sudan to withdraw its forces from Abyei. We also continue to press for an end to military operations in Southern Kordofan and urge the GoS to undertake talks with local political leaders to determine post-CPA security and political arrangements for Southern Kordofan and Blue Nile states. As you know, the United States has told the Government of Sudan that we are prepared to take steps toward normalizing our bilateral relations if they follow through on their commitments. These actions put that roadmap at serious risk.

In early June, I joined my envoy colleagues from the UK, Norway, and the EU in a series of meetings with both Northern and Southern officials and with Prime Minister Meles Zenawi in Ethiopia to promote a return to the negotiating process. I also traveled to Cairo earlier this month to engage with the Egyptian government on Sudan and ask for their help.

I just returned yesterday from Addis Ababa, where the African Union High Level Implementation Panel (AUHIP), led by former South African president Thabo Mbeki, and Ethiopian Prime Minister Meles brought together Sudan's President Bashir and First Vice President and President of the Government of Southern Sudan Salva Kiir to address these crises. We support the efforts of the AU Panel to push for agreements on the withdrawal of SAF from Abyei and the establishment of a cessation of hostilities for Southern Kordofan.

After two days of summit meetings, final agreement had not been reached and staff level talks continued. To boost the process, Secretary of State Hillary Clinton met earlier this week in Addis Ababa with Prime Minister Meles and senior Sudanese officials and also pressed for progress. We will continue to intensify our diplomatic efforts in support of the negotiations in these final weeks before the South gains its independence.

Background

Let me now step back from this immediate situation and discuss the background to these latest developments and the challenges that face us ahead. If we look back at the beginning of this year, we recall how much hope and optimism we had following the peaceful and successful Southern Sudan referendum and the acceptance of its results by the Government of Sudan. Nevertheless, the parties made relatively slow progress on the key issues to be negotiated to complete the stipulations of the Comprehensive Peace Agreement (CPA). Partly this was because the issues to be negotiated are technically complicated and had to be fully understood before political decisions could be made. But also the two parties

generally followed a policy that "nothing was agreed until everything is agreed," a plan that left all other issues hostage to resolution of two of the most important, but contentious issues, the future status of Abyei and the division of revenues from oil in the South. During this period, both parties accused each other of supporting militias with the aim of destabilizing the other, and there were disputes over how the negotiations should proceed. There has been a distinct souring of the mood in Khartoum, partially borne of a frustration that it has not received significant rewards from the international community or the South for acceding to southern secession, although this was a key item in the CPA. This has hardened the GOS position on Abyei in particular.

As you know, the referendum on the future status of Abyei has not taken place as mandated by the CPA. The parties were unable to agree on members of the Abyei Area Referendum Commission which would have determined residency and voter eligibility for the Abyei referendum, particularly those from nomadic tribes who would be eligible to vote among the Ngok Dinka and the Misseriya. The parties then determined that they would try to agree on a political solution to Abyei's future at the negotiating table. Under the leadership of the African Union High Level Implementation Panel, the two parties have engaged in periodic political discussions on the status of Abyei. Based on these discussions, former South African President Thabo Mbeki presented the leaders with several options for resolving the matter. Nevertheless, despite pledges by President Bashir and First Vice President Kiir to resolve the Abyei issue first by the end of March then by the end of April, they failed to do so. Tensions remained high on the ground, however, with both parties maintaining unauthorized armed forces in violation of the CPA and of recently-agreed security arrangements. Violence in Abyei erupted on a number of occasions in both the pre- and post-Sudan referendum period due to a combination of factors. These included increased frustration among the Ngok Dinka over the politicians' failure to resolve the Abyei issue, in line with the CPA which defined Abyei as the area of the "nine Ngok Dinka Chiefdoms," their blocking as a result the annual Misseriya migration, the presence on the other side of armed Misseriya militia who were involved in several armed incidents, and the introduction of SPLA units into the police forces to protect Ngok Dinka from those attacks. In this period, both sides blocked UNMIS from full access to areas under their control.

On May 1, the Southern Sudan police attacked a Joint/Integrated Unit of both SAF and SPLA soldiers and killed eleven SAF members. The GOS responded by mobilizing some 5,000 soldiers across the Abyei border in Southern Kordofan. Recognizing the immediate danger, I accompanied AUHIP member, former

Burundi President Pierre Buyoya, and UN Special Representative of the Secretary General (SRSG) Haile Menkerios, for a meeting with Salva Kiir to reinvigorate a previously signed, but unimplemented agreement – the Kadugli agreement -- to have the armed forces from both sides withdraw from Abyei, to permit the migration to proceed, and to reestablish joint policing. As a result, the parties agreed to hold a long-overdue meeting of the Joint Technical Committee on Abyei to make detailed arrangements for these matters.

Unfortunately, on May 19, just as the first steps of withdrawal were being taken, an SPLA unit fired on an UNMIS convoy carrying members of the SAF, killing SAF soldiers and wounding an UNMIS peacekeeper. The North responded disproportionately and with overwhelming military force, taking control of Abyei south to the Kiir River, a strategic waterway that is a gateway to the South, and unilaterally dissolving the Abyei Area Administration. Extensive looting and destruction of homes and buildings occurred under SAF control. SPLA soldiers were pushed south of the river and civilians fled to Southern Sudan, leaving more than 100,000 people displaced from their homes. I would like to commend the quick response of international and local organizations that mobilized resources and continue to assist these IDPs.

We have been clear in stating that the SPLA was wrong to attack the convoy on May 19, but the North's response was disproportionate and irresponsible. The continued presence of SAF in Abyei 26 days later continues to threaten the long-term peace between North and South, as well as relations between Sudan and the international community. We, along with the United Nations Security Council and other members of the international community, continue to call on the North to agree on new security arrangements with the South and to withdraw all SAF forces from Abyei. It is clear that the parties cannot return to the status quo that existed before conflict erupted last month. There must be a significant augmentation of the current peacekeeping presence in Abyei to ensure that no armed forces from either side return to Abyei. We applaud the offer by Ethiopian Prime Minister Meles Zenawi to dispatch Ethiopian troops to Abyei to bolster the UN presence in Abyei, and are glad that President Bashir has agreed in principle, but with conditions, and at President Mbeki's urging, to allow these troops in. We urge all involved in this deployment to act quickly in determining a sound mandate and standing up this critical force, setting a firm schedule for the SAF's withdrawal, and making arrangements for the IDPs to return home.

Once these arrangements have been made, it is imperative that the parties address the future political status of Abyei. The parties have asked President Mbeki to

table a single political option that accounts for the needs and rights of both local populations and lead to lasting peace. We remain engaged with President Mbeki and his team as they draft such a proposal and will work to obtain needed international support for such a deal.

In addition to Abyei, the critical North/South border state of Southern Kordofan is currently in crisis. A frontline state during Sudan's Second Civil War, Southern Kordofan has experienced relative peace since the signing of the Comprehensive Peace Agreement in 2005. The CPA called for a process of popular consultations in both Southern Kordofan and Blue Nile states to address the political issues in those states that fueled their participation, most on the side of the SPLM/SPLA (northern) in the civil war. The consultations are under way in Blue Nile, but they were delayed in South Kordofan until elections could be held there. The elections that took place in May were also contested—but the SPLM refused to accept the announced result that the NCP candidate had won. It was in this atmosphere that the Government of Sudan, rather peremptorily, issued an order to the SAF to dissolve the Joint/Integrated Units in Southern Kordofan and disarm the SPLA units there. This despite the fact these very issues were under discussion as part of the negotiations between the parties. Movement of the SAF into the area for this purpose touched off intense fighting throughout much of the state, which could spark a much wider conflict. Tens of thousands of civilians have been displaced and we have received reports of serious human rights abuses.

The states of Southern Kordofan and Blue Nile, known as the "Two Areas," are home to many people aligned with the SPLM whose home and place of origin are in the North, and who will remain in the North after July 9 because they were not granted a referendum to determine their future statue. The complicated status of these people cannot be resolved by military means. We continue to press for an end to military operations and urge the GOS to undertake talks with local political leaders to determine post-CPA security and political arrangements for Southern Kordofan and Blue Nile residents.

It is crucial that the North and South return to negotiating key arrangements that will help define the relationship between the parties as they look toward a future as neighboring independent states. These issues include the status of the oil sector, transitional financial arrangements such as oil revenue sharing, debt, citizenship, border issues, and security arrangements. We support President Mbeki's and the AUHIP's facilitation of these issues and continue to engage with the Panel and the parties as they seek to resolve key issues in the coming weeks before independence.

The Consequences for the Government of Sudan

The Government of Sudan's decision to resort to military action rather than resolving problems exclusively through negotiation, if not quickly reversed, will have major consequences for the government and people of Sudan. Following the independence of South Sudan, Sudan faces difficult economic conditions as it adjusts to a significant loss of oil revenue and continues to shoulder nearly $38 billion of debt. Sudan needs to come out of sanctions and international isolation to receive debt relief, obtain access to the resources of the International Financial Institutions, and seek private investment. These are essential if Sudan is to be one of two viable states, the objective of the United States and all other concerned nations, coming out of the CPA. Sudan can only obtain this support if it meets the obligations of the CPA and makes progress on bringing peace in Darfur. This is not just the position of the United States. It is also that of other members of the international community and international creditors. Sudan risks the international support it needs, and which would be readily available, if it does not return to the path of peace and negotiations.

As for the United States, President Obama set forth a roadmap to improved bilateral relations last fall if the Government of Sudan lived up to its commitments on the CPA and with regard to Darfur. Despite Khartoum's perception that we have not followed through on implementing the roadmap, we have, in fact, taken significant steps, including the following: We have initiated the review of the decision to rescind Sudan's designation as a state sponsor of terrorism, a review that is ongoing. The recent visit of White House Deputy National Security Advisor John Brennan to Khartoum was a demonstration of the seriousness of this process. Additionally, we have been working with the World Bank technical working group that is addressing the need for relief of Sudan's debt. Third, we approved licenses for several American companies wishing to participate in agricultural development in the north. There has been no decision yet on the matter of the State Sponsor of Terrorism listing, and reaching final agreement on debt relief will of necessity be a long term process taking two or more years. The Government risks a great deal if the processes are delayed or interrupted. We have made clear to the Government of Sudan, however, that it will be impossible for us to continue with these processes if current military actions in Abyei and Southern Kordofan continue. We cannot progress further until the Government of Sudan completes the conditions of the roadmap and fulfills its commitments under the CPA.

I still believe it is still possible to get the peace negotiations back on track. The fundamental geographic, economic, and political realities between North and South have not changed – each of these independent nations will be better off if the other is stable, secure, and economically prosperous. More than that, both states will depend on the other to achieve this. And so there remains an urgent need for the parties to go back to the negotiating table and reach and implement agreements that ensure a long-term peaceful and cooperative relationship between them. This includes both building positive economic and political relations, but also means neither side can support proxy militias to destabilize the other. I still believe this can be achieved, and the United States remains committed to assisting them in this effort.

