

SUDAN AND SOUTH SUDAN: INDEPENDENCE AND INSECURITY

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BEFORE THE

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CONTENTS

	Page
Clooney, George, Cofounder, Satellite Sentinel Project, Washington, DC	31
Kerry, Hon. John F., U.S. Senator From Massachusetts	1
Lindborg, Hon. Nancy, Assistant Administrator for the Bureau of Democracy, Conflict and Humanitarian Assistance, U.S. Agency for International Devel- opment, Washington, DC	15
Prepared statement	17
Lugar, Hon. Richard, U.S. Senator From Indiana	4
Lyman, Hon. Princeton, Special Envoy for Sudan, U.S. Department of State, Washington, DC	5
Prepared statement	8
Temin, Jonathan, Director, Sudan Program, U.S. Institute of Peace, Wash- ington, DC	33
Prepared statement	35

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

Response of Ambassador Princeton Lyman to Question Submitted by Senator John F. Kerry	53
Response of Assistant Administrator Nancy Lindborg to Question Submitted by Senator John F. Kerry	53

SUDAN AND SOUTH SUDAN: INDEPENDENCE AND INSECURITY

WEDNESDAY, MARCH 14, 2012

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The committee met, pursuant to notice, at 10:05 a.m., in room SD-419, Dirksen Senate Office Building, Hon. John F. Kerry (chairman of the committee) presiding.

Present: Senators Kerry, Menendez, Cardin, Casey, Shaheen, Coons, Durbin, Udall, Lugar, Corker, Isakson, and Barrasso.

OPENING STATEMENT OF HON. JOHN F. KERRY, U.S. SENATOR FROM MASSACHUSETTS

The CHAIRMAN. Thank you very much, everybody. I appreciate it. Thank you.

Mr. Ambassador, we are delighted to welcome you here today. One of the privileges and responsibilities of our committee is to shine attention on important issues when they are not part of the daily drum beat of the news cycle.

We all remember the famous moment in “Charlie Wilson’s War” when, having achieved the objective of driving the Soviets out of Afghanistan, Charlie Wilson is stunned to see how quickly his colleagues have moved their attention elsewhere, despite, as Wilson said then, that the ball keeps on bouncing. Well, we know what came next and how tragically too many policymakers only returned their attention to Afghanistan after 9/11.

Our committee, I believe, would fail the test of history if we allowed attention today to drift from the critical situation in Sudan and South Sudan.

I had the privilege of being in Sudan a number of times over the course of the last few years, and particularly for the referendum. And I saw the expressions of hope for the future and watched the difficult birth of a new nation. I was privileged to be there with Ambassador Lyman, with others, with George Clooney, John Prendergast, people who invested a lot of time and effort and energy to get to that moment.

I think now we would all do well to remember that you can have a vote to make a new beginning for a nation or any number of things, but you can lose the future when the tough choices that follow are denied, when they are deferred, or when collective attention is somehow diverted. That is why at a time when the world faces a lot of competing crises, all of which are competing for attention, we need to wrestle with and understand what steps the

United States and our partners should take to help Sudan and South Sudan resolve the complex challenge before them.

Make no mistake. It is the leaders in Khartoum and Juba who must choose between a future of conflict and poverty or a future of security and prosperity. But we must not abdicate the important role the United States can play in helping to nurture the process just as we helped the midwife the birth of a new nation.

There are actually some signs that are cautiously encouraging. On January 9, President Bashir made the right choice in allowing the South's referendum. On July 9, he made the right choice in recognizing its outcome, and even in traveling there to welcome it. Yesterday he announced that he would travel to Juba for the first time since independence in order to meet with President Salva Kiir.

But for every step forward, there has also been a step backward toward the patterns of violence and repression of Sudan's past. In the last year, Bashir has waged war on his own people in Southern Kordofan and Blue Nile. He has arrested student protestors, and he has rejected viable solutions, the outstanding issues in favor of aerial bombardment and bellicose rhetoric. The past has begun to become prologue.

For its part, South Sudan has established itself as a new nation. President Kiir has named a diverse Cabinet, and the leaders in Juba have put forward serious proposals for a lasting settlement. But the country has also experienced wrenching ethnic violence. There are allegations that it has supported proxy fighting in the north, and, in an act that may be justified, but may also be self-defeating, it has cut off the flow of oil.

For all these struggles, we cannot devalue the progress that we have seen. Peacefully creating a new state was an accomplishment of historic magnitude. Furthermore, in Abyei, Ethiopian peacekeepers have helped to bring a critical measure of stability, although it has to be said that it came after an enormous amount of movement of people and the killing of people, and really the cleaning out of the whole population in that area. The New York Times recently titled an article, "Hope for Darfur," and, I would ask you, when was the last time you saw "hope" and "Darfur" in the same sentence?

Cautious optimism may be appropriate given recent developments. Some Darfuris who were displaced are returning home, and the Sudanese Government and the Liberation and Justice Movement signed a peace agreement last year. So, I look forward to hearing today whether these steps, if actually implemented and supported, could, in fact, become the foundation for a more lasting resolution in Darfur.

At a time when there are those who want to slash the international affairs budget, I want to point to Sudan and South Sudan as examples of the power of diplomatic engagement. The CPA was signed because of diplomatic engagement. The birth of a new nation took place because of careful, sustained diplomatic engagement. We can and must continue to put our shoulder to this wheel, even as we acknowledge that the fate of these two countries lies with their people and their leaders.

Sudan must escape its fatal cycle of conflict, not as some next chapter in the Arab Awakening, but because it is the only way to forge a viable political and economic future for its people. The bombing and humanitarian blockade in Southern Kordofan and Blue Nile has to stop.

South Sudan in turn has the opportunity to avoid the corruption that has too often plagued oil rich countries, and it has the opportunity to create an inclusive government that embraces ethnic diversity.

Last December, I had the privilege of standing with President Kiir at the engagement conference with South Sudan here in Washington. At that conference, he spoke eloquently about the long road to freedom. I know that journey came at tremendous sacrifice in blood, sweat, and tears, but the long road to freedom was never intended to be at trek to perpetual conflict and poverty and violence. It was always a journey to hope and prosperity. That journey continues. Two fragile states emerged on July 9, and we are all here today because it is in the vested interest of the international community that those two countries become partners in political and economic stability, not volatile adversaries in an already troubled region.

We are also cognizant that this region is the region that extends south to the territory of the Lord's Resistance Army, and extends to Eritrea, into Somalia, to al-Shabaab, and to many other dangerous players, all of which could create conflagration that could even eclipse the longest war, which was the war in Sudan that saw the loss of over 2 million people.

So, we are privileged this morning to be joined once again by the President's Special Envoy to Sudan, Ambassador Princeton Lyman. We know that you are just back from Ethiopia, Mr. Ambassador, and, believe me, for all the members of this committee and for all of us, we want to thank you for your tireless service and for your efforts to try to move this process forward.

We also welcome Assistant Administrator Nancy Lindborg from USAID. And we are particularly grateful for their efforts and their partnership in what we are trying to achieve.

And I also want to welcome our first U.S. Ambassador to South Sudan, Susan Page, who is in the audience today.

On our second panel, George Clooney and John Prendergast will join us, and I want to thank them, both of them. I was there with them last year. I saw firsthand the focus and attention that their efforts and their project has brought to this issue. They represent the Satellite Sentinel Project, which has given us a window into events in Southern Kordofan and Blue Nile and elsewhere. And they are literally today just back; they arrived yesterday from Sudan and will share with us their observations. I am pleased that they have been able to get here, and I know they are going to be talking with Secretary Clinton and President Obama tomorrow and others this week.

And joining them on that panel is Jon Temin, who is a Sudan scholar at the U.S. Institute of Peace.

So, I think today we will have a good opportunity to really get some insights, and we welcome it.

Finally, let me just on a note of sadness. I think as many of you know, Congressman Don Payne passed away last week. He was a constant champion for all of Africa, a tireless advocate for the people of Sudan and South Sudan. His funeral service is taking place today, and this morning our committee remembers him for his dedication to the cause of peace.

Senator Lugar.

**OPENING STATEMENT OF HON. RICHARD LUGAR,
U.S. SENATOR FROM INDIANA**

Senator LUGAR. Thank you, Mr. Chairman. I join you in welcoming our distinguished witnesses. We look forward once again to their testimony, and we have appreciated their good counsel. And I join you once again in a tribute to Don Payne, who has worked with us in this committee and in the House, and has been such a champion for Africa.

The Foreign Relations Committee has become very well informed about Sudan, and now South Sudan, over the past decade. This is, unfortunately, due to the inordinate amount of human suffering that has occurred there, including genocide, other crimes against humanity, deadly tribal conflicts and now border clashes.

The extreme violence and depravation that characterize much of the conflict in the central African region, including Sudan, has recently been brought home to millions in this country through the viral YouTube video that depicts the cruelty inflicted by Joseph Kony and the Lord's Resistance Army.

The impact of the bloody fighting between Sudan and South Sudan has been brought home in another way. When the Comprehensive Peace Agreement (CPA), signed in 2005, finally achieved the separation of South Sudan from the north last July, it was hoped that the petroleum wealth they shared—oil from the south is exported through pipelines in the north—would be deemed too precious for either side to forgo. Instead, however, oil exports have stopped, putting upward pressure on oil prices globally. Even though the United States imported no oil from Sudan, oil is traded on a world market, so in today's tight oil market, any major loss of supply affects all prices, from the crude that Americans import to the gasoline that they put in their cars.

This is why I have stressed the importance of U.S. and international efforts to improve transparency and governance in oil-rich countries. Stability in oil-producing regions leads to stability in gas prices here, and I appreciated very much the leadership of Senator Cardin in that effort.

Events in faraway lands can directly affect the U.S. economic and security situation. Besides influencing the cost of the fuel that heats our homes and powers our vehicles, conflicts in places like Sudan, Somalia or the Arabian Gulf can place strains on our humanitarian resources and require us to maintain civilian and military capacity to respond to crises that affect our national security interests.

The administration should redouble its diplomatic efforts with the international community, including the African Union and the Arab League, to help bring about a stable and productive South Sudan and a more responsible and responsive Republic of Sudan.

Developments in the past 8 months have only made those challenges greater. The most egregious violence and violations of international law again emanates from Khartoum, Sudan, as the al-Bashir government engages in its familiar pattern of crimes against humanity, including starvation as a method of war.

I expect our witnesses today will describe the humanitarian and human rights atrocities that have occurred since the two countries separated in July. I am particularly interested in learning about the displacement of more than 120,000 people from the Nuba Mountains of Southern Kordofan and from Blue Nile State, along the new border between the two Sudans. I am also concerned about the genesis of dozens of violent conflicts that have erupted within the borders of the new South Sudan.

This is a country where people fought for years to be free of subjugation by Khartoum. We had hoped that independence would lead them to set aside their tribal differences and work together to build a new nation.

The United States has played an important but carefully defined role, which it must continue, in seeking resolution of the conflicts that plague the region, from Senator Danforth's efforts at concluding the CPA to Secretary Powell's efforts to stop the genocide in Darfur, to Secretary Clinton's recent direct engagement at the U.N. on a peacekeeper agreement.

Famine looms in the Kordofan and Blue Nile areas of Sudan, thanks primarily to the actions of the Government in Khartoum. This follows closely another manmade hunger crisis in Somalia that also threatened hundreds of thousands of families.

The United States should work to galvanize an international response, in conjunction with the Arab League and the African Union, to preclude further catastrophe. In particular this means leveraging our diplomacy to press China, Sudan's major oil customer, to live up to its responsibilities as an important world power and use its influence to help bring about a reconciliation of the parties.

The CHAIRMAN. Thank you very much, Senator Lugar.

Mr. Ambassador, we will lead off with you, and then, Administrator, we ask you to follow, obviously.

I do need to announce, unfortunately we just got word that there may be as many as three votes in the Senate at about 11:30, so with that mind, I am probably going to ask for about a 5-minute round here. We may have to have a small hiatus and recess and then come back, which if it happens it happens, but we will try to proceed as expeditiously as we can.

Mr. Ambassador, thank you.

**STATEMENT OF HON. PRINCETON LYMAN, SPECIAL ENVOY
FOR SUDAN, U.S. DEPARTMENT OF STATE, WASHINGTON, DC**

Ambassador LYMAN. Thank you very much, Mr. Chairman. Thank you for all your leadership on the Sudan issues. Senator Lugar, a great pleasure to see you as a great champion in these areas. And to all the members of the committee, thank you very much for the opportunity. I do ask that the full written testimony be made part of the record.

The CHAIRMAN. Without objection it will be.