Darfur

Turning to Darfur, the challenges are equally daunting. There is ongoing conflict, lack of a political agreement, and approximately 2 million people still displaced from their homes. We invested heavily politically and provided dedicated senior level participation in the Doha peace process. We worked hard to convince the Justice and Equality Movement (JEM) and the Government of Sudan to engage in negotiations there in addition to those between the Government and the Liberty and Justice Movement (LJM), and we are pleased that both have done so. While a comprehensive and inclusive settlement that will bring an end to the fighting remains elusive, the government and two armed movements – the LJM and the JEM – came to the table in Doha and reached broad consensus on the pillars to a durable and just agreement. The draft document that emerged, which addresses the root causes of the conflict, was endorsed by a wide range of Darfuri stakeholders in the recently held All-Darfur Stakeholders Conference. The Government of Qatar deserves enormous credit for its patient dedication to this peace process over more than two years. So too does Djibril Bassole, the principal mediator, and his staff. Unfortunately, some armed movements – notably the Abdel Wahid Al Nur and Minni Minawi factions of the Sudan Liberation Army (SLA/AW and SLA/MM) – continue to boycott the peace process, and instead have begun calling for the overthrow of the central government.

The Doha process is now winding down without a signed agreement between the government and all of the armed movements. We are appreciative that the Government of Qatar will remain engaged as chair of a new International Follow-up Committee (IFC). We are also working with the AU, UN and other interested parties on the way forward. We know that more Darfuris need to have a role in the process, as many issues driving the conflict are locally-based and will never be

resolved around a negotiating table. If the GOS can create appropriate enabling conditions, including security as well as free movement, speech and assembly, a Darfur political process on the ground has the potential to involve civil society more directly in the peace process. At this time the conditions do not exist for such a process. Moreover, we remain concerned about the recent increase in violence in parts of Darfur. The final collapse of the Darfur Peace Agreement between the GOS and the SLA/MM in December 2010 have led to clashes that displaced an estimated 70,000 civilians. The GOS also continues to rely on aerial bombings to target rebel positions, especially around the SLA/AW outposts in Jebel Marra. These aerial bombings harm civilians and contravene United Nations Security Council Resolution 1591, which forbids such action. In addition, the evolving situations in Libya, Southern Kordofan, and Abyei have direct implications on the resolution to the Darfur conflict which we will need to watch closely.

Fortunately, the security and humanitarian situation is not declining across all of Darfur. There are pockets of security and thereby better opportunities for at least some of the displaced. Ambassador Dane Smith, our Senior Advisor on Darfur, has recently returned from a trip to localities in West Darfur where we, in concert with some actors in the humanitarian community, believe that early recovery projects could now be undertaken. In these cases, we must look for ways to improve the livelihoods of communities there that have lived under abnormal conditions for far too long. In doing so, we will be careful that all such activities are based on the voluntary cooperation and are reflective of the desires of the IDPs themselves, and are in no way suggestive that the fundamental problems of Darfur are yet on the way to being resolved.

South Sudan

Finally, I want to report that the United States is far along in planning for support of the new nation of South Sudan. This new country will face exceptionally difficult challenges after decades of civil war. USAID will brief you on plans to help South Sudan meet these challenges, especially in creating the foundation for sustained economic growth. Other donors and the UN will be playing important roles as well. We plan to support a UN Security Council resolution that establishes a new peacekeeping operation based in South Sudan. The strategic goal of this mission should be to support the Government of the Republic of South Sudan (GOSS) to manage its internal and cross-border disputes peacefully and to provide legitimate rule of law, governance, security and protection for its people and

establish the basis for longer-term development and state-building. Together, we must pay close attention to the strengthening of state institutions, security sector reform, development of a strong human rights culture, and continued development of South Sudan's cooperative and productive relations with all its neighbors, including Sudan.

Chairman Smith and other Committee members, I would like to thank you for your continued engagement and support. Without bipartisan Congressional support, we would not have been able to play so strong a role in the peace process. The way forward in Sudan continues to be challenging, and we look forward to working closely with you in forging policies and practices that help bring conclusion to the long and painful conflict in Sudan and thereby creating the opportunities for peace and economic progress for all its people.

Mr. SMITH. Let me just ask you, what do you think might be the next flash point after Southern Kordofan, Abyei, and the Nuba Mountains? Have we identified something that is building, some pressure that is building?

Ambassador LYMAN. I think the other flash point is the five disputed areas of the border, some more significant than others. One on the Darfur-Abyei side. The two sides have not yet agreed on how to resolve those border disputes.

There has been a good deal of technical analysis by the British and the African Union on those five areas which could be the basis for a settlement. But again, we don't have the political leaders having come to an agreement. So there is a potential flash point if either side tries to occupy those areas and assert a military control.

Mr. SMITH. With regards to the U.N. peacekeepers, both you and Ambassador Winter, Ambassador Winter was very strong on how while the U.N. humanitarian efforts have been extraordinarily helpful, the other efforts by the U.N. peacekeepers fall far short, particularly with regard, I would suggest, to their rules of engagement, which you might want to speak to.

My understanding is that after July 9, some 7,000 additional U.N. peacekeepers are envisioned. This is a time when financial restraint cannot be held up—we would do more if only we had it—this could mean the difference between an all-out new genocide and fighting a war, or not. It seems to me that if there is not a sufficiently robust deployment, there could be serious, serious problems. What are your thoughts on that?

Ambassador LYMAN. There is work, very advanced, going on with the Security Council and with the parties to set up by July 9 a new U.N. mission in South Sudan. It would be a mission devoted to building state capacity, conflict prevention, protection in emergency situations of civilians, a very broad mandate that I think will be approved soon in the Security Council. I don't have in front of me the exact number of troops involved; I think it is 7,000. That would be just strictly in the South.

Now, what the Government of Sudan and Khartoum have said to the U.N., we don't want the U.N. in the North after July 9. But there are several areas in which this is now coming back to discussion. One, of course, is the peacekeeping force that we are talking about in Abyei which right now is above the 1956 line, and both sides recognize that they must continue a peacekeeping operation in Abyei.

Then there is the question of a role for a third party in assisting in border monitoring after July 9, and in these two very important areas of Southern Kordofan and Blue Nile. The discussions so far on those, the borders and the two areas, have not reached conclusion, whether a third party should be the U.N., whether it should be AU, or whether it should be someone else. And that will shape the response of the U.N. to what is needed north of the line between the two countries. So it is much more advanced on the force going and the broad civilian mission going into the South than it is in the North.

Mr. SMITH. Let me just ask you, Bishop Hiiboro made a very important appeal that the church and civil society be included, and he noted that the latest establishment of the structures—and this

is post-referendum—and the absence of church, civil society and other actors' participation in them could lead to a lack of transparency and inclusiveness. What assurances can you give that the U.S. is pushing very hard that the church and civil society are truly partners and are not left out, particularly in the provision of humanitarian assistance?

Ambassador LYMAN. It is a very important objective. I have been disappointed, as have others, that the negotiating process itself has not been more open to women, to civil society, to religious groups. It has been two parties, really, negotiating between themselves. There has been some effort to reach out to civil society, but it has not been satisfactory.

The work on a transitional constitution has largely in the South been kind of an in-house operation. It is among the politicians more than it is civil society. Right now the religious institutions play a major role in the delivery of services. Without them, many people wouldn't be receiving health care and other things. We have urged the Government of South Sudan to—as it develops its permanent constitution—to make it a very broad process of consultation and participation throughout the country. We think that it is extremely important. They have committed themselves to that in principle, and we will be working with them through NDI, IRI, and other organizations that we have, to make sure that that happens. Because it hasn't happened sufficiently now, and that is doubly important, Mr. Chairman, because in the South there is a lot of considerable unrest, some of it sparked by militias, but some of it inherent in the communities themselves. And you can't get at that simply by government or military means, you have to get the churches and you have to get civil society involved.

Mr. SMITH. One last question. I have many questions, but because of your time constraints, I will just ask one more.

Dana Wilkins has testified that the U.S. should be more involved with the oil transparency issue, and she makes a very strong appeal that we do so, and notes that we are not. Since wars are fought over oil, land, demarcation of boundaries, obviously these are inextricably linked, are we going to be more involved in that?

Ambassador LYMAN. We have been heavily engaged in discussions with the Government of South Sudan about this. We recently had a Troika mission—that is the U.S., U.K. and Norway—headed by our USAID Administrator, that raised this issue very seriously with the South. The IMF has been there to talk about this. We are now with the Norwegians, putting 10 or 12 people into the Oil Ministry of South Sudan to help develop their capacity, and we are working with their finance department to ensure that there is transparency in this area. The Norwegians are also being very helpful in this regard.

It is an extremely important issue, as you have heard from the other witnesses, and we have said over and over again that for the Government of South Sudan, this is going to be one of the major tests of their ability as a new state to manage their resources well and to earn the support and credibility of the international community.

Mr. SMITH. Ambassador Winter it would appear, if we were to sum up his view on this, is very much concerned about the duplic-

ity on the part of Bashir, which we have all seen, but he has lived it. He saw how we would think something was going to happen and it wouldn't. It reminds of what Slobodan Milosevic always did in Serbia. He would sign a peace agreement or a cease-fire, and 2 days later he would break it. We would have that false sense of hope over and over again.

Is there something dramatic that the U.S. and our partners need to be doing to ensure that this man who has committed genocide is not perhaps looking to develop another crisis where he will use force and use it with impunity?

Ambassador LYMAN. What we have to do in a case like this, Mr. Chairman, at least to the best of my ability and others, is to get the people in Khartoum to recognize that it is in their own interests to have a successful peace process with the South; not preaching to them about being good guys, but telling them that there are big consequences to their not doing so.

Mr. SMITH. And what are those consequences?

Ambassador LYMAN. Well, the North, after July 9, will lose about 60 percent of their revenue. They will be shouldering a $38 billion debt. They will have very serious economic problems. They already are experiencing some of those. The only way to resolve these or deal with them is to come back into the good graces of the international community. That means dealing effectively and properly with the CPA and with Darfur.

It is not just our condition, it is the condition of all of our Western allies and others who are major creditors to Sudan. They risk all of that if, for whatever reasons, they take a military solution or otherwise violate the CPA. And we have made that crystal clear. They have lots to gain if they do it right. They have lots to lose for the people of Sudan if they don't.

I think, to be perfectly honest, you have to look at what they see as their own interest. And what we have said to them is, being isolated in the world, facing all of those economic consequences, having an unfriendly relationship with the South, all of those things are bad for Sudan. It is to see it in their interest not because they are good guys or bad guys, but that this is the only way that they can produce a viable, stable society in Sudan.

Mr. SMITH. Thank you.

Mr. Payne.

Mr. PAYNE. Thank you very much.