Ambassador LYMAN. And I will join you in noting with sadness the passing of Don Payne. I think all of us who work on Africa have looked to him for decades for counsel, for advice, for his leadership. We will miss him very, very much.

I want to talk about several aspects of the situation in Sudan and South Sudan, which you and Senator Lugar have mentioned. The relationship between the two has been deteriorating. And in particular, the continuing violence in Southern Kordofan and Blue Nile is adding to the tension between the two countries to border conflicts, and to a breakdown in the spirit of negotiations that is necessary to deal with oil borders Abyei, and almost anywhere else.

And both countries are struggling with internal challenges, to which you referred, Senator Lugar, and which my colleague, Nancy Lindborg, will talk in more detail.

Turning to the particular crisis in Southern Kordofan and Blue Nile, since last June, this conflict has taken place, and it has created an enormous humanitarian emergency as well as a serious political problem for Sudan and for the relations between the two.

You will hear more about the details of the humanitarian crisis from the second panel. Mr. Clooney and Mr. Prendergast, just back from that area, and Nancy will have more details. Let me talk about what we have been doing in the efforts to control this situation.

From the beginning we have said to both the Government and to SPLM North, which are fighting in this area, that there is no military solution to this problem. It derives from political issues that were not resolved in the final stages of the Comprehensive Peace Agreement. It will not be settled militarily. And the two sides must eventually return to the negotiating table.

But our immediate concern is with the humanitarian crisis. Nancy will talk to the details of how many people have been displaced and how serious the crisis is. But since last October, we have been saying to the Government in Khartoum that this crisis is coming, that you could see that by the nature of the war, the bombing of civilian areas, and all the things that have been taking place there, the failure of people to be able to plant, et cetera, that a major humanitarian crisis was going to occur in this area. And we said that the Government of Sudan must allow international humanitarian access, and that the world cannot stand by, and certainly the United States could not stand by, and watch such a crisis unfold if the Government did not take action.

Now, we had recently, and this refers to something that Senator Lugar mentioned, a proposal to the Government from the United Nations, the League of Arab States, and the Africa Union, to carry out an international humanitarian program. I can say, members of the committee, that since last October, we have contacted virtually every country in the world who would have any influence on Khartoum to bring pressure to the Government of Sudan to allow such a program. And we were delighted when the League of Arab States in particular, along with the Africa Union and the U.N., joined in this.

We have a unanimous resolution of the United Nations Security Council—China, Russia, all the rest—calling for immediate human-

itarian access. We have not received a reply yet from the Government. We have some hopeful signs about their reaction to that proposal. But we have not yet received approval.

Now, should they approve it, action must be taken very quickly. We have a very narrow window before the rains come and make all the roads impassable. So, if humanitarian assistance is going to come to those areas, it has to come soon. And if an internationally carried out program is not underway, we have ways for the United States to provide indirect support to the Sudanese to reach the most vulnerable people, but it is not the most efficient way. The most efficient way is for the international access that has been proposed to the Government.

Now, I would like to turn to some recent events, gentlemen, that have occurred since we submitted the written testimony. In that written testimony, I described the relationship that had been deteriorating between Sudan and South Sudan. And the conflict in Southern Kordofan and Blue Nile was contributing to that. The shutdown of the oil that has been referred to because the two sides could not agree on the financial arrangements in the sector, and the Government of Sudan in Khartoum had begun diverting South Sudan oil. And frankly, my assessment in my written testimony was rather dour.

But yesterday we received word from Addis where I just returned from the negotiations, that the two countries decided to step back from the brink. They looked at each other and said, we are going in the wrong direction. The papers we have put on the table are not going to help the situation. We have to step back. We have to go back to that concept that we all claimed we were committed to, of two viable states taking care of our mutual security and economic needs. And they have set a new path forward.

It will include another summit meeting with President Bashir coming to Juba. It would set a new tone for the negotiations. It would set out a timetable for dealing with the issues of oil, Abyei, and the others.

Now, we have seen these recommitments before, so while we take a great deal of hope from them, a lot will depend on what happens over the next several weeks. I want to salute the African Union High Level Panel, led by President Mbeki and President Buyoya, who, with steadfast determination, inspired the two take a different approach to the way they were going. And in particular, I want to congratulate the parties for stepping back from the brink of what was a deteriorating and dangerous situation, and begin to look again at how each of them has been destabilized while trying to destabilize the other, and each of them are hurt in the process.

Senator, I would like to also turn briefly to the situation in South Sudan. Time does not permit me to go into great detail, but as you mentioned, Mr. Chairman, there are a lot of challenges in South Sudan. While they have made a lot of progress in setting up the Government and doing a number of things, it is an extraordinarily poor country with very poor infrastructure. There are deep fissures within the society as revealed in the crisis in Jonglei, which Nancy will talk about further. And the loss of oil revenue only aggravates this problem by depriving the Government of badly needed resources.

So, we have to look very, very carefully and work very closely with South Sudan and with Sudan to resolve the oil crisis and to help the Government deal with those problems.

Now, in Darfur in Sudan, as you mentioned, Mr. Chairman, there is a little bit of progress, but a long way to go. As long as there are 1.7 million people still in camps and another 280,000 in refugee camps across the border, we cannot say that we have really come far from the situation of a few years ago. Wholesale violence is down, but there is still a great deal of insecurity.

The Government signed a peace agreement with just one of the rebel movements, and we recognize the limitations of that agreement. On the other hand, it contains a lot of the elements that led to the conflict in the first place, and we will see if the Government and its partner will actually implement some of these programs.

We have talked to the movements that did not sign the agreement, and several of the armed movements have refused to do so. But they, too, say if any benefits from these agreements—this agreement for their people, they will be happy to see it. But their focus is right now elsewhere.

Just another comment about the situation in Sudan itself. In Sudan, they are also facing an economic crisis. A loss of oil revenue has taken away 70 percent of their revenue. Food prices are rising. Foreign exchange is very short. And they are fighting on three fronts: Southern Kordofan, Blue Nile, and still somewhat in Darfur. As we have said previously on many occasions, the fundamental challenge in Sudan is the governance of the country. There is still a system where the center dominates the periphery, where there is a deprivation of human rights, where wars are fought with terrible violations of people's rights and protection. And until that changes, until there is a new political situation in Sudan that is inclusive, that is democratic, that brings all the people of that country together, they will not come out of the problems they have, and they will not resolve their differences, not only with the United States, but with many other countries of the world.

That is the task that all the people in Sudan have to turn to, and that is true of the people who are fighting, the Sudan Revolutionary Front, which has taken up arms against the Government. They, too, have to project an image of what Sudan would look like. What do they want? How do they see an inclusive Sudan so that people can come together with a new political system? Until that happens, Sudan will be in difficulty, and we urge them to rise to this challenge as well.

Mr. Chairman, I am happy to answer questions on these and other matters, but I hope this gives you a general picture of where we have been working. Thank you.

[The prepared statement of Ambassador Lyman follows:]

PREPARED STATEMENT OF SPECIAL ENVOY PRINCETON LYMAN

INTRODUCTION

Chairman Kerry, Ranking Member Lugar, members of the Senate Foreign Relations Committee, thank you for the opportunity to speak before you today.

First, I want to note with sadness the passing of our good friend and committed friend of Africa, Congressman Don Payne. He demonstrated enormous dedication to the issues relating to Africa. Over the last two decades, he worked tirelessly as an advocate for human rights, as a strong, unwavering voice for all Sudanese people

and as a partner for peace and justice. I had the privilege of welcoming him to South Africa in the final days of the transition to democracy. I also had the pleasure of accompanying him to the July 9 South Sudan independence celebrations in Juba. Over the years, I drew on his wisdom and guidance on every Africa issue. His many contributions and dynamic spirit will be greatly missed.

Today I am here to talk about the deteriorating situation between Sudan and South Sudan, which continues to be of utmost concern to the administration. We are deeply troubled by the continuing violence and worsening humanitarian situation in the Nuba Mountains. In addition to its devastating humanitarian consequences, the ongoing conflict in Southern Kordofan and Blue Nile states in Sudan has fueled the mistrust which is poisoning the negotiations between Sudan and South Sudan over oil, security, residency rights, borders, and the disputed region of Abyei. Adding to these cross-border challenges, both Sudan and South Sudan continue to struggle with internal challenges to their viability and stability as independent states. We also remain concerned about ongoing violence, insecurity, and human rights violations in Darfur, though I will detail some areas in which we have seen promise there.

THE TWO AREAS

Mr. Chairman, since last June we have seen continued conflict and an emerging humanitarian emergency in the Sudanese states of Southern Kordofan and Blue Nile, known together as the “Two Areas.” Fighting has continued in this region between the Sudan People’s Liberation Army–North (SPLA–N) and the Government of Sudan’s (GOS) Armed Forces. This fighting has led to enormous suffering, displacement, and death. The U.N. estimates that more than half a million people have been displaced or severely affected by the ongoing conflict. The Sudan Armed Forces also continues to engage in aerial bombings, often targeting disputed border areas where civilians are located, and sometimes spilling across the border into South Sudan. The administration has strongly condemned these unjustified and unacceptable attacks. Violations of international law create a human rights dimension to the ongoing crisis in these areas. Such acts must be investigated and those responsible must be held accountable. We continue to demand that the Government of Sudan immediately end aerial bombardments of civilian areas and immediately allow unrestricted humanitarian access to civilians in Southern Kordofan and Blue Nile states. All parties must be held accountable for the human rights violations, war crimes, or crimes against humanity they commit in Southern Kordofan and Blue Nile. We will continue to push for an independent investigation of violations of human rights that will contribute to efforts to bring those responsible to account.

In conjunction with our demand to Sudan to halt aerial bombardments of civilian areas, we have urged both governments to refrain from providing direct or indirect support to armed groups in the other’s territory. The United States has repeatedly stressed to the Government of South Sudan the need to end all support—military, economic, and logistical—to armed groups aiming to overthrow the Government of Sudan by force. Support to armed groups beyond the territorial boundaries of each country further fuels the conflict in Southern Kordofan and Blue Nile and destabilizes both nations.

The United States continues to call for the immediate resumption of political talks between the Government of Sudan and the Sudan People’s Liberation Movement–North (SPLM–N). We are working with our international partners to increase pressure on both parties to return to the table without delay. We believe a political solution is the only path forward, to an end to human suffering, restoring peace and security to the Two Areas, and addressing the needs of the people of Sudan.

We remain especially concerned by the worsening crisis in Southern Kordofan and Blue Nile. As a result of the displacement of inhabitants, disruption of planting and harvests, and loss of livelihoods, humanitarian conditions and food insecurity have reached emergency levels. The Government of Sudan has prevented international humanitarian organizations from gaining access to provide relief to vulnerable civilian populations in the Two Areas. According to USAID food security partners, in Southern Kordofan, approximately 200,000–250,000 people will face emergency levels of food insecurity beginning in April, and in Blue Nile, approximately 125,000 people will face emergency levels of food insecurity beginning in August. More than 130,000 people have made the difficult walk to cross borders into South Sudan and Ethiopia in search of assistance. We are providing life-saving medical care, food, health care, shelter and other emergency assistance for these refugees, and we will continue to support them as long as is needed. But for those 200,000–250,000 on the verge of emergency conditions in Southern Kordofan, more must be done.

Since October of last year, we have relentlessly pursued unrestricted humanitarian access to the Two Areas with the Government of Sudan. I have told the Government of Sudan on numerous occasions that we, as the U.S. Government, cannot stand by and watch a crisis unfold. We have engaged AU Chairman Jean Ping, AUHIP Chairman Thabo Mbeki, U.N. Special Envoy for Sudan and South Sudan Haile Menkerios, and U.N. Under-Secretary-General for Humanitarian Affairs Valerie Amos who have all reached out directly to the Government of Sudan on this crisis. We have demarched a number of countries and organizations with influence in Khartoum asking them to raise this with the Government. We have worked tirelessly to highlight the issue in the U.N. Security Council and at high-profile events to impress a sense of urgency on the Government of Sudan. We have also worked to raise awareness of the crisis through briefing of the advocacy community and Members of Congress. We will continue to press the Government of Sudan at the highest possible levels to allow the needed aid to reach affected peoples.

The U.N. Security Council released a press statement in February on the crisis in the two areas which called for immediate and unhindered access for humanitarian assistance. The Council reiterated this call through a Presidential statement on growing violence along the Sudan-South Sudan border issued just last week. It is important to applaud the efforts of the members of the Security Council in issuing these unanimous, consensus statements. I want to especially recognize and thank our Permanent Representative Ambassador Susan Rice for maintaining focus on this vital issue. Our intent is to build on the international consensus around this crisis, working with international partners to ensure that humanitarian access is granted, and perhaps opening the door for peace talks to begin.