Mr. Ambassador, I commend you for your many years of distinguished service. I do feel, though, that we got off to a late start with the Obama administration and the Special Envoy. I think that the focus might have been misdirected and I think, unfortunately, time was lost and we find that you have an impossible—almost impossible situation you have inherited.

Having said that, though, it does seem that the Bashir regime would recognize that time is running out, that they really have serious problems after July 9th. But the fact that they continue to behave the way that they do, it is almost incomprehensible about the thought process, their tendency to overreact in Darfur. It was some soldiers or civilians that went into a barrack and the next thing you know, thousands of villages are bombed in retaliation. I

mean, you talk about moral equivalency, you couldn't even use the word.

The alleged attack by SPLM on a U.N. convoy, once we finally got down to the common denominator, it was perhaps a gunshot really, not intentionally or did much damage or whatever, but then the overwhelming response by once again the Government of Sudan, using their overwhelming power, no kind of moral equivalency. And so I just wonder whether this regime in Khartoum can ever be reformed. It just makes no sense.

And then the arrogance of President Bashir that he is going to go to China, and Amnesty International has requested that China arrest him since they are a permanent member of the Security Council and not a member of the Rome Statute. Or at some point if he is an indicted criminal—and it is a long way from Sudan to China or other places—that he does. I think at some point in time, we need to empower some kind of international special forces to intercede and to arrest him or to have some serious kind of intervention to bring him to justice, because this is never going to work with the manner of impunity that he goes around the world and does what he wants to do.

However, let me just ask, the situation in Abyei, is there the possibility, or even in South Kordofan, the SPLM want to have a transition from that into the police or military or something, and others being deployed out of military. There has to be some time to do this.

In your opinion, do you think that the plan that has been laid out before, what they laid out as a plan, do you think that there is time for that to work; where, like I said, the SPLM, because they are not going anywhere, could demobilized, but there has to be someone in between to try to be there to enable it to happen? What are the prospects of that happening?

Ambassador LYMAN. Thank you very much, Congressman. And again, let me thank you for all that you do on behalf of Africa.

Let me distinguish three aspects of that. In Abyei, the understanding in the CPA, which we need to go back to, is that there should be no militarized forces in Abyei, only a U.N. peacekeeping force and local police. That was the objective that we were working on so desperately at the beginning of May, called the Kadugli agreement, but it fell apart in the matters that we discussed. But that is the essense of the agreements being worked on. You have a local administration and you have a local police force, but security is with the U.N. peacekeeping force; and, as I said, an enhanced one with the support of Ethiopia.

When it comes to South Sudan, I think South Sudan faces an extraordinarily difficult set of circumstances with regard to the SPLA. Part of their strategy of achieving unity, of coming to terms with various militia that have fought in the past against the SPLM in the South, has been to bring them in, and their soldiers, into the government and into the Army. The result is a force that is really much too large. And as they face some of these other militias, those deals might continue to be necessary, but you get the force even larger.

On the other hand, many of these people are not trained for civilian life. They don't have the skills. There is a high illiteracy rate.

So what the chief of staff, General Holt, has said and what we have agreed and what I think the U.N. has agreed, you don't start immediately a demobilization program. What you do is take several years to build this force more into a professional lineup, provide a lot of skills training for people, doing things for the society, whether it is agriculture or construction or other things, and then go into a demobilization process where you are putting skilled people back into society.

If you do it too soon, if you send people back with no skills, they are easily recruited by militia. So it has got to be not a quick demobilization, but a process where you get bigger first and then down. I think we all now understand this is how it is going to have to be.

Inside Southern Kordofan and Blue Nile, you have a situation where you have both in those states and in the South but from those states, tens of thousands of soldiers who fought in the civil war. Eventually they should be either integrated into a single army in the North or demobilized. But the point is that they are not prepared to do that unless they know that the political rights for which they fought are going to be protected. That has been the issue behind the current conflict in Southern Kordofan.

So what we are hoping will come out of these negotiations is an agreement that these political grievances and concerns have to be addressed, and that any plans for integrating or demobilizing those forces have to be related to an assurance that the political issues are being resolved.

It is a touchy kind of issue for both sides to work on, but that is what is going to be necessary before you can get to a demobilization in those areas. I hope this is okay, Congressman.

Mr. PAYNE. Thank you very much. My time has expired. But I would ask very quickly, if the chairman would indulge me, about the tanks, the tanks that the South Sudanese have paid for that are on tracks still in Kenya.

Is there any possibility that those assets that belong to the Government of South Sudan can be released by the U.S.?

Ambassador LYMAN. I have to ask you if we can deal with that in classified session. I am happy to come up and do that.

Mr. PAYNE. Okay, thank you.

Mr. SMITH. Ms. Buerkle.

Ms. BUERKLE. Thank you, Mr. Chairman.

Thank you, Ambassador, for being here today. My first question has to do with North Sudan and the fact that currently their behavior—they are violating the Comprehensive Peace Agreement protocol. Now, in your testimony you talked to us about the fact that written agreements are being put in place for Abyei and also for Kordofan. We heard from Mr. Winters that apparently the North Sudan doesn't adhere to these agreements, that there is concern that even if you have the best agreement on paper, if they don't pay attention to it and they don't adhere to it, it doesn't do any good.

My question to you is: Is there a contingency plan? Is there an understanding by the administration that we are going through this step here, but more than likely it may not work?

Ambassador LYMAN. Thank you. Thank you very much.

You know, to go back to now the very familiar phrase of President Reagan, "trust but verify," in the Abyei agreement, you have to have a U.N. force capable and willing of enforcing the mandate. If you don't have that, either side could break it, and the North included, of course. What we have been working at is to make sure that we have a U.N. force that is not only mandated but willing to go to every part of Abyei.

I don't want to get into the argument of moral equivalency because I understand that. But the fact is in Abyei, both sides blocked the U.N. from fully inspecting the amount of forces that they had brought into the area. It only works if the U.N. not only has the mandate but is willing to enforce it. That has been at the heart of this discussion, to bring in a better force into Abyei.

Now, when it comes to Southern Kordofan, what I think has been demonstrated at terrible cost is that the Government of Sudan can't come in and militarily just disarm those SPLA soldiers. That you get into a terrible fight at great human cost, but it is not a walk-over. And hopefully out of that comes—again this is mutual interest, not anything else; the only way to deal with that problem is to negotiate with parties that have some wherewithal.

I am hoping that in the discussions that are coming out now on Southern Kordofan, there is a recognition you can't do it militarily. You might want to, you might have people who say we ought to, but you can't. And if you can't, then you need to find another way. So that is what I think is going to happen in Southern Kordofan, or at least I hope so; that people realize that the military solution is not going to work.

Ms. BUERKLE. Just as a follow-up couple of questions, and I would like your opinion as to whether or not you think what is going on in Abyei is really tantamount to ethnic cleansing.

Ambassador LYMAN. Well, what has happened in Abyei is that when the Sudanese forces moved in, the population, remembering what happened in 2008, left. And understandably so. And what we have said is, until those people are allowed to go back and as soon as possible, you have what could be called ethnic cleansing because you can't just remove people from where they are and then not allow them to come back.

But for the government to say they are free to come back any time, of course they are not going to come back while it is occupied by Sudanese armed forces.

So the reason, one of the reasons that we have pushed so hard to get an agreement on withdrawal as fast as possible is so over now 100,000 people can come back to their homes, and we get away from any thought that you could change the ethnic composition of Abyei through military means. And that is clearly part of the objective. It has to be.

Ms. BUERKLE. Lastly, what leverage do you think the United States has to contain the events you are talking about prior to July 9?

Ambassador LYMAN. I smile because we debate that all of the time in the administration.

Look, I think there are a number of things that give us an important role. One is that Sudan—and it is not just us, but we are a

major player—Sudan, and by that I mean North Sudan, cannot come out of its economic isolation without the agreement of the United States. They can't get the debt relief, they can't get to the World Bank, they can't get to the IMF, they can't get off the list of State Sponsors of Terrorism. The relationship between Sudan and the United States is critical to all of that. It is a point that we make, and sometimes they recognize it and sometimes they are angry about it, but it is a reality.

The second thing is in the negotiations that are overseen overall by the African Union High Level Panel, it is important that the United States be participating and be able to talk to both sides about the substance of those agreements, and we have been able to play a very significant role in that regard.

It is that, and it is working very closely with a number of our allies so that we speak with one voice. I mentioned that I traveled recently with my colleagues from Britain and Norway, the Troika, but we also traveled with the European Union Special Envoy, as well, and we try to mobilize as much united as we can.

And the Africans. Look, Prime Minister Meles has played an extraordinarily important role. And we work closely with him so that we multiply, if you will, the leverage by bringing more parties to the table.

Ms. BUERKLE. Thank you very much.

Mr. SMITH. Ms. Bass.

Ms. BASS. Thank you. A couple of questions. You mentioned people returning, that people should be able to go back. But what would they actually be returning to? Are there villages intact, was the housing destroyed?

Ambassador LYMAN. What happened in Abyei and we are seeing in Southern Kordofan is a great deal of looting and destruction of property. I saw one estimate that something like 20 percent of homes or building in Abyei towns were destroyed. I don't have verification on it, but it wouldn't surprise me. A tremendous amount of looting. So when people go back home, obviously there is going to have to be a lot of help in rebuilding. Now, we haven't worked out the details and the financing of that. But we have a coalition of humanitarian agencies that are working with them now, with displaced people that will go back into Abyei and work with them on reconstruction. But you put your finger on one of the terribly devastating costs of this conflict. Many have lost everything and they have to have their lives reconstituted when they go home. I think we are going to find that in Southern Kordofan as well.

Ms. BASS. And one of the previous witnesses had mentioned that he believes that if things don't go well after the 9th, that we really could be looking at a virtual genocide. And I wanted to know your thoughts on that. And I have a question following that that was asked actually by one of my constituents who e-mailed it to me: What is the administration doing to stop the atrocity in Khartoum and how will the administration work to stop the violence toward civilians? Distinguishing that from what could potentially be a genocide.

Ambassador LYMAN. It depends a lot on why or where such would happen. Obviously, as Roger Winter pointed out, that danger

in many people's minds could happen in Southern Kordofan or Blue Nile if there isn't the kind of recognition of rights, et cetera, that I talked about earlier. In the South, it is a different story. You are not talking about, I don't think, genocide as much as you are talking about ethnic differences, cattle rustling, militias, et cetera, a lot of fighting and a lot of dislocation. But I don't think that borders on genocide.

So I am not clear that that is immediately the problem as it is in this continued level—you know, many people say if we don't get these things settled, the two sides will go back to war. What I fear, because I don't think either side really wants to go back to full-scale war, is that you get a relationship that is not even a cold peace. It is a very unfriendly relationship between two countries that try and spoil each other. "I will help Darfurians because you are helping the rebels and so and so," and each side is trying to upset the other with great loss of life for people caught in the middle. I worry about that.