We remain hopeful that our diplomatic efforts and pressures on Khartoum will soon yield progress. The U.N., Africa Union, and the League of Arab States have made a joint proposal to the Government of Sudan for a major humanitarian program in these areas. We very much hope this proposal will be approved for it offers the most effective means to reach the maximum amount of affected people. While there have been some positive signals from the Government in Khartoum about this proposal we have not yet heard that it has been approved.

Should Khartoum agree to allow access to international humanitarian organizations across the lines of fighting, there must be swift progress on implementation. If necessary, we will examine ways to provide indirect support to Sudanese humanitarian actors to reach the most vulnerable. We have monitoring and accountability tools to make sure that civilians would be the beneficiaries of these activities. Nevertheless, an international program, as proposed by the U.N. and its partners, is the best means to reach the most people and we continue to urge the Government to approve it.

Relations Between Sudan and South Sudan

Beyond the humanitarian crisis in the Two Areas, this ongoing conflict has poisoned the negotiations between Sudan and South Sudan translating into a lack of agreement on key unresolved issues remaining from the 6-year Comprehensive Peace Agreement interim period. These include oil, security, borders, citizenship and residency, and the disputed region of Abyei. The African Union High-Level Implementation Panel, under the leadership of former South African President Thabo Mbeki, continues to facilitate dialogue between the parties on these and other unresolved issues. We strongly support the AUHIP process and have called upon both Sudan and South Sudan to redouble their efforts and continue negotiations in good faith under the auspices of the AUHIP. But the tensions between the two and the continued violence along the border cast a pall over the process.

We are increasingly concerned that while both Sudan and South Sudan publicly pledge a desire to avoid a return to full-scale war, they could well stumble in to it. The growing tension along the undemarcated border—reflected in accusations of cross-border attacks, aerial bombings and proxy military support to rebel groups—between Sudan and South Sudan, has the possibility of spreading into a wider war between them and endangering peace in the entire region. Both sides consider these border areas critical to their security. This is just one more reason that resolution of the Two Areas crisis is urgent. Fortunately, the Joint Political and Security Mechanism, a negotiating forum, agreed upon by the parties last year continues to provide a vital and useful venue to the parties to discuss security and related issues at a bilateral level and thus communicate on how to limit provocations. However, this mechanism is still maturing and has not realized its full potential.

Economy/Governance

Since July 9, South Sudan has faced the enormous task of building the foundations and capacity of its government and economy, finding ways to provide nec-

essary services and security to its citizenry, and at the same time working to resolve outstanding issues with Sudan. The Government of South Sudan has worked with the international donor community to develop a strategic plan to meet the needs of its people that was publicly unveiled during the December 14–15 South Sudan International Engagement Conference here in Washington, DC, at which you, Senator Kerry, spoke. I thank you for your continued support.

As the world's youngest country, South Sudan must find ways to make economic progress while working to create strong governmental institutions. We continue to encourage South Sudan to demonstrate its commitments to democracy, good governance, and respect for human rights, and we will continue to provide support and assistance for these endeavors. We are happy to see legislative progress in a number of areas, where the South has passed its investment laws, and granted prosecutorial authorities to its anticorruption commission, to improve both transparency and accountability. However, we are increasingly concerned about repeated allegations of human rights abuses perpetrated by the security services and the increasing reports of abuses by the police. The police are a critical institution for establishing public trust in the Government. They must not just respect human rights, but also promote them. We will also need to continue our efforts to aid in the professionalization of the South Sudanese security services which will be key to establishing public trust in the Government.

South Sudan is one of the least developed nations in the world. South Sudan must continue to build strong governmental institutions while also promoting equitable economic growth and prosperity. Prior to the December Engagement Conference, the United States modified our licensing policy with respect to goods, technology, and services that transship through Sudan to and from South Sudan to allow greater investment. This step was designed to encourage additional participation by U.S. persons not only in South Sudan's oil sector, but in other South Sudanese sectors as well. We also committed to encourage investment in South Sudan, promote trade, and coordinate assistance.

However, South Sudan faces a new economic reality due to the self-imposed oil shutdown. The international community had built its assistance programs on the assumption that the South Sudan Government will be a partner in the development of South Sudan, with resources, goals, and objectives that we support. The Government has proposed austerity measures to address the budgetary shortfall; even with this realignment, the proposed measures do not appear to be enough. In this new reality, the Government must re-assess its priorities and recognize the ramifications on their ability to achieve these goals. Likewise, the United States, and the international donor community are identifying how the funding gap created by the oil shutdown will affect our own programming posture. We cannot—nor should we be expected to—cover the deep funding gap caused by South Sudan's decision to halt oil flows. In this atmosphere it is particularly alarming that OCHA predicts that 4.7 million people in South Sudan, more than half the population, will be in need of food assistance this year. This looming food crisis will demand more attention to emergency measures and there are simply not enough resources to accomplish everything.

South Sudan has to develop a clear short- and long-term strategy for addressing this economic situation. It must have a negotiating strategy that aims at agreement with Sudan in the near future, even if it continues to look at alternate routes for oil exporting over the longer term. It must be candid about its austerity plans, both with its public and with donors. We have been clear with the Government of Sudan that there must be no misplaced calculations about the potential for donors to make up the shortfall from lost oil revenue. We have similarly warned against unwise borrowing against future oil production in ways that will cripple its ability to meet its obligations to the South Sudanese people in the future.

The Oil Problem

Both countries are suffering from the lack of agreement and dramatic negotiating tactics in the oil sector. An estimated 75 percent of the oil produced prior to July 9 was located in South Sudan, and the only pipeline to transport the oil to world markets transverse through Sudan for export. Late last year, Sudan began diverting oil from South Sudan to its own refinery and storage areas and blocking tankers from loading South Sudan oil as a means of collecting the fees it claimed were due. South Sudan President Salva Kiir accused Sudan of illegally seizing 815 million dollars' worth of South Sudan's crude oil. In response, South Sudan halted all of its oil production in early February and cut off the flow of petroleum through the pipeline to Port Sudan.

While the shutdown by South Sudan was in response to justified concerns over Sudan's diversion of its oil, this action has serious, and potentially dire, con-

sequences for a country that depends on oil for 98 percent of all revenues. The shutdown is already beginning to impact both economies through food price inflation and pressures on exchange rates, which will soon be seriously detrimental to both populations.

For its part, South Sudan has announced an “austerity budget” with a 30-percent cut in expenditures, but it does not appear to have feasible alternatives for funding the fiscal gap. This problem is accentuated by the Government’s decision that salaries for the army and police will not be affected, items that account for as much as half the regular budget. We are concerned that the loss of revenue will have significant negative impacts in terms of the overall stability in the South, not to mention serious impacts on the long-term development of this new country. South Sudan, as I will detail below, will face a number of pressing challenges particularly with security and conflict that will require the full resources of the state. While South Sudan has announced its intention to build a new pipeline to ports in Kenya and potentially through Ethiopia to Djibouti, we believe that an alternate pipeline does not provide a near-term solution to South Sudan’s budgetary shortfall.

In Sudan, food and fuel prices are rising and a foreign exchange scarcity has also forced budget cuts. It is our assessment that neither state can afford a long-term disruption of income from the oil sector.

Negotiations on the oil issue resumed in Addis this past week. South Sudan has affirmed that it will provide substantial payment to Sudan to ease the shock of Sudan’s loss of oil revenue, and as part of a package of matters relating to enhancing the mutual viability of both states. But the two sides remain far apart on the amount of such payment, on commercial aspects of an oil agreement, as well as ways to account for the losses from the acts of last year. While we do not expect a final resolution of the issue in this round, we hope there will be enough progress that would give hope that the issue will be resolved soon.

Citizenship

In early April, the agreed upon “transitional period” for South Sudanese living in Sudan, and Sudanese living in South Sudan, to either leave or regularize their status and obtain documentation to remain legal residents of the other state, will end. We have urged the Government of Sudan to extend this deadline given the imperative to avoid a situation in which some persons will be stateless or living without legal documents. Khartoum has not agreed to extend the deadline and has sent mixed messages about the safety and continued hospitality toward this group of southerners. On a practical level, the Government of the Republic of South Sudan must urgently begin issuing nationality documentation to its citizens living in Sudan, but to date it has not established for adequate process for doing so in Khartoum or anywhere else in Sudan. In Addis, negotiations to address this situation have bogged down.

Abyei

In the disputed region of Abyei, the United Nations Interim Security Force for Abyei (UNISFA) is now fully operational with over 3,800 peacekeepers deployed throughout the area. I want to commend Ethiopia for supplying these troops and for creating the security conditions on the ground that have created the conditions to facilitate negotiations on Abyei’s final status. For the first time in 3 years the nomadic Misseriya population has been able to migrate into Abyei with some 2 million head of cattle without confrontation or violence. The Ethiopian Force Commander was particularly skillful in working directly with the communities to make this happen. The Abyei Joint Oversight Committee (AJOC) is one of the most valuable agreements to come out of the AUHIP negotiations, with strong assistance from Secretary of State Clinton. AJOC provides for joint administration of Abyei by both Sudan and South Sudan until its final status is resolved.

Nevertheless, neither side has fully lived up to the commitment to withdraw all armed forces from Abyei. The continued presence of such forces—elements of the Sudanese Armed Forces, and South Sudan Police Services—threatens the peace and is inhibiting the return of the displaced Ngok Dinka. Disagreement over one appointed position has held up establishment of the Abyei Area Administration. Further, I urge both Parties to fully implement the AJOC decision of December 2011 and January 2012 to allow joint humanitarian access from both Sudan and South Sudan in order to create the conditions necessary for the voluntary return of displaced persons as well as provide for migrating Misseriya through Abyei.

The AUHIP’s engagement on all these issues has made dialogue between the parties possible. However, given the dire conditions on the ground—including the oil shutdown and the ongoing violence in the Two Areas—the negotiations have not made significant progress in recent months. We will continue to reach out to other

international stakeholders to support the AUHIP's ongoing efforts. Key partners, such as China, Arab States, regional leaders, the EU, and our Troika partners (U.K. and Norway), play a positive role already in engaging with both states to help peacefully resolve outstanding issues. But a more proactive effort is likely to be needed over the next few months.

Ethnic Violence

The economic challenge is all the more serious when one looks at the internal problems of stability in South Sudan and the need for even more attention to local development needs. Deep and longstanding ethnic rivalries and patterns of mutual violence are posing major challenges to the country. The most recent outbreaks of violence and reprisals came to a head in Jonglei State late last year, when conflict between the Lou Nuer and Murle tribes resulted in many deaths and injuries, the displacement of over 50,000 people, and new humanitarian aid needs for approximately 140,000. There are reports of further reprisal attacks being planned and Lou Nuer refugees are showing up in Ethiopia. To break the cycle of violence, it is imperative that the Government of South Sudan take immediate actions to mitigate the violence, while also finding ways to address the systemic causes of violence. This includes conducting credible investigations so that perpetrators of the violence, and other human rights abuses, can be held accountable, providing alternative means to resolve conflicts, securing development opportunities, and promoting a strong sense of South Sudanese national identity. We encourage the Government of South Sudan to seek necessary assistance from the international community in undertaking these efforts.

The United States Government supports the U.N. Mission in South Sudan's (UNMISS) efforts to address this violence. UNMISS is working with South Sudan on the adoption and implementation of a comprehensive peace and stability plan in Jonglei, as well as in other states suffering from intercommunal and interethnic violence such as Unity, Lakes, and Warrap. The international community has been focused on this issue, and the United States believes it is critical that the Government of South Sudan continues to avoid premature, forced disarmament campaigns. Disarmament campaigns should be conducted in a voluntary and simultaneous manner, as part of a broader peace and reconciliation plan and in conjunction with the stabilization of conflict regions, in order to avoid further conflict or severe human rights abuses. All of these efforts will take time, high-level attention, and resources from the Government of South Sudan.

SUDAN

In Sudan, there are many obstacles to improvement in relations between our two countries from improving. There has been little change in center-periphery power dynamics that have plagued Sudan throughout its history. The development of the Sudanese Revolutionary Front, an alliance of rebel movements throughout Sudan, is the latest symptom of this dichotomy. We believe that the conflicts both in the Two Areas and in Darfur cannot be solved militarily. Military action will only lead to stalemate and prolonged suffering by the people of Sudan. We urge these parties to refrain from conflict and state their political demands clearly. The United States continues to support the aspirations of all Sudanese. As part of the transition after the independence of South Sudan, Sudan has committed to drafting a new constitution. We urge the Government of Sudan to conduct an inclusive, broad-based constitutional review process. Constitutional and other reforms should ensure the protection of human rights and fundamental freedoms, including women's rights and freedom of religion.