Now, it could get worse than that. But that disrupts the lives of everybody because a very large portion of the people in the North and South live very close to the border. Their lives depend on an open border. They trade. They migrate with their cattle up and down, et cetera. If you get into what I call not even a cold peace but an unfriendly hostile relationship, those people are going to suffer a great deal on both sides. That in my mind is the bigger threat.

I hope a bigger war is not on the horizon, but I see that as a pattern that would be very destructive if they don't come to the kind of understanding between the two countries, as I often say to them, you don't have to kiss on the cheeks but you have got to shake hands, you have got to recognize that your lives are intertwined. You don't have to like each other, you do have to recognize that you have mutual relationships that you have got to develop.

Mr. SMITH. Chairman Royce.

Mr. ROYCE. Thank you, Mr. Chairman. We have a leaked United Nations report that says that the Sudanese Armed Forces' invasion of Abyei was, in the words of the U.N., tantamount to ethnic cleansing. So I was going to ask you what is the administration's response to that report and what consequences are being considered? And then the other aspect of this is the new report, the June 1st attack by the LRA. It has been 25 years now that we have dealt with Joseph Kony, and he has been abducting children and brutalizing them in such a horrific way that he turns them into killing machines. But the last report cites that escaped child soldiers have reported Sudanese Armed Forces trucks during their time in activity delivering munitions, delivering weaponry, also bringing uniforms to LRA commanders. This is pretty problematic, especially when you consider that the latest attack on June the 1st had to repeat the modus operandi that Kony often uses where he gathered a lot of children, had some of the people massacred in front of their very eyes and had some of them identify and kill their parents and then have them boiled, dismembered them and boiled them in water. The fact that we have not been able to get across to the Khartoum government that this kind of support, this kind of using the LRA to destabilize South Sudan—and this was on the South

Sudan-Ugandan border where this occurred—the fact that we haven't been able to drive that home means that just explaining this to them may not be working. So what is the administration prepared to do in light of this in order to get some results? And we have given the authorization, myself and Congressman McGovern on that legislation, you have got the green light on taking Kony out. What is being done to take Kony out?

Ambassador LYMAN. Thank you, Congressman. I couldn't agree more about the horrific character of the LRA. There was a meeting just in Addis while I was there of the countries of the region and the United States and others on how to implement exactly what you are talking about, to eliminate the LRA. We have a task force in Washington following up on the legislation. Very good legislation has come out of the Congress actually. Actually a member of my staff is taking over the lead of that in July. So I think the plans are being formulated by a coalition of countries in that area along those borders to go after the remnants of the LRA. We have made it very clear to Khartoum that any support of the LRA is a threat to any kind of normal relations.

I haven't seen the report that you mentioned. I would like to get it, please, because I do raise this issue often. But we do have—and I would ask my colleagues in the Department who work on this to give you an up to date on what happened in Addis and the plans that are underway.

Mr. ROYCE. Very good. And I am going to follow up with another point, and that is the new mission that the U.N. is working on regionally. My concern is what is being done to give them the wherewithal to protect civilians, to make certain that they have as part of their mandate a definition that gives them the ability adequately in situations where we have already seen happening in Darfur happens, again we make sure that there is a credible deterrence there.

Ambassador LYMAN. The problem for U.N. peacekeeping forces is, of course, how much they get out in front and start engaging in conflict with one party or another. It is a longstanding issue.

Mr. ROYCE. Get out in front is your way of looking at it. I was in Darfur. I have seen—it is not a matter of getting out in front. It is a question of when civilians are overrun and slaughtered and run to the U.N.—or to take the situation, for example, in the former Yugoslavia.

Ambassador LYMAN. I take your point completely because it is important that the U.N. be proactive in those situations and it goes to the question I was asked earlier about the South. We want a capability in the new U.N. mission there to move very quickly in situations like that, in fact to have a good sense of where that kind of problem would break out. UNAMID in Darfur, we have gotten the U.N. forces to be much more proactive in asserting its rights to move into areas and get to them. And those cases that you described where they haven't been doing so have been a source was not only great consternation on our part but very frank discussions with the U.N. So I take your point.

Mr. ROYCE. One last point if I could get this in. The Chad-Cameroon pipeline project. I went out there and took a look at that. And we put a lot of pressure on that government to try to make sure that that money went not to line politician's pockets, right,

but for roads and for schools. The question here is going to be in South Sudan what you will be able to do, as difficult a challenge as this is going to prove to be, to make sure that our Government is supporting the ability to put in place the transparency necessary, because otherwise this is going to have a sad ending. Whereas if we get out in front of this and really leverage what influence we have for full transparency in terms of the oil revenue, I think it could have a very beneficial outcome in building society there and maybe teach a lesson to the North as well. So I just ask you on that front.

Ambassador LYMAN. No, Congressman—and I mentioned this earlier—I don't think I have had a conversation with officials in the South that this issue has not been raised. But more specifically, we and the Norwegians are putting 10 people into the Ministry of Petroleum to help them develop the right systems. We are working with the Ministry of Finance to get transparency there. Our friends from Britain and Norway have joined us to say this is going to be a critical factor in how the world comes to support the government of the South Sudan. So it is a big issue. And we have emphasized it a great deal.

Mr. ROYCE. Ambassador, I appreciate your good work in the past and working with you in the past, and thank you very much. I yield back.

Ambassador LYMAN. Mr. Chairman, I have been monopolizing this a little bit. We have Raja here and she knows a great deal about the plans of USAID for South Sudan and for some of the humanitarian activities. So I hope if you are interested in those things——

Mr. SMITH. We are interested. And, in fact, we would like to invite her back for an additional hearing. Let me just ask a couple of questions if I could very quickly and then Mr. Payne—as a matter fact, I will ask the questions, Mr. Payne will then ask you because I know you have to leave immediately.

Ambassador Winter made a very, very strong statement in his written testimony. He talks about how in Abyei and elsewhere obviously, Khartoum attacks and expects only a neutered international reaction. And he said something that I would appreciate—because past is often prologue, and you had to, coming on line as Special Envoy, deal with whatever good or ill had been done by previous Special Envoys—and I would appreciate knowing your reaction to the statement by Ambassador Winter. "I believe"—this is him speaking—"that more than 2 years of the Obama administration's approach to Sudan made matters worse, emboldening Khartoum and setting the stage for Abyei's and South Kordofan's current horrors. Perhaps the eccentricities of General Gration's approach to being a Special Envoy for Sudan are related to the administration's commitment to a reach out to the Arab and Islamic world." And he also points out his greatest issue was General Gration's highly biased approach to Abyei. And I am not sure if we are reaping a bitter fruit from that or if he has that wrong, but I appreciate your reaction to that.

And secondly, Dr. Eibner in his testimony reminded us that President Salva Kiir declared in 2006 and addressed the Parliament that the government remains deeply committed to the re-

trieval of Southern Sudanese women and children abducted and enslaved in Northern Sudan.

Back in 1996, I chaired a hearing right here, Slavery in Mauritania and Sudan, and Secretary William Twaddell, Deputy Assistant Secretary, you remember him, from African Affairs, said, and I quote, "The Government of Sudan has denied that slavery exists and refused to investigate such reports or to cooperate with others seeking to do so." He did point out that the State Department's Country Reports on Human Rights Practices included a section concerning the persistence of slavery and the alarming increase in reports of the seizing of civilian captives, particularly in the war zones.

An unfinished bit of huge business and I am wondering—obviously you are dealing with a whole lot of highly important issues—but are we pushing for a full accountability and hopefully repatriation of those slaves?

Ambassador LYMAN. On your first question, look, I think that—and I worked with General Gration for several months before he was nominated for Kenya and we worked very closely together. And quite frankly, he worked his heart out and his soul for peace in Sudan. People may have quarreled with his style or things, but I found him just overwhelmingly dedicated to the peace process.

Now, if you look at the record, getting up to and through the referendum, when I started in August working with him, people said we couldn't possibly have the referendum on January 9th and if we had it, it would be a disaster. We did—and I don't want to say we get all the credit because we don't, but we certainly did an awful lot to make that happen. And it is as much General Gration as myself and others who worked on that to make sure that the Referendum Commission was stood up, supported, capable and that we weighed in politically heavily to make it happen.

We worked hard on the Darfur crisis. We tried very hard to get an agreement on the referendum. And we just ran into an impossible situation where each side was not prepared to accept a voting situation in which the other side would have a clear advantage. The Ngok Dinka did not feel the Misseriya should have the right to vote and the North argued that the Misseriya not only had the right to vote but to vote in very large numbers. And 9 days of day-and-night work led us to the conclusion—and not only us, but the two parties—this isn't going anywhere, maybe we need a political solution. And we have been working on that ever since.

So I think quite frankly that a lot of work was done over those 2 years. Of course I came on last August, but I found people very dedicated, very committed, working literally night and day on behalf of peace.

When it comes to the slavery issue, this is a very sore point—a very sore point. It is a bitter, bitter memory for many people. I don't know of plans for full accountability, I don't. And I can look into that. But I know for many people, this is a bitter, bitter part of the history that they carry with them. And sometimes when you are dealing in the negotiations, that bitterness jumps up and you realize sometimes how deep these feelings go.

So I take what you are saying very seriously and I will look into whether there are any plans on it.

Mr. PAYNE. Very quickly. I think two things I want to mention quickly. I believe that the Government of South Sudan would want to see a transparent and a well working oil system. I think they need the help. I think in Chad there might have been resistance and needed to be convinced this is what you have do and if you don't do it, we are not going to get the money. I think in South Sudan, that is not the problem. The problem is going to be the capacity to manage it properly. And I am glad to hear that the Norwegians and the U.S. have 10 people there.

Secondly—and I do know that I agree that General Gration was a very hard worker. I just think that we tried to get hearings. We were able to get him to come before the committee I chaired for 2 years one time. We felt that if there could be more discussion we might have been able to get our points across, our ideas, and we could have worked together, but he would not come before the House committee. He did go over to the Senate on some occasions.

Just one line of questioning. I don't know whether it is classified or not, but we have reports that over a dozen trucks filled with chemicals are heading for Kordofan. Chemical weapons are a violation of world human rights and things dealing with war, and so forth and so on, and I would hope that there could be some verification. It is even alleged that Mr. Saleh Gasch, who is a leader in the Government of Sudan, set up a company called G–A–I–D, GAID, for the purchase of chemical weapons.

Now, this is alleged. However, I would hope that we would really take a serious look into whether chemical weapons are being transported to Kordofan. And if so, I think that this raises to a new level and that there will have to be some kind of an action with—we just can't allow this to occur.

Ambassador LYMAN. No, Congressman. I just heard about this today before I came here and will look into it. I don't have any information on it or evidence one way or another. But I saw the reports as I was coming here and I will look into it, and I will get back to you with whatever we have.

Mr. SMITH. Thank you very much. We tried to stay within your time limit. And I would say to Ms. Jandhyala, thank you for being here. Without objection, your full statement will be a part of the record. And we would like to invite you back for a specific hearing on Sudan on just humanitarian issues if you would be amenable to that. Thank you so much.

[The prepared statement of Ms. Jandhyala follows:]

Testimony by U.S. Agency for International Development
Deputy Assistant Administrator for Africa Rajakumari Jandhyala
U.S. House Committee on Foreign Affairs
Subcommittee on Africa, Global Health, and Human Rights
"Africa's Newest Nation: The Republic of South Sudan"
June 16, 2011

Good afternoon Chairman Smith, Ranking Member Payne, and members of the subcommittee. Thank you for inviting me to speak with you about foreign assistance support to Sudan. I want to also thank Ambassador Princeton Lyman for his dedicated efforts in serving as the current Special Envoy for Sudan, and in particular for helping to facilitate ongoing discussions between both CPA parties on critical outstanding issues. He has been an important advocate and partner for USAID in Sudan. We have worked to ensure that diplomatic and development efforts are coordinated to best accomplish U.S. foreign policy goals.

Sudan is a priority for the Obama Administration—a country where we need to provide humanitarian, development, and stabilization assistance all at the same time. While we respond to the needs of those displaced by conflict in places including Abyei, Southern Kordofan, and Darfur, we must also work with the authorities to consolidate peace throughout Sudan, and lay the foundations for long-term development of both north and south. As members of this Subcommittee are aware, it is critical for the stability of the East Africa region that the United States continues its strong commitment and reinforces our efforts to stabilize all parts of Sudan. Helping to bring stability and economic growth to Sudan is vital to our own national security. Our continued assistance to Sudan helps to stabilize the region, and that is needed now more than ever.

Supporting Implementation of the Comprehensive Peace Agreement

In my role as USAID Deputy Assistant Administrator for Africa, I was in Sudan last month along with USAID Administrator Rajiv Shah. With a momentous event approaching—the separation of Sudan into two nations on July 9—the development ministers of the United Kingdom and Norway joined Administrator Shah in a joint visit to Juba and Khartoum to stress the continuing commitment of our three countries to all the people of Sudan, and to the peaceful co-existence of Sudan and South Sudan.

The United States, United Kingdom, and Norway are known as the Sudan "Troika" because of our longstanding humanitarian and development partnership with Sudan and our shared role in brokering the 2005 Comprehensive Peace Agreement (CPA). Our development leaders emphasized our shared support for the development of two economically viable and peaceful states that adhere to principles of good governance, respect for human rights, and assistance to those affected by conflict, natural disaster, and displacement.

One of the messages the Troika development ministers conveyed to both the Government of Sudan and the Government of Southern Sudan (GOSS) was our concern about the lack of resolution over the post-CPA status of Abyei and the destabilizing impact of this uncertainty just weeks before the South's formal secession. Tragically, less than two weeks after our visit, violence erupted in Abyei, leading to the displacement of more than 100,000 people. We also saw serious fighting erupt in the fragile Northern border state of Southern Kordofan a week and a half ago, with continued clashes resulting in displacement of over 53,000 people, though this number is unconfirmed. There are also unsettling security developments emerging on both sides of the North-South border.

Special Focus on the Volatile Three Areas

For years, the "Three Areas"—Abyei, Southern Kordofan, and Blue Nile—have been an area of special focus for USAID. They are the subject of special protocols and political processes under the CPA that remain incomplete—even as we approach the end of the CPA on July 9. We knew that these areas were flashpoints, as the current crises in Abyei and Southern Kordofan demonstrate, and as such USAID has worked to reduce conflict and build the capacity of local authorities, while monitoring and responding to humanitarian needs in them. Ultimately, the decision to choose peace or conflict lies in the hands of Sudanese actors and we continue to urge them to resolve differences through negotiations rather than violence.

We have sought to prevent and mitigate community-level conflict in the Three Areas and southern Sudan, in part by strengthening local governing authorities, and building their ability to respond to community needs. In Abyei, our partner in this effort has been the Abyei Area Administration. To help strengthen rule of law in the Abyei Area, for example, we provided support for the Abyei Area Judiciary and Legal Council, which previously had to operate remotely from Khartoum. However, the Abyei Area Administration was dissolved by the Government of Sudan last month when the fighting noted above erupted. The parties are currently discussing the status and composition of the Abyei Area Administration as part of wider negotiations meant to resolve the current crisis.

USAID has stood ready for many months to provide support to an Abyei Area referendum that would decide, according to the CPA, whether Abyei will be part of the north or south—but that process requires an Abyei Area Referendum Commission that the CPA parties must select to oversee the process. It also clearly requires that the Sudanese Armed Forces withdraw from Abyei, and that conditions are put in place for the safe return of displaced civilians. We continue to stand ready to provide such assistance, or provide support to whatever political solution may be reached in negotiations between the CPA parties. Northern and Southern leaders need to resolve Abyei's future status peacefully and expeditiously. The Abyei crisis should be resolved through peaceful negotiations and the mutual agreement of the parties, not by the use of force.

In Southern Kordofan, USAID provided comprehensive support for state elections last month and processes leading up to the elections, including the 2010 Southern Kordofan census, electoral administration, voter education, political party participation, and election observation by international and domestic observers. The elections fulfill a requirement of the CPA, and are a prerequisite for popular consultations in the state. Ultimately, Ahmed Haroun was elected governor. As you know, in 2007, the International Criminal Court issued a warrant for his arrest for crimes against humanity and war crimes in Darfur. Our assistance to the Southern Kordofan elections was focused on providing citizens the opportunity to participate in processes that are critical for the development of democratic governance; it supported the election process and not a particular outcome. We continue to call for accountability for atrocities committed in Darfur, and to urge the Sudanese government to cooperate fully with the ICC, as required by UN Security Council Resolution 1593.

In addition, USAID has been helping Blue Nile and Southern Kordofan prepare for the popular consultations since 2008. Popular consultation is a political process that gives the people of Southern Kordofan and Blue Nile States the right to express their opinions about whether the CPA has met their aspirations, and empowers their democratically elected state legislatures to negotiate with the central government in Khartoum on any shortcomings in the constitutional, political, and administrative arrangements of the CPA. Under the popular consultations, commissions in each state were to submit reports to their respective legislatures by January 2009; however, these processes have been significantly delayed in Blue Nile and stalled in Southern Kordofan.

USAID has been providing a broad range of technical and logistical support, including civic education campaigns to inform citizens about the process and their rights. Earlier this year, in one of the most impressive displays of democratic participation ever seen in Blue Nile state, more than 70,000 citizens attended public hearings in communities across the state to voice their opinions about the CPA as part of the popular consultation process, and many aired grievances. We are now at the point of compiling comments from citizens in a database, but there have repeatedly been delays in the process and disagreements between the CPA parties about next steps. Successful implementation of the popular consultation process is critical to building stability in Southern Kordofan and Blue Nile. Continued attention and encouragement from the international community is essential to keep the process moving forward.

Most significantly, our work with the Government of Sudan, the Government of Southern Sudan, Sudanese civil society, and international partners including the UN resulted in a peaceful and on-time referendum on self-determination for southern Sudan in January. Many Sudan watchers feared it was not possible to achieve this considering the logistical and time constraints we faced. The collaboration of U.S. Government development and diplomatic experts with Sudanese and international partners resulted in a major accomplishment for U.S. foreign policy. The referendum not only fulfilled a landmark provision of the CPA, it also gave the people of southern Sudan the right to express their will at the ballot box, usually for the first time in their lives—an opportunity they used to overwhelmingly express their collective wish to secede and form their own nation.

Humanitarian Contingency Planning and Response

As part of our effort to prepare for potential humanitarian crises that could emerge in the lead-up to or during the course of the referendum in January, USAID collaborated with the United Nations and other humanitarian organizations on an emergency contingency plan. That plan was activated when the Abyei crisis began, and it is working. USAID partners are now utilizing prepositioned humanitarian resources to respond to the needs of the thousands displaced by the current conflict.

After fighting erupted last month in Abyei, our implementing partner the International Organization for Migration began registering tens of thousands of the displaced who had fled to four states in southern Sudan and within the Abyei Area, and other USAID partner organizations began distributing food aid and relief kits containing cooking utensils, water containers, plastic sheeting, mosquito nets, blankets, and soap. When fighting then erupted in Southern Kordofan state last week, we were also ready to provide food and other humanitarian assistance to Sudanese displaced by conflict in that state.

Coordination among the humanitarian community is facilitating speedy and comprehensive assistance to people in need, but the displacement comes when the rainy season is setting in and roads and airstrips in the affected area will require continuous maintenance to ensure access to the needy population.

While we are responding to this latest emergency, we are still focused on the enormous task of shaping the path of the emerging nation of South Sudan as it approaches independence on July 9.

USAID's New South Sudan Mission

Last month, USAID notified Congress of our intent to re-designate our Sudan field office at Juba as a fully delegated mission upon South Sudan's independence. The new Mission will enable the U.S. Government to build on longstanding relationships to carry out programs to support conflict mitigation efforts; expand economic opportunities; strengthen governance and democracy efforts; and promote the delivery of essential services such as health and education. The new Mission will act as a reform catalyst, actively engaging USAID-funded institutions and U.S. Government partners to advocate for vigorous, effective reforms. The Mission will advise the U.S. Ambassador, when the first ambassador to South Sudan is appointed, and the Government of South Sudan (GOSS) on development issues; integrate overall U.S. policy with development initiatives; advocate the U.S. agenda with the GOSS, donors, regional institutions, private and non-profit institutions; and enhance overall regional cooperation.

The following sections summarize USAID's current activities to support good governance, peace and security, and broad-based economic growth in southern Sudan.

Oil Revenues and Development

Southern Sudan is unusual among our development partners. In the short term, it will be financially vulnerable as it puts in place macroeconomic systems and reaches agreement with the Government of Sudan on sharing of oil revenues, or more likely, user fee arrangements. In the medium- to long-term, it will have national revenue from oil that exceeds development resources, as the foreign assistance funding levels for the United States and other major donors are under significant pressure. Considering this new economic dynamic, our role is to use our leadership, political capital, and experience to help both the Government of Sudan and the emerging Government of South Sudan to make sound choices in the public interest with the resources they have, and to help facilitate investments from others, particularly the private sector. Although South Sudan will have resources to invest in its own development, its development needs are immense. South Sudan has little infrastructure, a fledgling economy that provides few jobs, nascent and weak governance institutions, and woefully inadequate health and education systems. Coordinated effort among all international partners and the government will be essential to have a significant impact on peoples' daily lives.

Laying a Foundation for Economic and Agricultural Growth

A major focus of our visit to Sudan last month was promoting private sector-led economic growth in southern Sudan, particularly in the promising agriculture sector. Southern Sudan has vast arable land, of which less than 10 percent is currently cultivated. It is critical that southern Sudan diversify its economy, which is almost entirely reliant on its limited supply of oil, and provide economic opportunities and employment to its conflict-fatigued people.