We recognize that the Government of Sudan is responsible for serious human rights violations, and enormous suffering for its own people, and its actions against innocent civilians are unacceptable. However, violent regime change is not the answer. With the international community, we continue to press the Government of Sudan to halt the use of force against its own people and the abuse of basic human rights and to state our strong belief that accountability is an essential component for achieving a durable peace for all of the people of Sudan. We think that change in Sudan comes from within, by peaceful and democratic means.

We are also working hard with the AUHIP to encourage resolution of key issues between Sudan and South Sudan. We believe that only by having two viable states can there be peace between and within the two countries. This objective guides our approach to the oil, borders, trade, and other issues under negotiation.

DARFUR

Mr. Chairman, allow me also to spend some time updating you on the political, security, and humanitarian situation in the troubled region of Darfur. As long as some 1.7 million people remain in camps in Sudan, and over 280,000 refugees in neighboring countries, Darfur cannot be seen as having recovered in any major sense from the destructive war of the earlier period. While overall levels of violence are down, there remains serious insecurity, human rights violations, inadequate social services, and an uncertain political dispensation for the region.

The signing of the Doha Document for Peace in Darfur in July 2011 between the Government of Sudan and the Liberation and Justice Movement (LJM), one of Darfur's rebel groups, provides an opportunity to take some much-needed steps forward in Darfur. We recognize fully the limits of this agreement. Several of the major rebel groups have refused to sign on to it, and the promises in it remain to be fulfilled. Nevertheless, because the elements in the DDPD cover many of the basic issues that had driven the conflict in Darfur, it is an opportunity to make some significant progress if it is faithfully implemented. Since the signing of this comprehensive agreement, we have called on the GOS and LJM to implement the provisions faithfully and expeditiously. In that regard, there has been some political progress, notably with the establishment of the Darfur Regional Authority, the National Human Rights Commission, the Special Court for Darfur, as well as the nomination of a new Special Prosecutor. Other key bodies, such as the Compensation Fund and the Land Commission, have yet to be fully constituted or operationalized. More important than the establishment of these institutions is whether they actually will be able to function effectively to bring security, justice, basic services and economic development to the people of Darfur. The Darfuri populace, particularly the IDPs, will judge the agreement on these merits. The next year will be a critical period to see whether this agreement can gather real momentum and whether the Government of Sudan is seriously committed to its implementation. We have been working closely with our international partners and the U.N./AU Mission in Darfur (UNAMID) to press the Sudanese Government and the LJM to follow through on their commitments found within this detailed peace agreement.

While the implementation of the Doha agreement is gradually moving forward, insecurity and conflict persist in Darfur, due mostly to lawlessness and banditry but also to continuing clashes between Sudanese Government forces and militias, and those rebel movements which have not signed the Doha Document. Sudanese Armed Forces bombings in civilian areas also continue. We have been particularly concerned by recent fighting South of El Fasher, the capital of North Darfur, which has led to ongoing displacement of civilians and to allegations of a deliberate policy to target the Zaghawa population in that area. Unfortunately, the Government of Sudan continues to rely on the Central Reserve Police, or CRP, a paramilitary unit made up of former Janjaweed members, for security in parts of Darfur, including in areas close to IDP camps. UNAMID and local populations routinely reports on human rights abuses committed by the CRP—a.k.a. Abu Tira. We urge the Government of Sudan to rein in these forces by investigating their abuses and prosecuting those responsible.

While the Doha Document is a step forward toward peace, only one Darfuri rebel group has signed. Unfortunately, at this stage, an inclusive peace agreement between the Government of Sudan and all of Darfur's main rebel groups remains elusive. Since November 2011, the political leadership of Darfur's rebel movements has made common cause with the SPLA-North by forming the Sudan Revolutionary Front, an alliance with the overt goal of overthrowing the Sudanese Government through military action and a popular uprising. In December 2011, the Sudanese Armed Forces targeted and killed Khalil Ibrahim, the Chairman of the Justice and Equality Movement (JEM), one of Darfur's more militarily significant rebel movements. This development contributed to a hardening of the rhetoric on all sides. Darfur's rebel movements, notably JEM, have increasingly participated in coordinated military attacks with SPLA-North on Sudanese Armed Forces in Southern Kordofan.

In our dialogue with Darfur's rebel leaders, they appear increasingly bent on regime change in Khartoum and reluctant to negotiate with the Sudanese Government exclusively on Darfur. We have urged them not to take military action in Darfur that would undermine the Doha agreement; rebel groups JEM and SLA/Minni Minawi have agreed and have said they would welcome any social and economic improvements in the life of the Darfur people that the DDPD might accomplish. We have also made clear to Darfur's rebel movements and to SPLM-North that continued insistence on the armed overthrow of the Sudanese Government will only lead to further conflict and possibly ethnic polarization. We have urged the

armed movements instead to articulate and emphasize their political platform, and to be ready to engage in negotiations with the Government of Sudan. Along with our international partners, we continue to believe that Darfur's rebel groups which have not signed on to the Doha agreement should articulate their demands on Darfur in terms of the Doha Document for Peace in Darfur.

Finally, we believe that a lasting peace requires justice and accountability. We strongly support international efforts to bring to justice those responsible for genocide, war crimes, and crimes against humanity in Darfur. And we note that it is especially important for the international community to show its support for accountability at a time of mounting violence elsewhere in Sudan.

Mr. Chairman, I would like to say a word on the United Nations—African Union Hybrid Operation in Darfur (UNAMID). We see support for UNAMID as an integral element of our policy to improve security for Darfuri civilians, and UNAMID is doing an effective job in a challenging environment. But we are concerned by a wave of fatal attacks on UNAMID and restrictions imposed by the Government of Sudan, and in some cases by rebel groups, on its operations. We are urging the Sudanese Government to investigate these attacks and prosecute those responsible, while also working with our international partners and troop-contributing countries to improve UNAMID's overall performance and ability to push back on these GOS imposed restrictions. UNAMID must be given full access to the region in order for it to fulfill its mandate. The Government of Sudan should see UNAMID as a partner in facilitating the implementation of the DDPD. Fortunately, in some areas of Darfur—particularly in West Darfur—the security situation has improved considerably, to the extent that some refugees and internally displaced persons have started to return to these areas. Two thousand eleven marked the first year that there were more verified cases of voluntary returns than new displacements.

As the situation develops, State and USAID are working together to take advantage of these opportunities to meet the evolving needs of Darfuris for sustainable livelihoods, where security and access permit, and to reduce their long-term dependency on humanitarian assistance. This approach illustrates the United States long-term commitment to helping the people of Darfur overcome the destructive effects of 8 years of conflict.

CONCLUSION

Mr. Chairman and other members of the committee, the challenges ahead are great. We are gravely concerned that Sudan and South Sudan are drifting away from the commitments of peace and collaboration that each promised in the context of the Comprehensive Peace Agreement. The immense challenges we face in both countries require hard decision and difficult diplomacy. We are committed to two independent, viable states at peace internally and with one another. We will continue to work with both parties and our international partners toward that goal so that the outstanding issues between these two states are resolved at the negotiating table.

The CHAIRMAN. Indeed it does, Ambassador. Thank you very much. Very helpful, and we look forward to following up with questions.

Administrator Lindborg.

STATEMENT OF HON. NANCY LINDBORG, ASSISTANT ADMINISTRATOR FOR THE BUREAU OF DEMOCRACY, CONFLICT AND HUMANITARIAN ASSISTANCE, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT, WASHINGTON, DC

Ms. LINDBORG. Thank you. Chairman Kerry, Senator Lugar, members of the committee, thank you very much for having this hearing today and letting us talk together about Sudan and South Sudan.

I would echo your and Ambassador Lyman's sentiments on the passing of our friend and colleague, Congressman Donald Payne, and just note that Administrator Shah of USAID just launched the Donald Payne Fellowship that will encourage members of minority groups who are historically underrepresented in development ca-

reers to join USAID. So, we are honored to help foster his legacy through this fellowship.

As you noted, only 8 months ago we celebrated the peaceful separation of South Sudan from Sudan in a moment of almost euphoric hope. And despite the positive momentum of that peaceful referendum, these two nations as we knew at the time faced considerable challenges: a legacy of 50 years of conflict, a set of unresolved issues from the Comprehensive Peace Agreement, the stresses of severe underdevelopment in South Sudan, which ranks as one of the poorest countries on earth.

And while there has been progress, we are deeply concerned that the reemerging conflicts in the region that are undermining the peaceful pathway for both of these two nations, and are creating grave new humanitarian crises.

We are very focused on the potential challenges and solutions of the heightened crisis in each of the three areas: Southern Kordofan, Blue Nile, and Abyei; the intercommunal violence in South Sudan; the challenges of shorting out nationality and status after one country becomes two; and the not yet resolved 8-year crisis in Darfur.

My written testimony has details on each of these flashpoints, as well as some of the challenges resulting from the oil revenue shortfall and austerity measures. But for today, in the interest of time, let me just focus on two of these critical issues, the Two Areas and the rising intercommunal conflict in South Sudan. And I would be happy to answer any other questions following.

In the Two Areas, heavy fighting between the Sudan Armed Forces and the SPLM-North since last June has resulted in over 130,000 refugees that have moved into South Sudan and neighboring Ethiopia. Inside South Kordofan, there are 300,000 displaced and severely affected, and another 60,000 inside Blue Nile.

We have seen heavy aerial bombardment, long-range shelling that has terrorized communities. It has cut off people's access to food, health care, livelihoods, trade. The last planting season was disrupted, and reports are indicating that the coping mechanisms of these families and communities for survival are being exhausted in certain parts of the region.

International humanitarian access has been largely blocked since the beginning of this conflict, and the Government of Sudan continues to prevent aid from reaching the many civilian Sudanese who are desperately in need.

USAID's humanitarian partners are continuing their efforts to provide assistance to those Government of Sudan-controlled areas of South Kordofan, and reports are indicating some progress there. However, for those who are in the areas controlled by the SPLM-North, the outlook is worsening. Current predictions are that up to 250,000 people in those areas now face a serious emergency, which is one step short of famine, by the end of April if the violence and the restrictions on humanitarian access continues.

It is imperative to have immediate humanitarian access to all the communities affected by the conflict in South Kordofan to stave off an emergency situation for a quarter of a million people in the coming months.

Similarly, Blue Nile is facing equally devastating impacts, and as with South Kordofan, access will be very limited in May once the rains begin.

As Ambassador Lyman said, we are very hopeful the Government of Sudan will sign the tripartite agreement and allow negotiated access as proposed by the U.N. and its partners. If necessary, we will examine ways to provide indirect support to Sudanese humanitarian actors to ensure the most vulnerable receive assistance. Should the Government of Sudan sign the agreement, we stand ready to immediately deliver food and humanitarian assistance to those in need.

Let me briefly highlight the explosion of violence that occurred recently in Jonglei state in South Sudan, along with other inter-communal violence that has plagued the South, because these incidents really underscore the fragility and fledgling nation of the new state, and the need for deeper engagement for us to mitigate the instability and to continue to promote accountability.

We were able to respond with emergency assistance in Jonglei state with water, sanitation, food, and hygiene, and we are standing ready to provide assistance to those needs across the South. But resolving these issues and conflicts in the long term will require sustained engagement with the Government of South Sudan and from the Government of South Sudan. Without their pledge to address security, corruption, and governance issues, donor help will not be sufficient to achieve stability.

Coming so soon after the celebration from South Sudan, this confluence of crises is very alarming to us. And there has been progress. Just to note that with United States assistance and the commitment of many of you on this committee, we have been able to help transform the Government of South Sudan from a concept to a government. And more than a million people now have access to clean water. Children's enrollment in schools is up from 20 percent to 68 percent. These are accomplishments to celebrate. And the referendum on self-determination was itself an extraordinary success.

And unfortunately, we are seeing how long it takes to emerge from half a century of conflict, and with even a sturdy peace agreement, the perniciousness that that will continue as we look at what will be a long-term effort.

Thank you for the focus of this committee for your continued attention. It is needed. This will be a long journey. And we must stay engaged to enable success for these two new nations. Thank you.

[The prepared statement of Ms. Lindborg follows:]

PREPARED STATEMENT OF NANCY LINDBORG

Chairman Kerry, Ranking Member Lugar, Members of the Senate Foreign Relations Committee, I appreciate your giving me the opportunity to speak before you today on the rising humanitarian crises in Sudan and South Sudan.