Last month, in alignment with the principles of USAID's Feed the Future initiative, we created a partnership with the GOSS, the Alliance for a Green Revolution in Africa, the International Fertilizer Development Center, and the Kingdom of the Netherlands to develop southern Sudan's commercial agriculture sector by increasing agricultural productivity, supporting agribusinesses, and improving agricultural research and technology. Agricultural development will not only help diversify the economy and improve food security in southern Sudan, it can also become the engine for economic growth, creating jobs, raising the household incomes of southern Sudanese—the vast majority of whom are subsistence farmers—and reducing poverty.

We are focusing on broader aspects of economic development as well, helping the GOSS to create an enabling environment for the promotion of private investment by establishing legal and regulatory frameworks, helping the GOSS to streamline and harmonize taxation policies, helping the GOSS Ministry of Investment to attract private capital and investors in key sectors, and helping the Bank of Southern Sudan—which will soon transform from

a branch of Khartoum's central bank to the central bank of South Sudan—to develop policies and supervision responsibilities.

During our visit to Sudan last month, we announced Troika support for an international engagement conference for South Sudan, to take place in Washington following South Sudan's independence. This will provide an international platform for leaders of the new country to present their vision for South Sudan going forward, and will be an opportunity for development partners and the private sector to engage with South Sudan's leaders on priority areas for support and collaboration.

To help assess the business environment in southern Sudan, we collaborated with the World Bank and International Finance Corporation by funding the report *Doing Business in Juba 2011*, which compares Juba to 183 economies around the world measured in the World Bank's *Doing Business* report series. Released last month, this report provides an important baseline in key areas such as starting a business, registering property, obtaining credit, and trading across borders—and shows where policy-level improvements need to be made.

Managing Land and Natural Resources

One of southern Sudan's most important resources is undeveloped land, yet until now, southern Sudan has had no comprehensive land policy, which has led to questions over land rights and has hindered investment. USAID provided technical advice to the GOSS Land Commission to draft southern Sudan's first land policy and supported community consultations across the south's 10 states for public input on what the policy should include. Creation and enforcement of a comprehensive land policy is important to provide equal opportunity and access to land in southern Sudan by strengthening land tenure security, land use planning, and land administration and management. It will help prevent land grabbing by influential individuals or companies and reduce disputes over land that can lead to conflict, and can enhance the business climate in southern Sudan by addressing questions over land rights. It will also improve equitable access to land for agricultural production, and encourage farmers to use land for long-term, environmentally sustainable investments, which is important in protecting southern Sudan's natural resources and improving food security in a region where most people are subsistence farmers. The consultations included special sessions on women's rights to land, and property rights challenges that affect private sector investment.

A related important area of our assistance is focused on sustainable management of southern Sudan's wildlife and natural habitat in the pristine Boma-Jonglei Landscape. We have provided training in forest and wildlife management and environmental compliance, and worked with local governments and communities on sustainable use of natural resources.

Building Infrastructure to Spur Growth and Investment

To help provide the environment needed for investment as Sudan continues to recover from war, we have built and improved key infrastructure in southern Sudan, including the Juba-Nimule road, which connects southern Sudan to Uganda, one of its main trading partners, and connects southern Sudan through Uganda to the port of Mombasa, Kenya. The 120-mile-long Juba-Nimule road will become southern Sudan's first highway, and the only paved road outside major towns. After decades of war, we had to begin this road improvement project by demining the road and replacing several dangerous bridges. In February, we began tarmacking the road, the final stage of this important road project, which will be completed next year. Already, numerous small businesses have sprung up along the road to capitalize on passing traffic and some 20 buses per day travel between Juba and Kampala. Travel time between Juba and Nimule has been reduced from eight hours at the beginning of the project to three-and-a-half hours.

This week, we inaugurated the first engineered all-weather gravel roads in Western Equatoria State, some 262 kilometers, which will boost trade and transportation between southern Sudan and the Central African Republic and the Democratic Republic of the Congo. These roads are already increasing trade of locally grown agricultural goods and increasing the ability of security forces to move quickly to combat the Lord's Resistance Army.

Earlier this year, we inaugurated the electrification of two key market towns in Eastern Equatoria (Kapoeta) and Western Equatoria (Maridi), which—like most of southern Sudan— had never had electric power. This has already helped boost economic activity in these towns, enabling merchants to extend their hours, improving community security, and helping schoolchildren to study after dark.

Strengthening Effective, Participatory Governance

In addition to these many efforts to promote economic development in southern Sudan, we are working closely with the GOSS in building the capacity of critical national, regional and local institutions. For example, we are strengthening capacity for financial oversight and transparency, including through a public financial management system USAID has implemented in the GOSS and the 10 southern state governments to plan and track expenditures. We have also provided anti-corruption training to dozens of southern Sudan government officials and helped the Southern Sudan Anti-Corruption Commission to develop an anti-corruption strategy for southern Sudan.

Yet even as we help build and strengthen government institutions, southern Sudan is challenged by a lack of human capital and centralized political structures because of the legacy of war. Only about one-fourth of southern Sudan's population is literate, and there are simply not enough trained civil servants available to fill the needs of government. One way we have addressed this challenge is by providing technical experts to various ministries to serve in an advisory capacity. At the Ministry of Finance and Economic Planning, this assistance is helping to strengthen budget management and

revenue generation. In coordination with Norway, we are providing expertise to the Ministry of Energy and Mining to strengthen the Ministry's capacity to manage the petroleum sector. We have provided education advisors to the state governments. The needs are similar in the private sector. Human capital will also drive the economy. We plan to work with the African Union, African Development Bank, and others to develop a medium-term human capital plan to support public administration. Finally, we are supporting the GOSS to develop its new constitution with public participation and transparency.

Expectations for the new state of South Sudan will be very high—not least from the southern Sudanese people, who will finally realize an independent state many have fought and longed for. The government of the new nation will need to manage those high expectations and communicate openly with citizens about what is possible in the short-term, increasingly engaging them in the governance process as the country establishes its footing.

We will in all of our activities continue to insist that the Government of South Sudan be inclusive of all peoples in southern Sudan, and that the exclusionary practices that have so often led to conflict in Sudan not be repeated in this new nation.

An Evolving Relationship with Northern Sudan

As you are aware, our relationship with the North is much more complicated. With the CPA coming to an end in July, a new era of engagement with the north begins. The north remains tied to various obligations and expectations that will continue to shape our posture. In the meantime, USAID can play an important role in the international dialogue on Sudan's development; in helping Sudan consider the consequences of significantly reduced oil revenue and diversification of its economy; and in engaging communities and local leaders outside Khartoum to help Sudan become a more inclusive, pluralistic society. We need to continue to deepen our relationships with state and local leaders outside Khartoum—in Sudan's periphery, where feelings of marginalization have long fueled conflict. It is at the local level where most citizens directly engage with and demand performance from their authorities.

During our visit to Khartoum last month, Administrator Shah stressed the importance not only of ensuring that humanitarian organizations providing assistance to those in need have unfettered access, but also of pursuing early recovery opportunities, where conditions permit, to build the resilience of communities and support sustainable livelihoods. In Darfur, for example, USAID is assisting West Darfurians who had been displaced by conflict and began returning in January to their home locality of Nyoro. We are providing these returnees with building materials and training in skills such as masonry, so that they can not only rebuild their homes, but also enhance their livelihood skills. Yet despite this positive development, an estimated 1.9 million Darfuris are still displaced within Darfur as a result of the conflict that began in 2003, more than 250,000 Darfuris live as refugees in eastern Chad, and many areas of Darfur remain unsafe for humanitarian workers to travel.

Conclusion

We are committed to help bring stability to Sudan, north and south, and to promoting the peaceful co-existence of what will soon be two countries. We will utilize our expertise and many years on the ground in Sudan to leverage partnerships and facilitate investments, particularly from the private sector, to boost economic growth, which can greatly improve the lives of millions of Sudanese.

Thank you again for inviting me to speak to you today about Sudan. I welcome any additional inquiries you may have.

Ambassador LYMAN. She is worth it.

Mr. SMITH. I know. I would like to now welcome——

Ambassador LYMAN. And thank you for all the interest. I really appreciate it.

Mr. SMITH. I would like to now welcome our first, second, panel back to the witness table. And I would also ask that Ms. Buerkle, if she could assume the chair for a few moments.

Ms. BUERKLE [presiding]. We are going to get started again with our first panel. Thank you and we apologize for the length of your wait here. I am going to begin the line of questioning and then will turn it over to Mr. Payne.

Bishop Hiiboro, I would like to start with you if I could. In your opening comments, you talked to us about the United States being consistent and being focused on the South Sudan. Can you elaborate for me? What do you need from the United States?

Bishop HIIBORO. Well, what I mean is that in the report that we have gone through with the support of the United States, we have concerns about how much efforts that we could keep on the momentum, the kind of system we have in our country. An example—that is one of the few that I can highlight. With the peace agreement in 2005, there was a little bit of silence not only from the United States but also from the international community. Until 2008, when we were close now to the election, a lot of efforts came out for which I appreciate. But I think—the issue of Sudan has been on the agenda for so many years. So I would think that with the birth of the new country that is coming, efforts could be done both from the Sudanese side and from our friends, from the United States, to get this issue finished on the world agenda is what I meant.

Thank you.

Ms. BUERKLE. Thank you. To all four of our panelists, I would like for you to comment. I think you all heard me ask the Ambassador what he felt our leverage was as a country to get the North Sudan to cooperate. If you could comment on that and if you feel there is other things that we could leverage as well.

Ambassador Winter, if you would like to start. I know you have a time constraint.

Mr. WINTER. I have never fully understood Khartoum's way of thinking. So I may be off base. But obviously they were looking for at the very beginning of this process—you are talking a decade ago where we had a relationship on intelligence and those kinds of things with them, still do to some degree, I guess. But I think—this is my personal view—that they were looking for a relationship and they were willing at least to enter a process of negotiation that would produce something, an agreement which would benefit them. I personally think that that changed and changed seriously in the summer of 2005. In the summer of 2005, several things happened that were key to, I think, how they shifted.

First of all was that on the 8th or so of July of that year, Dr. John Garang went to Khartoum for the first time in several decades of the war. When he went there, a group of the lowest number that I have heard, it is like 5 or 6 million people, showed up to greet him. They were not just Southerners. They were Southerners, they were Northerners, they were from Darfur, they were from

Beja in the east and all over Sudan because there was a hunger on all kinds of people in Sudan for a new governance arrangement. I think that kind of turnout, which was not all Southerners, his perceived constituency, because of his arguments for a new Sudan, the fact that so many people of so many different kinds showed up, I think put the fear of God in them about what the possibilities were under an arrangement that the CPA required and he was going to be Vice President of the entire country.

Then, less than 4 weeks later, he was dead. He died. And I think his death divided—having seen the scare of all these people coming out and supporting basically his policies, the fact that he died in the helicopter crash opened up the possibility of actually eventually backing off of all of the key commitments that they had in signing the CPA, and that is why it has been such a rough road and continues to be right now.

That is my view.

Ms. BUERKLE. Thank you. Ms. Wilkins.

Ms. WILKINS. Well, I have to respectfully disagree with the Ambassador's opinion of agreements because I do think that agreements, getting commitments down on paper, can be very important and can be a useful point of leverage. Now of course the agreement that jumps out to me is this new oil deal in particular, which has additional points of leverage. The North is very reliant on the oil revenues and it would be a massive blow—they would collapse without some share of these revenues. And that is one place to start in saying, great, well, if we are going to come together in this agreement, which they have to, you need to be transparent in how we are managing this. And that is one way to exercise leverage.

Ms. BUERKLE. Thank you. Dr. Eibner.

Mr. EIBNER. Thank you. The Special Envoy outlined a number of areas where we have great leverage and that is a fact. We do have leverage, but it is not obviously enough to make Khartoum fall into line with what the United States wants to do. And I see little—that there is little space between actually regime change and negotiating or having discussions with Khartoum on the basis of their interests, which is what the Special Envoy emphasized, the American strategy is to not like them but simply try to identify their interests. And if there are interests that are compatible with ours, then we try to reach some agreement. This obviously happened in the case of the CPA, according to President Salva Kiir of Southern Sudan, over 90 percent of the CPA has been respected all of these years and we would not have the prospect of an independent Southern Sudan were it not for the possibility of many agreements being respected. But it is not for me to say whether there should be regime change and whether the United States is in a position to exercise that and to do it effectively and then do it in the right way that doesn't create more killing, displacement, and enslavement or whether we have to proceed on the basis of the strategy outlined by the Special Envoy and one that its predecessors have followed.

Ms. BUERKLE. Thank you. Bishop Hiiboro.

Bishop HIIBORO. My reading of the situation, I would think that if you really have a stable North, then that would also hold the peace for the South. So decisions that we can take regarding the

government in the North Sudan have to be also very much weighed again in South Sudan. And so the regime change definitely I think I can speak about, but that has to come from within. And also the level of discussions going on with the government and the Special Envoy to Sudan should also a little bit get down to the grassroots. And so—get the people involved. To my thinking, maybe the—the discussion is a little bit very high. So getting the people on the ground involved I think would be able to provide a possibility for understanding the situation and finding out a solution to the problem in the Sudan.

And finally on the same and looking at the issue of the implementation of the CPA, we had already foreseen these things. People are already aware that if some of those elements were not implemented, we are going to have a conflict even before the referendum. And that was sort of like, no, we pay attention to the referendum to succeed, then we shall come to talk about Abyei. But I think the time has come and past and now we are already in violence. So therefore the moment I would think that more groundwork needs to be done involving the stakeholders and the current leaders and to see the best way they can be able to resolve the issue. I don't think the people in the North need violence. They need peace, too.

Ms. BUERKLE. Thank you very much. I yield now to the ranking member, Mr. Payne.

Mr. PAYNE. Thank you very much. Ms. Wilkins, what is your—in a nutshell, how do you see the plan for South Sudan's oil sector going—you had some points that you had made before. What were they again real quickly that you would like to see?

Ms. WILKINS. Of course. Of what the United States can do, action points for example?

Mr. PAYNE. Right.

Ms. WILKINS. Wonderful. Back to what the Special Envoy was saying about how the U.S. and Norway are now beginning to do some capacity building in the Ministry of Finance and the Ministry of Energy. That is a great step. What I would really—I would very much like to add to that, though, is the other aspect of accountability and the real technical support and capacity building for the Legislative Assembly to be able to monitor how the ministries are functioning and how the ministries are actually managing the sector.

And in addition, I had mentioned it earlier in my testimony, but capacity building and technical support for the petroleum directorate which the Auditor General intends to create. And of course capacity building for civil society. That is going to be huge. And as of yet, no donors appear to be stepping forward and saying we are going to take a real lead on building the capacity of local civil society groups to take an active role in the management of the petroleum sector. I believe that is a real oversight.

Mr. PAYNE. Let me just ask a question. You were saying that you felt the government of—the Khartoum government showed, I guess, good faith. You said the CPA went through and that you, I guess, had faith in them. Do you have any way to know that the—even their accounting of the oil accounts? I mean, you have talked about the South. They say they pumped 10,000 gallons last hour. Have

you looked to Khartoum, have you questioned them about is there a real meter that you can see and that it is going—have you taken any kind of a look—because you seem to have a lot of confidence that they are going to do the right thing, although they have just broken every sort of agreement that they have made?

Ms. WILKINS. No, I wouldn't say I have a lot of confidence that they will do the right thing here. No, no. I disagree with the importance of agreements. I think that getting commitments down on paper is very important even if the——

Mr. PAYNE. But they have been broken as much as they have been written. And it is great to have it written because at least there is something to work from.

Ms. WILKINS. Yeah. Something to hold people to. And I think that that is where it is really important.

Mr. PAYNE. I mean, Darfur, they have broken every single agreement they made.

Ms. WILKINS. No. Certainly. But I think that is why we have to chase them on things like the audit of the current oil sharing agreement which they agreed to do last year, or in 2009 rather. And progress is actually moving ahead on that audit happening. They are waiting now to choose a company, an international, credible auditing firm to conduct the audit. And that is where you step in on verifying. Because I agree that both parties, the North and the South, can agree to implement this, any new agreement, effectively and transparently, but it is about independent verification.

Mr. PAYNE. Thank you. Bishop, the LRA continues to exist. And once again in Sudan, the government has continued to support them as they move along. This group should have been eliminated 20 years ago. They still roam around. Do you feel that with the new Government of South Sudan that that should be a priority for them or do you think that the Bashir government will continue to support the LRA, and would that be some conflict between the North and the South as they try to deal with the LRA?

Bishop HIIBORO. Thank you. The issue of the LRA definitely is a very serious issue for Sudan and especially the region where I come from, he—that is where he operates, within the area where I live. And so we are only amazed too at the situation of the LRA that has continued for so many years without any proper solution. We wonder about how they get their support, how they are sustained and how—they also carry out their activities with a very high degree of military hardware. No one knows definitely. I cannot say. I only maybe want to speculate. We don't know where they get their supplies from. But all we know and I know that every day as I speak in my area there are continual raids on the population and attacks on the population, abducting, looting, killing. And this is causing a lot of displacement. And so I hate to think that it has even gone beyond an international issue. It is a regional issue that involves Uganda, Congo, Central African Republic, and the Sudan and also the international community. And my worry is that the continued presence of the LRA in the forest, with that kind of maximum support of them from a source I don't know, there could be a time bomb for the destabilization of South Sudan or anybody. Anybody with the terrorist oriented activities can buy them and can use them for anything that they would wish.

So I am hoping and so many others are hoping that with the birth of the new country, probably an initiative will be taken by the Government of South Sudan to involve the other countries because they have gone across the border, and to control them and in these collective efforts, a regional approach and also international.

Mr. PAYNE. Thank you. Thank you very much. Dr. Eibner, we listened to your testimony and I certainly have to commend the CSI in the early days when they exposed the whole question of abductions and other advocates who played an important role in exposing the extension, the existence of slavery and people being enslaved. There then became a debate, you may recall, with UNICEF that had some question about the fact that what had gone on initially to a smaller degree tended then to be amplified because when the redemption program came in, it kind of created—it created an industry actually. Some alleged that because there was money now to buy back abducted people, that it heightened the abductions because millions of dollars came in as a new industry. And then actually even some reports got into the fact that the money—there was corruption on the part of some people involved in it. And I know that there were restrictions imposed by the SPLM on the CSI.

And I just wonder—I think we do need to take account of people in the North; it is going to be very difficult to track abducted people who are in the North. I think that in the South, the Government of South Sudan, if there are still remnants of that, I am sure that would probably still be a part of the social services.

So, you know, there are so many gigantic problems going forward, it seems as though that you are saying that this is one—I assume a looming overwhelming problem in the scheme of things in Sudan. I just kind of wonder to the extent to which the situation still exists.

Mr. EIBNER. Thank you very much for the opportunity to respond. First of all, there has been no evidence of any credible sort from any—from UNICEF or anyone else about fueling the slave trade that it has made, that more people have been taken into slavery than otherwise would be the case. In fact, all of the evidence that I am aware of points to the contrary, that slavery has actually decreased to the point where they are not happening today. And I am sad to say that those who failed to address the slavery problem, those who knew about it back in the 1980s and failed to address it come up with these kinds of things as a cover for their own inadequacies and failure to address crime against humanity.

And in terms of corruption and such allegations, you quite rightly say there are allegations and I would be delighted to have really hard evidence about really anything that we do in Sudan that is not helpful. And I can assure you that if I had hard evidence, I would look into it very thoroughly and we would make sure that all of our operations are either conducted in a way that is helpful to the victims and the victimized communities or stopped if we were to feel that they are in some way harmful.

And I must say I am not aware of any restrictions that the SPLA has put on CSI in terms of its operations. If you are aware of any restrictions, please let me know and we will try to abide by whatever regulations Juba has. But CSI operates fully in conformity with the law in Southern Sudan and the wishes of the authorities.

And it would be very unfortunate if people were to think that that were not the case because it is. I believe that the slavery issue is extremely important today both because of people that are still apparently enslaved. They are human beings, human beings like the lady Achol Deng that I mentioned, and today there may be somebody whose genitals are removed, somebody who is executed because they displeased a master. This is important and we want to find ways to get them back.

That is important just on humanitarian grounds. Slavery is a crime against humanity, and it cannot be just marginalized in the political debate in Sudan. But there is another reason and that is why I mentioned Francis Deng and the "War of Visions" because there is something that fuels this cruelty, this slavery, and it is related to the different visions and the competing visions. And one vision is based on racism and religious bigotry that will justify this kind of appalling behavior in the minds of perpetrators, and this needs to be addressed as a part of the political debate on Sudan.

Already there has been some mention of regime change, and this is not something I wish to get into but I think everybody has to understand that slavery wasn't invented by Omar Bashir. The slave raids got underway in earnest in a very serious way when there was what people call a democratic government in Khartoum that was a coalition government. All of the so-called democratic parties were involved and they were the ones who were really responsible for setting this in motion. This problem goes much deeper than a particular leader, a particular party in Sudan. And if we are really serious about bringing sustained peace to Sudan and enabling peoples, whether they are in two separate states or three states or whether they are united, to be able to live together in peace and harmony, then we have to address these issues. And slavery symbolizes that.

I believe that you were probably in Juba at the time of the referendum, and I am sure that you saw all of the campaign posters for the independence of Southern Sudan. And it was to prevent slavery and to enable us to develop—vote for independence. Slavery is an important issue in the hearts and minds of Southern Sudanese, and it is something that we address and we err if we just sweep it to the margins of political life.