Before I begin, I want to echo Ambassador Lyman's sentiments on the passing of our friend and colleague, Representative Donald Payne. Congressman Payne championed USAID's work around the world, while also challenging us to always strive to do better. As a tribute to this great leader, Administrator Shah has launched a fellowship, named in Congressman Payne's honor, that will encourage members of minority groups who have historically been underrepresented in development careers to join USAID. There have been few greater friends of USAID, and Congress-

man Payne's legacy of helping people around the world will continue through this fellowship.

INTRODUCTION

Only 8 months ago, we celebrated the peaceful separation of South Sudan from Sudan as a sign of great hope for a people who have endured war for the greater part of half a century. We also knew that despite the peaceful referendum, these two nations faced considerable challenges that would not be quickly surmounted, including severe underdevelopment in South Sudan, ranking it at the bottom of most development indices, and a series of unresolved disputes.

However, we are deeply concerned at the reemerging conflicts in the region that are undermining hopes for a peaceful pathway for these two new nations and that are creating grave new humanitarian crises. Southern Kordofan, Blue Nile, Abyei, Jonglei: each of these areas has been plunged into uncertainty and suffering for a wide range of preventable reasons and requires a wide range of assistance to meet the needs of the people who live there. Unresolved conflict in Darfur has made a permanent impact on the livelihoods of the region, and we still see over 1½ million people displaced. In South Sudan, rising intercommunal conflict, the steady and potentially increasing flow of returns, and the Government of South Sudan's recent decision to cut off oil production, effectively suspending the flow of 98 percent of state revenues, have heightened our concern for the future stability and long-term health of the world's newest nation.

THE THREE AREAS

Amid the euphoric anticipation of independence for South Sudan, fueled by an overwhelming and peaceful referendum vote for separation in January 2011, we saw an alarming trend of troop buildups and an interruption in the implementation of the Comprehensive Peace Agreement (CPA) along the contested border regions known as the Three Areas. The downward trend ignited conflict just 1 month short of South Sudan's independence, in effect halting the critical popular consultations to resolve the political landscape of this region and triggering a fresh round of humanitarian crises.

Southern Kordofan

In Southern Kordofan, a mountainous area in the southern part of Sudan along the border with South Sudan, heavy fighting between the Sudan Armed Forces (SAF) and Sudanese People's Liberation Movement-North (SPLM-N) since June of last year has severely affected or internally displaced an estimated 300,000 people. Heavy aerial bombardment and long-range shelling have terrorized communities, ruined the last cultivation season and harvest and, in addition to cutting off livelihoods and trade, have cut off hundreds of thousands of people from access to health care and basic services.

International humanitarian access has been largely blocked since the beginning of the conflict, and the Government of Sudan continues to prevent aid from reaching Sudanese civilians in need. Reports indicate that in parts of South Kordofan, coping mechanisms are being rapidly exhausted. USAID food security experts expect that 200,000–250,000 people in Southern Kordofan may face a food emergency¹ by the end of April if the violence and restrictions on humanitarian access continue.

Although lack of access has restricted our ability to do needs assessments and gather precise data, we estimate that since the start of the conflict approximately 300,000 people are internally displaced or severely affected in Southern Kordofan, and approximately 55,000 people have made dangerous escapes into South Sudan or have sought refuge elsewhere inside Sudan. In South Sudan, USAID and the State Department's Bureau of Population, Refugees, and Migration are working with the United Nations (U.N.) World Food Programme (WFP) and the Office of the U.N. High Commissioner for Refugees to ensure that adequate assistance is available to the Southern Kordofan refugees, who are mostly congregated in Unity State, and currently number about 16,000. Concerns about the safety of refugees are growing, as cross-border aerial bombardments by the Sudan Armed Forces are not abating.

The U.S. Government's humanitarian partners continue their efforts to increase their ability to provide assistance to those in government-controlled areas of South Kordofan. We have indications that access may be gradually improving. One partner recently managed to reopen five suboffices, out of seven planned before the conflict, and is able to support a vaccination program in government-controlled areas to

¹ Integrated Food Security Phase Classification (IPC) Phase 4

improve coverage from 74 percent to 90 percent. That partner has reopened 15 nutrition centers, trained 200 volunteers to screen children and 80 health staff to improve the capacity of the nutrition centers, and resumed training and providing supplies to village midwives. In late February, the U.N. World Food Programme was able to provide 40 days' worth of food rations to approximately 16,700 internally displaced persons in Kadugli. The Government of Sudan has granted permission for four international staff of U.N. agencies to return to Kadugli, but all U.N. staff in Kadugli face strict restrictions on their movements and activities and are precluded from assessing needs and delivering assistance beyond the town limits.

However, for those who remain in areas controlled by the Sudan People's Liberation Movement-North (SPLM-N), the outlook is worsening. Immediate humanitarian access to all communities affected by the conflict in Southern Kordofan is imperative to stave off emergency conditions for a quarter of a million people in the coming months.

The United States is working with international partners to press for access through an intensive diplomatic campaign that began last September. Current efforts are focused on getting a positive Government of Sudan response to the tripartite proposal of the U.N., the African Union, and the League of Arab States on assessment, access, and monitoring of humanitarian assistance to all civilians in Southern Kordofan and Blue Nile. Should the Government of Sudan sign this agreement, USAID partners and the U.N. are ready to conduct assessments and immediately deliver food and humanitarian assistance to those in need. International staff of humanitarian organizations must be allowed to enter and operate freely in Southern Kordofan in order to save lives.

As we have said repeatedly over the past 6 months, the United States cannot stand by and watch such a human tragedy unfold. Our goal is to prevent this humanitarian situation from worsening any further, and we are exploring options for providing indirect support in a worst case scenario in which the Government of Sudan continues to refuse to open humanitarian access. There is no fully effective humanitarian option save for negotiated access, but again, I want to be clear that doing nothing cannot be an option.

Blue Nile

Fighting in the Blue Nile area erupted almost 3 months after Southern Kordofan. It has resulted in similarly disturbing levels of displacement, with over 110,000 already in Ethiopian and South Sudanese refugee camps. Approximately 60,000 people are estimated to be severely affected or internally displaced within Blue Nile. Although USAID food security partners have postponed emergency forecasts for Blue Nile until August, that date is rapidly approaching, and we will continue to work with the international community to find the best possible options for getting aid to vulnerable people.

The rainy season, beginning in mid-May, will limit the ability of vulnerable populations to exit Blue Nile and seek protection in neighboring countries. Although a recent U.S. Government assessment mission to Upper Nile/South Sudan confirmed that there is sufficient food on hand to support the more than 80,000 refugees located there, we are fully engaged in planning to make sure that the international community can cope effectively with expanding refugee populations in the coming months.

Abyei

Although key components of the Comprehensive Peace Agreement (CPA) were implemented relatively smoothly in South Sudan, the Abyei protocol is dormant. The final status of Abyei—whether it belongs to Sudan or South Sudan—remains unresolved, and crisis erupted on May 20, 2011, around this issue. A military operation conducted by the Sudan Armed Forces and subsequent fighting caused 110,000 people—the majority of the Abyei Area's population—and international NGOs to move southward toward Agok and to destinations across South Sudan, yet again.

The Abyei Area had long been a site of conflict and tension and was one of the key potential flashpoint areas during the referendum period. In preparations made in advance of the South Sudan vote, USAID partners had prepositioned supplies in key hubs to enable a rapid response if needed. After the May conflict, USAID partners were able to distribute plastic sheeting, blankets, water containers, soap, and other emergency relief supplies to 68,000 people in need in a matter of weeks, while USAID's partner, the World Food Programme, provided food to more than 100,000 displaced people. During the ensuing weeks, it became clear that those who had fled the fighting would not return home for several months and continued assistance would be necessary. Before Agok became inaccessible by road during the rainy season that began in mid-May, WFP—tapping into USAID-funded enhanced logistical

capabilities—was able to deliver large quantities of food to Agok to provide 3 months of food rations for the displaced. The USAID-funded repairs to an airstrip in Warrap State also proved critical, permitting humanitarian supplies to reach a large number of displaced people throughout the rainy season.

USAID's humanitarian partners continue to adapt to evolving circumstances and are providing vital humanitarian assistance for the displaced, most of whom remain in Agok town on the border between Abyei Area and Warrap State, South Sudan. Our partners continue to run health clinics, distribute food, provide nutrition assistance, and address water and sanitation needs of the displaced population. USAID partners have recently established a new primary health care unit, constructed latrines in five schools, and provided hygiene training in three villages.

Though the situation is tenuous, the Abyei Area holds more promise for a return to stability and peace than its neighbors in conflict-ridden Southern Kordofan and Blue Nile. Virtually all who fled Abyei remain displaced in Agok, and they will not, and cannot, return until the conditions improve: better security, land mine removal, and assurances that civilians will be protected. However, the efforts of Ethiopian peacekeepers have brought Abyei much-needed stability, and if current diplomatic efforts bear fruit, our partners are poised and ready to lay the groundwork for the resumption of basic services, livelihoods, conflict mitigation and community peace-building activities in Abyei.

Darfur

Nine years into the Darfur conflict, we continue to see violence flare in hotspots like North Darfur and Jebel Marra. The U.N. reports that approximately 1.7 million people currently reside in 99 camps across Darfur—an 8-percent reduction from 1 year ago. Of this total, 70,000 were displaced during 2011 due to ongoing fighting.

The most vulnerable who were displaced by the conflict—including the disabled, elderly, women, and children-headed households—remain highly dependent on the basic services provided by the humanitarian community. Those living in remote, rural areas are also vulnerable to the effects of food insecurity, interrupted livelihood patterns, and limited access to basic services.

USAID continues to respond to the emergency needs of the newly displaced. Severe limitations on access, however, continue to constrain our emergency relief efforts. Our partners still face bureaucratic restrictions and other impediments to travel which, combined with insecurity, reduce their ability to carry out programs efficiently and where needed. The United States continues to advocate strongly for regular access for all humanitarian agencies throughout stable areas of Darfur.

However, while a political settlement to this crisis remains out of reach and conflict persists, there are also a growing number of people emerging from their dependence on humanitarian aid, and USAID programs are evolving to address the needs of these new populations. We are seeing more families returning seasonally to plant their fields and test their ability to return more permanently. We are seeing more permanent returns, where people are determined to move back to their homes and villages. Last, more large camps on the periphery of major towns are transforming into permanent perisettlements.

The prolonged crisis has dramatically altered the traditional coping systems of Darfurians. Migrations to urban and periurban locations have shifted livelihood priorities, disrupted markets, and impeded access to agricultural land. At the same time, these conflict-affected people have evolved their coping and livelihoods strategies in a way that has reduced their need for emergency assistance.

USAID does not actively promote the return of individuals from camps to areas of origin. Instead, we respond to the needs of individuals who have already voluntarily returned where security and access permit, and have been independently verified to have done so voluntarily. Since January 2011, the U.N. has verified the return of approximately 110,000 internally displaced persons and 15,000 refugees from Chad. The great majority of verified returnees have returned to West Darfur, where the security environment has markedly improved due to joint Chad-Sudan patrols along the border and the relocation of some armed movements to North and South Darfur.

All of these dynamics have shifted our assistance strategies from emergency response to integrated early recovery programs that aim to reduce dependence on humanitarian assistance and promote sustainable livelihoods and self-reliance where security permits. Today, 44 percent of USAID's funding in Darfur is dedicated to community-based early recovery programs, up from zero in 2009—a powerful illustration of how the needs have changed. USAID partners engaged in early recovery initiatives recognize the need to support livelihoods programs that are market-driven and economically feasible, conflict-sensitive, environmentally sustainable,

and built on local skills and capacities. These community-based approaches strengthen local capacity and resilience to food insecurity.

RETURNS

Since October 2010, approximately 360,000 South Sudanese have returned from Sudan to their new country. Armed with hope and expectations for a new life in their homeland, many returnees arrived to discover limited basic services and other challenges. As the Government of Sudan's April 8, 2012, deadline for South Sudanese living in Sudan to regularize their status looms, both governments must take urgent steps to extend the deadline—which affects anywhere from 300,000 to 700,000 people—and make practical arrangements whereby those who wish to stay in Sudan can apply to do so. Absent these actions, we may witness up to hundreds of thousands of South Sudanese stranded as they try to return without resources and security. We fully support robust diplomatic efforts to press the Government of Sudan to extend this deadline and parallel efforts urging the Government of South Sudan to expedite the issuance of nationality documents to this population.

On February 12, 2012, the South Sudanese Minister for Humanitarian Affairs and Sudanese Minister for Social Welfare signed a memorandum of understanding affirming the right of South Sudanese in Sudan to return to South Sudan voluntarily, safely, and with dignity. However, the memorandum makes no mention of the practical arrangements needed for Southerners to regularize their citizenship and residency status in Sudan, nor does it extend the April 8 deadline. It also excludes the use of barges, the most cost-effective means, for moving people from Sudan to South Sudan.

In South Sudan, support to returnees is complicated by a growing range of humanitarian emergencies and restricted access due to conflict, rains, and poor infrastructure. Overall the U.N. estimates that 2.7 million South Sudanese will be food insecure in 2012, of which approximately 1 million will be severely food insecure.

The U.S. Government is preparing contingency plans for the potential movement of up to 500,000 returnees, as well as continuing support to returnees in transit. In addition to bolstering resources at transit sites and exploring options for new locations, USAID's programs include flexible mechanisms like rapid response funds that enable a quick response to emerging emergency needs, as well as support to contingency planning efforts through prepositioning of life-saving humanitarian supplies.

Once returnees reach their final destinations, they face the challenge of reintegrating into host communities that primarily rely on agriculture to meet their basic needs. To jump-start the returnees' new lives in South Sudan, USAID programs are improving access to basic services like clean water and health care and implementing market-driven programs to help farmers improve their agriculture practices and enhance families' food security and livelihoods opportunities.

In Unity State, which has received the highest number of returnees in South Sudan to date, USAID provided farmers with seeds and horticultural skills training to expand vegetable production and increase their income. Small businessowners were provided cash grants and training to enable them to hire more staff and to access community-based credit. Enlisting the support of local government and religious authorities and soliciting input from returnees and their hosts through 18 community mobilization meetings, USAID is building upon existing agricultural potential and investing in market-driven livelihoods opportunities to promote the peaceful reintegration of approximately 4,500 returnees in Unity State.

SOUTH SUDAN'S INTERCOMMUNAL CONFLICT

Unfortunately, in addition to the enormous human toll of conflict within Sudan, and across the Sudan-South Sudan border, the past few months have also seen significant loss of life and displacement from intercommunal conflict within South Sudan. Recent violence in Jonglei between the Lou Nuer, Murle, and Dinka ethnic groups has affected at least 140,000 people since late December 2011. These and other clashes are a product of unresolved interethnic and intertribal issues that were sidelined to meet the common goal of South Sudan's independence—and highlight the fragility and fledgling nature of the new state, and the need for deeper engagement that mitigate instability and promote accountability.

We are troubled by the lack of budgetary and political support by the Government of South Sudan to state and local authorities on the front lines of responding to the conflict. USAID has been providing local and state authorities the equipment they need to communicate quickly and effectively with each other in remote areas, as well as building or rehabilitating county and other local administrative head-

quarters buildings, which provides an administrative base and meeting space to address community violence. For instance, high-frequency radios and other equipment USAID provided to local and state authorities have, in some cases, prevented violence when authorities were able to warn communities about planned revenge attacks. We are also working to engage at-risk youth in productive, income-generating activities.

Unfortunately, significant, persistent violence continues to cost lives. There is strong evidence that some political leaders have been complicit in organizing, enabling, and coordinating the violence. There are also reliable reports of security services joining raiding parties, providing ammunition, and looting. The Government forces deployed to conflict areas to mitigate the conflict lack resources and capacity. These trends highlight larger issues of political will and government capacity to genuinely address these intertribal and intercommunal tensions. The Government of South Sudan must own and drive a peace process and reconciliation initiative in Jonglei and other conflict regions that will be anchored around direct engagement with the core conflict catalysts in order to have greater effect.

To respond to urgent humanitarian needs in Jonglei State, USAID water, sanitation, and hygiene activities have benefited 31,500 people affected by the fighting, which damaged water points and forced displaced and host populations to share limited water resources. In addition to rapid response actions, USAID supports multi-sectoral humanitarian programs in areas affected by recent fighting. For example, one grantee is repairing the semiurban water system in Pibor town and installing five boreholes in Pibor County, while others are implementing health and nutrition initiatives in Akobo and Duk counties.

We will continue to respond to humanitarian needs across South Sudan, whether as a result of interethnic conflict, militia violence, large-scale returns, or other urgent humanitarian needs, through our ongoing programs and flexible funding mechanisms. However, resolving these issues and conflicts in the long term requires recognition that this will be a lengthy process requiring sustained engagement involving political will from the Government of South Sudan, commitment from the international community, and donor support. Without a pledge from the Government of South Sudan to address security, corruption, and governance issues facing South Sudan, donor interventions will not be sufficient to achieve stability.

SOUTH SUDAN'S REVENUE SHORTFALL AND AUSTERITY BUDGET

The Government of South Sudan's decision in January to halt oil production—the source of 98 percent of government revenues—has triggered the implementation of an austerity budget that falls short of addressing the overwhelming cut in revenues. It is not clear that the potential impact of this decision on citizen services and other government functions, livelihoods, food security, and the new nation's currency has been sufficiently recognized and communicated to the public. However, in the absence of alternative sources of funding or resumption of oil production, it is very clear that it will soon be impossible for the Government to pay for its current operations—including salaries for public employees, the military, and police; longer term capital investment; and block grants to South Sudan's 10 states.

Under this austerity scenario, the Government of South Sudan must prioritize where its limited government revenues will be allocated, while donors, including the U.S. Government, assess how it will impact development programs over the short and longer term horizons. Any progress expected from a productive partnership for development will become much more difficult if the Government of South Sudan and the United States and larger donor community are forced to shift back into crisis mode. A greater emphasis on basic service delivery would come at the cost of the longer term institution building that the U.S. Government and others has supported in South Sudan since the signing of the Comprehensive Peace Agreement. We are extremely concerned that this enormous fiscal gap and potential shift in donor resources to cover the humanitarian challenges resulting from it, could result in backsliding on the institutional and state-building progress we have made over the past 6 years, exacerbating this new democracy's fragility.

CONCLUSION

Coming so soon after the hope engendered by peaceful celebration of South Sudan's independence, this confluence of crises is alarming. But we must remember that the remnants of a half century of conflict can continue to reverberate, even after a sturdy peace agreement has been established. The international community must act to ensure that these discrete conflicts do not spiral into a greater confrontation and that we do what we can to support the needs of the people affected by crisis. With so much invested in the future of these two nations, the United

States, standing with many of our international partners, must speak out when actions either do not support or outright threaten the vision of peaceful coexistence and the economic opportunity that so many have sacrificed to bring this far.

The CHAIRMAN. Thank you very much, Madam Administrator.

Let me begin, if I may, by asking, Ambassador, first of all, do you have a date or do you know when this visit of Bashir to Juba will take place?

Ambassador LYMAN. We are hoping it will take place within 2 weeks, that they would go back, that Juba would issue an invitation to President Bashir. They do want to make sure—do a lot of preparation so the summit produces concrete results, not just general. So, they will have to do a lot of—Thabo Mbeki and Pierre Buyoya will also do shuttle diplomacy during these 2 weeks to help the preparations for the summit. But we are hoping it will take place in about 2 weeks.

The CHAIRMAN. And do you have, at this point—I know the news only came out yesterday. But do you know what the agenda will be, the specific topics and breadth of this discussion?

Ambassador LYMAN. The idea is to ratify two agreements that were signed in Addis, and one I was very particularly happy to see signed, and that is on the nationality question; that is, the protection of southerners living in the north, and northerners living in the south, that they do not become stateless. And procedures were set up and agreed to. And then they signed an agreement on borders, how to deal with that problem. Those will be ratified by the two Presidents.

But more important, they will give directions to their negotiators to tackle the oil and other questions in a different way, to recognize the needs of both sides, and to reach an agreement in that context. How specific those instructions will be is exactly what has to be worked on, but it will deal with oil, but also how to deal with issues like borders and Abyei.

The CHAIRMAN. And given that it is really a north-south discussion. Obviously resolving the oil thing would be an enormous step—a huge step forward.

Will the Blue Nile/South Kordofan access issue be on that table, or is that going to be a separate track?

Ambassador LYMAN. Well, it will be on the table in two ways. One, because you cannot get to the atmosphere they are talking about if we do not make progress in Southern Kordofan and Blue Nile. It is simply poisoning the situation. In addition to the terrible thing in itself, it is poisoning the relationship. It is forcing them to clash on the borders because both have a security concern in those areas. So, we have to make progress before the summit to create the atmosphere.

But then the two have to say, look, we are both working to destabilize each other. How do we get out of that box? And Southern Kordofan and Blue Nile is part of it. If the Government has opened up the area to international access, what we are hoping is that will lead not only to a quieting of the hostilities, but hopefully the atmosphere that political talks can start. That will change the atmosphere.

The CHAIRMAN. So, what more could the international community conceivably do to help convince the Sudanese Government that

preventing a full-blown catastrophe in Blue Nile and South Kordofan more than it already has been, but moving to this next starvation and nutrition crisis, that it is in their interest to do that? I mean, is there a strategy underway? Do you have a thought about what more could be implemented?

Ambassador LYMAN. You know, it has been a tremendous effort on everybody's part to do just that because the Government was so angry and bitter over this with their own perceptions of how the war started and what it was about. It was very hard to get through on those matters. So, we have urged the Africa Union, Jean Ping, the chairman of the Africa Union Commission, China, Arab countries, South Africa, other countries, Arab League, Africa Union, everybody we could talk to, to send that message to Khartoum.

The CHAIRMAN. Who do you think could have the greatest impact?

The LYMAN. Well, I think the Arab countries are particularly important. I am very delighted the League of Arab States is joining in this effort on humanitarian. China has become more active. I was in Beijing last August when Vice President Chi was here. Our two governments agreed we would work more closely on Sudan. Their new envoy is now traveling in Khartoum and Juba, and we have arranged to talk right after his trip on how we can coordinate better our efforts. I think those countries are important because they are important to both sides, but they have particular importance to Sudan.

But I think another factor, quite frankly, Mr. Chairman, is the realization, the growing realization, I think, in Khartoum that there is not a military solution to this problem, and that simply going on with the fighting and facing the opprobrium of a humanitarian disaster is not in their interest. And I think all these efforts have contributed to that, and I am hoping that we will get better news in the days ahead.

The CHAIRMAN. Just one other quick question and my time is up. But when we chatted a number of months ago, and I subsequently chatted with President Kiir about the oil shutdown issue, one of the concerns which you raised, and others did, was this question of what the cost of restarting up would be and what the damage might be in the process. Have we been able to assess that? Have you assessed that, and can you share with us what our knowledge is about how difficult it might be to bring that oil production back online?

The LYMAN. The feeling now is that if you started production tomorrow, by the time you got the pumps going, by the time you sent the oil up through the pipeline, made the contracts, sent the oil, it would be 4 months before the first dollar would come in. And that is worrisome because both sides are facing deep economic problems. But that is the latest estimate.

The CHAIRMAN. Well, probably we may follow up on that. We will see.

Senator Lugar.

Senator LUGAR. Ambassador, I just want to get some sense from you as an experienced diplomat on these matters, as it has been apparent in Khartoum for a long time that they would face, as you

said, the opprobrium of the rest of the world with regard to starvation and the privation that is occurring in the south.

But what would have to occur for the Government to actually change its behavior? Efforts to this end have been based, for a long time, on the statistics we have heard today of tens of thousands, hundreds of thousands of people dying in the process. And yet they have not been adequate to bring about much of a change, although you give us hope today once again some negotiations may occur, in part because the oil revenues of Khartoum itself, quite apart from those of the south, are at stake. And as has been suggested, a very large majority of funds for both governments really come from this oil, which is now stymied, as you say, at best for 4 months.

When we talk about international pressures, what are the pressures that make any difference here? And how can we anticipate any difference in the future as opposed to hearings we may have next year at this time or the year thereafter and so forth, detailing once again how many people have suffered and starved?

Ambassador LYMAN. Well, there is both the immediate situation and the fundamental situation. The arguments and, I think, the resistance that has come out of Khartoum has been that they see the situation and the calls for international assistance as a plot to get inside Sudan and eventually take these areas south, and they see a repeat of the CPA; that the international community will come in, then they will set up camps, then they will send in the peace-keeping operation, and pretty soon the Government will lose control of more of its territory. I have heard that argument on many occasions.

So, there is a deep suspicion of the motives of the international community, and they see this as we are not going to go down that path again. We are going to keep our country together, even if we have to do it militarily.

So, it has taken a lot of time and effort to say, look, you are looking at it the wrong way, and you are looking at it in a way that is going to hurt your own interests very greatly. And to deal with this deep suspicion about motive, to have the Africa Union and the League of Arab States joining with the U.N. helps a great deal. So, that is part of it.