Mr. PAYNE. Well, I am not saying we should sweep anything anywhere. All I am simply saying is that we have oppression throughout the world. I mean, we could almost call slavery here in the United States if you want to use that term. I just think the term is used a little loosely because it is used in some places and not used in other places. We ought to have a definition of the way that exploitation—you can go to India, you can go to Brazil, you can go to Alabama with the chain gangs where people wear chains and they work on farms and they get no pay and they work 10 hours a day and they are given poor meals. And so all I am saying is that we have inequities and abuses that are worldwide, China, Brazil, the Caribbean, Indonesia, where you have sex trading that goes on in abundance, even the border of Burma. I went to Burma while going to China. You would be surprised, you wouldn't think that prostitution and gambling occurs right up there. But they use other terms.

And I would like to follow up with you because I do have some information that I would like to get to you since you said you are unaware it of and I think we could perhaps set up a meeting at another time.

Just one last question since my time is really over, Mr. Winter, if there could be some immediate things that our Government could do to try to get this situation—and let me also recognition Mr. Joe Madison, who had gone to Sudan many times, went on a fast and really did much and is a radio personality and has done a tremendous amount to get on the airwaves way back when not many people were talking about Sudan. So thank you for being here, Mr. Madison.

What would you do immediately if you were a Special Envoy? What would you suggest to Mr. Obama that should be done now because I am really concerned about what is going on?

Mr. WINTER. First of all, I wouldn't want to be said person. There is at this point no clear simple answer to that, a quick answer. We have been talking for 11 years. Everything has been said. I mean, the CPA process started in 2001. This is 2011. Everything that can be said pretty much was said. The question is, what do we do? And that I think is the weak link in the thing. So if you want to go back—you can go back, for example, in the case of—we have been doing a lot of talk about Abyei and I always stand corrected to the other people—to be corrected by other folks on the panel.

But just to raise the issue of the mobilization by Khartoum of the Misseriya people, not for the Misseriya people's benefit, but for Khartoum's benefit. If you have a government that deals with—for their good that actually divides populations against each other, something is dramatically wrong now. When we were talking about slaves in the 1980s, it was the so-called Murahaleen that were doing most of that slave raiding with the complicity of people in the government.

Now, the Murahaleen consisted of two primary groups. One of them was the Misseriya. The Misseriya are the same people who under the auspices of Khartoum burned down Abyei in 2008, and that have been consistently harassing. The 31st Brigade of the Sudan Armed Forces is one of those military units that does the attacking and the violence in the Abyei area. The whole discussion about the kind of thing I referred to earlier about Special Envoy Gration in my written testimony about what he was trying to do to benefit the Misseriya was this same population that was one of the primary enslaving populations.

Now, the truth of the matter is that the Misseriya people definitely need a lot of help, but the way it has been handled by Khartoum doesn't ultimately help the Misseriya people. For example, the Misseriya people, by the way, have their own homeland. It is a large one. It is headquartered by Mugled, the town of Mugled. They bring their cattle down into Abyei, historically with agreements with the Ngok Dinka, for water and pasture and a lot of them pass through Abyei further into the south. Giving them a little more chunk of Abyei doesn't really solve most of their problem because they need to go further south. So it is not—what Mr. Gration was doing was not solving a problem, but he was moving the goal line further south, which was problematic. And what I

would say is that the issue of the entitlement that the Special Envoy was trying to do to create by saying they should have part, equal responsibility for the northern part of Abyei, really that is not at all the kind of thing that the whole CPA was about.

The Abyei Protocol is focused on the issue of residence. People can get to vote in the referendum on Abyei's status if they were residents. They had to include the Ngok Dinka community because that was their traditional homeland. But beyond that, any other residents—and there actually are Misseriya who are residents in Abyei. And nobody, including the Ngok Dinka, have any problem with those people voting in an Abyei referendum. But what Khartoum has been trying to do is get the whole large part of the Misseriya population to move in and claim residence.

Now, keep in mind, they have a homeland area in which they spend most of their time, normally around 8 months out of the year. So up to 4 months of the year they may pass through Abyei. Well, to say they should be able to keep their own homeland and then have parts of somebody else's homeland seems something is wrong with that formulation.

So this whole process is a process that is being, in my view, manipulated by Khartoum for Khartoum's benefit but isn't really solving the situation. And they are justifying it by saying—as I say in my written testimony, it would be like—since I live in Maryland, and I am a resident of Maryland and I can vote in Maryland because I am a resident, it would be like saying, well, the Misseriya, since they live north of Abyei, the area headed by the sort of capital town called Mugled, they are residents there for at least 8 months of the year and they can vote there. But because they go for up to 4 months and pass through Abyei, well, they should be able to vote there also in the referendum. And it is like me, I live in Maryland, but if I go and spend summer months on the ocean beaches in Delaware should I be able to say I am a resident of Maryland and a resident of Delaware and therefore I can vote in Maryland and I can also vote in Delaware?

That is the kind of thing that is really underpinning the conflict and the way it is being handled by the Khartoum government now. It doesn't hold any water.

Mr. SMITH [presiding]. Thank you. In your testimonies, which you have really laid out I think very clear and concise and compelling recommendations, you have really anticipated many of our questions, although members may have additional questions they would like to ask. I would like to ask one final question and just—is there anything you heard from Special Envoy Princeton Lyman on which you might want to comment on, having sat through his testimony a few moments ago? For instance, Dr. Eibner, he did agree that he would more robustly look into the issue of slavery, and when I talked to him on the way out, he reiterated that commitment. If there is anything anyone would like—yes, Ms. Wilkins.

Ms. WILKINS. Yes, I would just add that, I said it before. It is wonderful that they are putting in advisers in the Ministry of Finance and the Ministry of Energy, but it is very important that the donors, led by the U.S., also focus on building the technical knowledge and capacity of the Legislative Assembly and of the Auditor General's office. To only focus on the ministries which are actually

doing the management would risk undermining accountability in the government.

Mr. SMITH. Thank you.

Mr. PAYNE. Let me comment on that there. There is a group called the House Democracy Assistance Commission here headed by Mr. David Dreier, and that is exactly what they do, they select new or re-emerging Parliaments. And they just came back from Mongolia and Georgia, countries that have had a transition. We have already discussed the possibility of the commission expanding to one other country in South Sudan. So I do believe—and they have focused strictly on the legislative branch, which in many countries are very weak. I mean, the executive has the power to have the staff, the budgetary. And so that is what we had discussions already about.

So that is a good point. Thank you.

Mr. WINTER. I said before that we have been talking for 11 years on this agreement and its implementation. I suggested in my written statement that it is time to take an action. And I never foresaw myself ever suggesting such a thing. But my concern is that this situation can become a train wreck, a train wreck that influences the lives of millions of people in southern North Sudan and in South Sudan. And we are the prime entity in the whole process. And if anybody is going to take an action, it would have to be us; it is not going to be Norway. It is not going to be Holland, you know. Somebody else. And I think if you look at the calendar and the state of affairs, we are at a significant risk of failure. Not a failure on having a separate South, but having a separation that becomes even after separation a train wreck for many, many, many people of South Sudan and Northern—the south part of Northern Sudan.

Thank you.

Mr. PAYNE. Yes, Bishop.

Bishop HIIBORO. One of the points from the Special Envoy which I felt he should highlight is the post-referendum arrangement committee that has been set. So I think it will be necessary at this point because the time is already close. We are already getting to July 9th and the negotiation will be new. It will be between the two countries discussing issues that have led to peace. But the post-referendum committee that has been put in place, it should have been much earlier. I would suggest that the Congress should put its energy very much behind this because it is going to resolve those issues that can pull the country into serious danger, that can pull the country into war. With that, we would be able to halt, to halt issues that could lead to war.

Additionally, Mr. Payne said he was able to speak with the President yesterday, Salva Kiir, and he said he is exercising maximum calm, not to turn to violence. I think it is an opportunity that can be used at this very moment to address the many issues. But after July 9th, from the 10th onward, then I think the language could easily change. So I think the highest time is for the U.S. Government to throw its authority behind the committee and those things that are left should be well resolved before that time.

Thank you.

Mr. SMITH. Thank you.

If there are no further comments, I want to thank our witnesses not only for your insights and counsel and for the work you do, but for being so courteous for allowing Princeton Lyman to present his testimony because of his schedule because I know you all have schedules as well. I deeply appreciate that courtesy extended to him and to us.

Thank you, and the hearing is adjourned.

[Whereupon, at 5:20 p.m., the subcommittee was adjourned.]

APPENDIX

Material Submitted for the Hearing Record

SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515-0128

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS
Christopher H. Smith (R-NJ), Chairman

June 16, 2011

You are respectfully requested to attend an OPEN hearing 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: Thursday, June 16, 2011

TIME: 2:00 p.m.

SUBJECT: Africa's Newest Nation: The Republic of Southern Sudan

WITNESSES:

Panel I
Mr. Eduardo Hiiboro Kussala
Bishop
Diocese of Tambura-Yambio

Mr. John Eibner
Chief Executive Officer
Christian Solidarity International – USA

Ms. Dana Lyons Wilkins
Campaigner
Global Witness

The Honorable Roger Winter
(Former Special Representative on Sudan, U.S. Department of State)

Panel II
The Honorable Princeton Lyman
Special Envoy for Sudan
U.S. Department of State

Ms. Rajakumari Jandhyala
Deputy Assistant Administrator
Bureau for Africa
U.S. Agency for International Development

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.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON *Africa, Global Health, and Human Rights* HEARING

Day *Thursday* **Date** *June 16, 2011* **Room** *2172 Rayburn*

Starting Time *2:00 p.m.* **Ending Time** *5:18 p.m.*

Recesses *0* (____to ____) (____to ____) (____to ____) (____to ____) (____to ____) (____to ____)

Presiding Member(s)

Rep. Chris Smith, Rep. Ann Marie Buerkle

Check all of the following that apply:

Open Session [✓]
Executive (closed) Session [ ]
Televised [✓]
Electronically Recorded (taped) [✓]
Stenographic Record [✓]

TITLE OF HEARING:

Africa's Newsest Nation: The Republic of Southern Sudan

SUBCOMMITTEE MEMBERS PRESENT:

Rep. Chris Smith, Rep. Jeff Fortenberry, Rep. Ann Marie Buerkle, Rep. Donald Payne, Rep. Russ Carnahan, Rep. Karen Bass

NON-SUBCOMMITTEE MEMBERS PRESENT: *(Mark with an * if they are not members of full committee.)*

*Rep. Ed Royce, Rep. Frank Wolf**

HEARING WITNESSES: Same as meeting notice attached? Yes [✓] **No** [ ]
(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

Letter from Rep. Wolf to President Obama
Prepared statement of Bishop Hiiboro
Prepared statement of Mr. Eibner
Prepared statement of Ms. Wilkins
Prepared statement of Amb. Winter
Prepared statement of Amb. Lyman
Prepared statement of Ms. Jandhyala

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *5:18 p.m.*

Sheri A. Rickert
Subcommittee Staff Director