Part of it, too, is this fundamental question of how they are going to govern the country. How do they treat areas around the periphery, if you can call it that, different ethnic groups, et cetera? And they have not got there yet. They have not determined how to do that in a democratic open way. So, they see a challenge, they respond militarily. And we have had to work against that mindset frankly for a long time and with a great deal of effort.

Senator LUGAR. Well, our dilemma clearly is that we are attempting to be of assistance in a lot of places. For example, a big debate rages about our policy toward Egypt, which, after all, has overthrown a dictatorship and is supposedly transitioning into a democracy. And suddenly, just to pick up Ambassador Lyman's thoughts, there is a great deal of rhetoric arguing that we are interfering with the Government of Egypt, the evolution of Egypt. So, despite the fact that the United States has committed \$1.5 billion in assistance to Egypt, which is huge with regard to their current situation, we have this debate over the efforts of Americans

to be of assistance to the Egyptians during this monumental transition.

I raise this not because we can solve it here today, but it is so fundamental to what we are talking about in Sudan because Americans do have a humanitarian impulse to help.

But again and again, I fear we are being stymied despite encouraging cases of cooperation from other countries that tell other, you know, the Americans are OK. Really you ought to let them help you. Yet the situation is so dire that starvation is actually being encouraged by Khartoum as another form of warfare.

But this is really fundamental foreign policy problem we are going to have to face, because despite our very best attempts, we are now being rebuffed by those who say that our actions amount to gross interference in their affairs. And they say that if they are going to starve, they are going to starve by themselves or starve each other.

Having made that pronouncement, I appreciate so much, Ambassador Lyman and Ms. Lindborg, your work really on the ground because you have to try to work through these challenges I have mentioned, and we admire what you are doing and your testimony.

The CHAIRMAN. Senator Cardin.

Senator CARDIN. Well, thank you, Mr. Chairman. I, too, join in thanking our two witnesses for everything you are doing to make a difference in the lives of people who are being victimized.

I also want to thank those on the second panel, George Clooney, John Prendergast, and Jonathan Temin, for bringing the spotlight on this issue that otherwise it is difficult. There are so many issues in the world, and you are really helping us focus on this humanitarian disaster.

You set this up with the three fronts in Sudan, which adds to the complication. We are dealing not only with a few areas; we are dealing with the Sudan and South Sudan issues, and we are dealing with Darfur.

As I listen to the testimony as to what is happening in the Two Areas, it reminds me of testimony 8 years ago on what was happening in Darfur. And Darfur happened under our watch, which was a failure of the civilized world to take appropriate action and the disaster against innocent people.

Are we going to go through the same thing in the Two Areas, basically talk about this for years and see thousands or hundreds of thousands of people's lives ruined forever?

So, it is very frustrating, I know, for all of us. But is there a lesson that we learn from Darfur that we can use to prevent that happening in the Two Areas? What mistakes did we make in Darfur that we do not want to repeat again? Can you just help us on this?

I just do not—there is an urgency, and I understand getting humanitarian aid in there, that is great, and we are going to talk about it. But we talk about it and talk about it and talk about it, while people are dying.

Ambassador LYMAN. Well, Senator, you have really put your finger on a very fundamental question of what do we learn from these situations, and how do we prevent them from repeating themselves?

I think that the echoes of Darfur and Southern Kordofan and Blue Nile are extremely, extremely upsetting and worrisome. There is a pattern in the way the Government of Sudan fights its wars that produces that kind of human rights violations, and I have discussed that with them on many occasions.

The CHAIRMAN. Mr. Ambassador, could I ask you, could you pull the mic a little closer to you, pull it down.

Ambassador LYMAN. Sorry, Yes. I think that there is an opportunity to bring this war in Southern Kordofan and Blue Nile to a close. I think it is there. I think it is because in part they cannot win a military victory. They do not want and nobody wants huge camps of people who have moved from their homes. But the Government sees this as threatening their whole internal security, and it has taken long time to get them to see it differently.

I cannot promise you that we are going to get out of this war soon, but I think what we did learn from Darfur is that organizing and mobilizing the international community early on is getting concerted and united pressure.

Up until quite recently, the United Nations Security Council was not united on Sudan. The statement that was made just recently was a very strong united statement of all 15 members. It makes a difference. Having the League of Arab States weigh in as well as the African Union makes a difference.

So, I think/hope that we have learned some lessons are going to make some progress on this. But I share your frustration.

Senator CARDIN. I would just point out that until we change the way the Sudanese Government conducts its security issues, there is little hope that we will not see a repeat of these disasters. The failure to bring the Government to account for their violations of international law, we are paying a heavy price for that. Every time we take a pass on enforcing crimes against humanity, it makes it likely we will see a repeat of this in the future.

One last question. You mentioned the impact as it related to Sudan and South Sudan, the impact in the Two Areas. Does the conflict in the Two Areas also have an impact on what is happening in Darfur?

Ambassador LYMAN. It does in this way. The SPLM-North, which is fighting the Government in Southern Kordofan and Blue Nile has teamed up with three of the Darfur rebel groups to form this Sudan Revolutionary Front, so that it has become a wider coalition of antigovernment forces, and they are cooperating more.

And what is happening with the groups in Darfur are focusing more on national issues and, from their point of view, a regime change than specifically on Darfur.

So, it is having an effect on the Darfur situation and linking the two in the way I have described.

Senator CARDIN. Well, I join with the chairman in thanking both of you for your commitment on this.

Ambassador LYMAN. I would just like to say thank you, and I appreciate, as Nancy does, the personal thanks. But I have to tell you that neither of us could do this job without the extraordinary focus of President Obama and Secretary Clinton on Sudan and South Sudan. They follow it very closely and are heavily engaged, and that makes all the difference. Thank you.

Senator CARDIN. There has been strong U.S. leadership in this region for a long time, but still the humanitarian disasters continue under our watch.

The CHAIRMAN. Thank you, Senator Cardin.
Senator Corker.

Senator CORKER. Mr. Chairman, I think the witnesses' testimony has been outstanding, and I really think the first three Senators have framed this very well, expressed exasperation and concern that all of us have.

I have limited abilities, but one of my strengths is math. And I can see that if we continue this, our second panel, who I understand have been through a pretty hairy experience in getting here, are going to have a very disruptive session when votes begin. So, I am going to pass on questions so that we can proceed and hopefully get the testimony of the second panel before this hearing is disrupted. And I thank you for calling it.

The CHAIRMAN. Well, thank you very much, Senator, for that generous offer, and we will see where we wind up here. But, Senator Menendez.

Senator MENENDEZ. Thank you, Mr. Chairman. I will try to be brief, but I am not going to pass because I do not always have the opportunity to have some of our experts here before this committee.

I want to follow up where Senator Cardin left off. We say never again, yet live time and time again through experiences in which "never again" actually manifests itself.

So, I am wondering, what is it that we can do that we are not doing to create the pressure so that, in fact, some of the atrocities that are taking place can stop?

Sudan continues to turn to other countries—China, Russia, Qatar—for assistance when they look at their Sudanese pound depreciating more than 50 percent since mid-2011, that is an opportunity, an economic opportunity, in which we can use that necessity to try to change behavior. And I just do not get the sense we are doing that.

So, what is it that we are not doing that we could do, particularly with our allies, to change the course of events that Senator Cardin talked about?

Ambassador LYMAN. I think the opportunity is coming up as a result of this agreement that was reached in Addis, because what it focused on more specifically was the recognition on the part of their negotiators from Khartoum that they face a very major economic problem.

And the only way out of that is not just an oil agreement with the south because the south can only provide so much out of that. And, therefore, what matters is the kind of assistance they will get from their friends in the Arab world, China, et cetera.

And what now we can do, and I think it is important that we do, is work with those countries on the kind of support they offer to Khartoum; that is, to encourage Khartoum exactly in the way you say, that they have to deal with Southern Kordofan and Blue Nile. You cannot have a big investment and donor program in the middle of that.

But also to give them encouragement that if they do do the right things and do make the right kind of agreements that the support

would be there for them to deal with their major economic problems.

That is what I think we have to work on a great deal more. A colleague of mine is going to be visiting the Middle East later this month to talk with the countries in that area. As I said, I have been in close touch with the Chinese Government on this. And I think we can do more to bring that part of the international community together, because Sudan does face this very serious economic crisis, and there is only one way out of it.

Senator MENENDEZ. And do you believe that they have the interest, since they have been offering financial assistance, to leverage that assistance to get the result that we want, which is resolution to the dispute?

Ambassador LYMAN. You know, they have some interest. Some of the countries have stopped giving Sudan considerable assistance. So, we have to gauge exactly how they perceive this situation, and I think that is one of the tasks we have to engage in the next few weeks.

Senator MENENDEZ. Finally, Ms. Lindborg, let me ask you, in the second panel Mr. Clooney and Mr. Prendergast are going to speak about their Satellite Sentinel Project, which uncovers threats to civilians using satellite imagery in order to generate a rapid response. Does the State Department view this as a model that can be used for monitoring conflicts in other parts of the world? We have a list of several locations, Syria to mention one.

Ms. LINDBORG. Yes, thank you. You know, there is a lot of focus in looking at how we can better predict and understand the possibility of coming atrocities, and there is an initiative that President Obama has put forth that has a focus on identifying a whole array of ways in which we can gather information that helps us prevent humanitarian crisis, so we are very interested in this as one of the models.

Senator MENENDEZ. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator.

Senator Isakson.

Senator ISAKSON. Well, I am not about to not follow the leadership of Bob Corker because I am well aware that long line that began forming at 8 o'clock was not to see Johnny Isakson. It was to see George Clooney.

[Laughter.]

But I would like to say this. Princeton Lyman and Nancy Lindborg have done a phenomenal job. Bob Corker and I traveled to Darfur and Sudan and have been engaged. But I also want to acknowledge Special Envoy Williamson and General Grayson, their work, great work they did leading up to the Comprehensive Peace Agreement.

And with that, I will defer to Mr. Clooney.

The CHAIRMAN. Thank you, Senator. Senator—you fell short. I heard people out there saying, you seen Johnny Isakson?

Senator ISAKSON. No. No.

[Laughter.]

The CHAIRMAN. Senator Udall.

Senator UDALL. I think I am going to follow the lead also of our Republican colleagues here and try to move as quickly as possible as we can.

Let me just thank the Ambassador and Ms. Lindborg for your testimony and your leadership on this issue. And you have mentioned that President Obama and Secretary Clinton have been actively involved. We also appreciate their assistance there.

With that, I will yield back.

The CHAIRMAN. Thank you, Senator.

Senator BARRASSO.

Senator BARRASSO. Thank you, Mr. Chairman. We have bipartisan agreement. It is time to move on. Thank you very much for your service. Thank you.

The CHAIRMAN. Wow. I think I am going to try to schedule this kind of thing around a really controversial vote here.

[Laughter.]

Senator CORKER. Mr. Chairman, I would say, all of us, just for the audience, we have the ability to ask questions of these officials and get back, and so we will all take the opportunity to do that. And that is why moving on makes sense.

The CHAIRMAN. Before we excuse you, I just want to ask, is there anything, Administrator Lindborg, that you feel you wanted to say that you have not had a chance to, or Ambassador Lyman?

Ambassador LYMAN. Just to thank the committee very much. I do not think the crowds were out there to see us either.

[Laughter.]

The CHAIRMAN. Well, we are going to continue to work with you as closely as we have. We will try to support you in every way we can to try to approach this.

I do think that Saudi Arabia, Qatar, China, could particularly play an increased role here, and I hope that over the next days we can talk about how to perhaps leverage that a little bit, and see if we cannot move on this.

I know everybody wants to move on, but I just have this one last quick question. Do you believe that the signals you are getting and this movement of yesterday, et cetera, is there any indication in there of a greater willingness to try to provide access of the humanitarian assistance and actually get to the political solution on the Blue Nile, South Kordofan?

Ambassador LYMAN. Actually Nancy and I were on the phone this morning with the Minister of Social Welfare asking that. She has said that they are meeting tomorrow on the tripartite proposal. I am hoping we are going to get an answer as soon as tomorrow on that front.

Once we open that door, once you have food going in, it is going to have to affect the fighting that is going on, and you have to protect the humanitarian workers. And that, we hope, is going to create an atmosphere where political talks start to happen. And we are hoping that—it has not been agreed yet, but that is the direction we want it to go.

The CHAIRMAN. And this is a tricky question, but an important one. Do you have evidence—are there indicators of the South's direct support for proxy efforts in that area?

Ambassador LYMAN. We have said to the Government of South Sudan that supporting those fighting in South Kordofan, it is very dangerous, and we can see the results already—the retaliation, the bombing across the border. And we have had very candid talks with them about it. And part of the reason that they are going through this summit is to discuss that frankly between the two governments. So, I am hoping that that will be on the agenda.

The CHAIRMAN. Well, thank you very much. We are as appreciative as everybody has said. You have come back to take this on, and it is a tough task. And we are really happy to have your expertise, and your skill, and the commitment of both departments to this. We thank the Secretary and the President for their focus on it. Thank you.

Let us try to move seamlessly if we can. I would ask George Clooney and Jon Prendergast and John Temin if they would come up so we do not interrupt here in the process.

Evidently moving is a very interesting thing.

[Laughter.]

Let alone sitting.

Folks, can we ask the members of the press if they would give us room here to proceed? Thank you very much.

John, is there an order that you guys have? George. Go for it, thank you. Again, we are really happy to have you here. I know you traveled overnight to get here, and we look forward to both your testimony, as well as, I think, you have a video with you that you want to show. And we look forward to seeing that.

**STATEMENT OF GEORGE CLOONEY, COFOUNDER, SATELLITE
SENTINEL PROJECT, WASHINGTON, DC**

Mr. CLOONEY. Thank you. Thank you, Senators. I thank you for the opportunity to appear before you. I understand how busy you are. I will try to brief and to the point.

The first thing I would like to do is I want to set some boundaries and separate what is fact from what is fiction for us. We will start with some of the facts.

The Government of Sudan, led by Omar al-Bashir, Ahmed Haroun, and Defense Minister Hussein, the same three men who orchestrated the atrocities in Darfur, have turned their bombs on the Nuban people. Now, these are not military targets. These are innocent men, women, and children, and that is a fact.

Three days ago while we were in the Nuba Mountains, 15 bombs were dropped on a neighboring village. When we got there, we found children filled with shrapnel, including a 9-year-old boy who had both of his hands blown off.

As we traveled further north, we were greeted by hundreds of villagers carrying signs reading, “Stop the Antonovs.” And as we met with their leaders, we were also met with three 300-millimeter rockets fired overhead. And we witnessed hundreds of people running to the hills to hide in caves for their safety, and that happens every day.

These people are not the cave people of Nuba. They actually live on farms, and they are the oldest society in the world, and yet now they are forced to hide in caves. It is a campaign of murder and fear and displacement and starvation, and that is also a fact.

Religion is not an issue. In the camps you will find Christians and Muslims hiding together. It is ethnic in nature.

The indiscriminate bombing of innocent civilians is defined as a war crime in the Geneva Convention. In January of last year, I was in South Sudan with Senator Kerry for the referendum that gave us the world's newest nation, South Sudan. Amid all the excitement of self-determination, we warned the world of the danger of leaving the four border regions out of the referendum talks—Darfur, South Kordofan, the Blue Nile, and, of course, Abyei. The Government of Khartoum accused us of rhetoric designed to incite and anger the north or against the north.

We visited Abyei in January, in January of 2011, and at the time it was estimated to have 120,000 Ngok Dinka inhabitants. Today there are none. They are either dead or they are refugees all because they had the bad luck of being born on a border, being born in oil rich land, or being born black. That is a fact.

These three men, Bashir, Haroun, and Hussein, are all charged with war crimes for their actions in Darfur, and now they are proving themselves to be the greatest war criminals of this century by far. So, the obvious question is, Why should we care? What does this have to do with us? We have our own problems. We have jobs. We have housing. We have debt, and now we see our gas prices going up. As Senator Lugar said and as President Obama said in the press conference last week, he talked about three reasons why we are paying more at the pumps: speculators, uncertainty in Iran, and South Sudan shutting off its oil.

As you know, the south has all the oil and the north has the pipelines and the refineries. And for years the north has been taking the oil, keeping most of the profits, buying bombs and rockets, and using them on Darfur, the Blue Nile, Abyei, and the Nuba Mountains.

So, 6 weeks ago the south shut down their oil production. They just stopped. And overnight China lost 6 percent of its overall oil imports, which means they have to go elsewhere, and that raises the price of oil. What happens in Sudan matters very much to us now economically. That is also a fact.

But what can we do? We are not going to use our military. We are not likely to see a NATO no-fly zone. That is probably not going to happen. So, this is all where we all come in. We need to do what we are best at, real diplomacy, starting with China.

China has a \$20 billion investment in the oil infrastructure in the Sudan, and right now they are getting nothing for it. We need to use this opportunity to work in tandem with the Chinese to solve these cross-border issues, not by using guilt, not by appealing to humanitarian interests, but simply from good, solid economic reasons for both of us. Let us send a high-level envoy to China to work together on this. Let us use the techniques we have learned from chasing terrorists and find and freeze the offshore bank accounts of these war criminals. They are not buying these weapons in Sudanese towns. Let us work with the international community to toughen the sanctions, make Khartoum a very lonely place. There is a lobbyist here in D.C. who is allegedly paid \$20,000 a month to lobby for Khartoum. Let us make sure he is paid in Sudanese towns from here on in.

There is a bill in the House, the Sudan Peace Security and Accountability Act of 2012, that addresses many of these subjects, and we hope that the Senate will introduce an equally robust bill.

There is a long list of things we can do that will not cost lives or much money. There are no two sides to these core issues. We cannot give the lives back. We cannot replace that young boy's hands. But we can put an end to it if we work together as a nation and as an international community, and it can start here.

I know this. If we work together, all of us, we cannot fail. And that last part is just opinion.

I thank you, and I forfeit the remainder of my time to Senator Kerry.

The CHAIRMAN. There is a trend here. Exactly. John, are you going to—

Mr. PRENDERGAST. For better or worse, I am with him, so we are good. I am just here for the Q&A.

The CHAIRMAN. Great. Jonathan Temin.

STATEMENT OF JONATHAN TEMIN, DIRECTOR, SUDAN PROGRAM, U.S. INSTITUTE OF PEACE, WASHINGTON, DC

Mr. TEMIN. Chairman Kerry, Ranking Member Lugar, and members of the committee, it is an honor to appear before you today to present my views.

Let me also express my condolences to the family and colleagues of Congressman Donald Payne, who was a great champion for the people of Sudan and South Sudan.

I direct the Sudan Program at the U.S. Institute of Peace, which has been working on the ground in Sudan for 18 years. The views I express today are my own and not necessarily those of the U.S. Institute of Peace, which does not take policy positions.

Mr. Chairman, I intend to focus my remarks today on two broad issues that I believe are critical to the future of these two countries; governance and economic viability. Let me emphasize that the issues already addressed, especially immediate humanitarian access to South Kordofan and Blue Nile States, are vitally important and should be priorities for the international community.

For decades, Sudan has lurched from one crisis to another. Also for decades, Sudan's leaders have employed a model of governance that is ultimately unsustainable. This is not a coincidence. Rather, this model of governance is a central cause of Sudan's continuous instability. It concentrates wealth, power, and resources at the center of the country, to the detriment of populous peripheral areas. It is exclusionary and riddled with corruption.

Under the current government, this model has been accompanied by an effort to impose an Arab, Islamic identity throughout Sudan. The result has been a series of rebellions from peripheral areas seeking more equitable sharing of resources and resisting the imposition of identity or religion. The Government has often responded to these rebellions with brutal and disproportionate force.

The international community has spent decades working to end these conflicts on Sudan's periphery, with some success. But the international community continues to chase these conflicts around the periphery while rarely making concerted efforts to help Sudanese reform the flawed governance model at the center. It is time

for that approach to change. It is time for a more comprehensive strategy for addressing Sudan's challenges rather than the piecemeal approach too often adopted.

This will not be easy. The Government of Sudan has shown little appetite for self-reflection or reform. But given the dire economic situation, mounting internal resistance, and climate of change throughout the Arab world, they may have little choice.

One opportunity for reform lies in the process of developing a new constitution. That process is a natural venue for dialogue about the nature of the Sudanese State and how it should be governed. But the process must be inclusive, participatory, transparent, and consensus-based.

The international community should draw attention to the importance of that process and work to convince the wide array of Sudanese political entities of its value. USIP has been working to help Sudanese civil society organizations promote a genuine constitutional development process.

Concerning South Sudan, it should be noted that the South Sudanese leadership did an impressive job navigating their country to independence. But since independence, there has been growing concern about the Government of South Sudan's commitment to good governance and tackling corruption, and their ability to stabilize the fledgling nation.

The United States has an important role to play in helping to arrest and reverse these trends before they are fully ingrained. The United States has been a friend of South Sudan for years, and that should continue. But it is now time for South Sudan to be held to the same basic standards of governance and transparency as any other independent nation. While recognizing the limited capacity of the Government of South Sudan, the United States should be clear in articulating these standards, and candid with South Sudan when those standards are not met.

Turning to economic issues, as the shutdown in South Sudanese oil production continues, the economies of both countries are under considerable strain. In Sudan, a key question concerns whether Sudan will receive economic assistance from friendly nations. This will be the sovereign decision of other countries, but the United States should encourage that any assistance provided be closely linked to progress on key priorities, such as the type of fundamental governance reform described earlier, and implementation of the Doha Document for Peace in Darfur.

In South Sudan, the decision to suspend oil production has been well received by the South Sudanese population so far. But one wonders how it will be viewed in 6 months or a year if there are substantial budget cuts that reduce already minimal service delivery.

Talk of building a new oil pipeline through East Africa in 18 months is exceedingly optimistic. The Government of South Sudan should be straightforward and candid with the population about the implications of a continued shutdown in oil production.

The silver lining is that the difficult economic circumstances in both countries create leverage for the international community. Both countries desperately need outside assistance. International coordination of any economic assistance will be crucial, so that it

is clear, for both countries that assistance provided is contingent on certain steps each government must take.

I want to again express my appreciation for the opportunity to address this committee. I look forward to answering any questions you may have.

[The prepared statement of Mr. Temin follows:]

PREPARED STATEMENT OF JON TEMIN

Chairman Kerry, Ranking Member Lugar, and members of the committee, it is an honor to appear before you today to present my views on Sudan and South Sudan. Thank you for this opportunity.

Let me also express my condolences to the family and colleagues of Congressman Donald Payne, who was a great champion for the people of Sudan and South Sudan.

The views I express today are my own and not necessarily those of the U.S. Institute of Peace (USIP), which does not take policy positions.

I currently direct USIP's programs on Sudan and South Sudan. My views are informed by my work at USIP, which conducts training and field operations and provides tools to help prevent, manage, and end violent international conflicts. USIP has been working on the ground in Sudan (and now South Sudan) for over a decade, in the capital cities and in remote, conflict prone areas, trying to build capacity to prevent and manage conflict. We also work to increase understanding of critical issues affecting Sudan and South Sudan and to identify innovative solutions. I travel frequently to Sudan and South Sudan and have a broad network of contacts across both countries.

Mr. Chairman, I intend to focus my remarks today on two broad issues that I believe are critical to the future of these two countries: governance and economic viability. Let me emphasize that the issues addressed by the other panelists, especially immediate humanitarian access to Southern Kordofan and Blue Nile states, are vitally important and should be priorities for the international community. But I want to take this opportunity to address several bigger picture issues that are sometimes set aside due to the urgency of addressing more pressing demands. I will conclude with brief comments on current relations between the Republic of Sudan and the Republic of South Sudan.

GOVERNANCE IN THE TWO SUDANS

For decades, Sudan (and with it the international community) has lurched from one crisis to another, from the two north-south civil wars to the violence in Darfur to the recent fighting in Abyei to the current conflict in Southern Kordofan and Blue Nile states. Also for decades, Sudan's leaders have employed a model of governance that is ultimately unsustainable. This is not a coincidence. Rather, the model of governance employed by the current Government of Sudan—and several governments before it—is a central cause of Sudan's continuous instability. This model concentrates wealth, power, and resources at the center of the country, meaning in and around Khartoum, to the detriment of populous peripheral areas. It is exclusionary and riddled with corruption. Since the beginning of Sudan's oil production, Khartoum has been a boomtown, while the peripheral areas have remained generally poor and underdeveloped. The rich and some of the middle class prosper, while many more suffer. Under the current government, this model has been accompanied by an effort to impose an Arab, Islamic identity throughout Sudan. The result has been a series of rebellions from peripheral areas seeking more equitable sharing of resources and resisting the imposition of identity or religion. The Government has often responded to these rebellions with brutal and disproportionate military force.

The Government has learned that it benefits from promoting instability and division in peripheral areas, as it weakens the ability of opposition forces based in the periphery to challenge the center.

The international community has spent decades working to end these conflicts on Sudan's periphery, with some success, such as the Comprehensive Peace Agreement (CPA). But the international community continues to chase these conflicts around the periphery while rarely making concerted efforts to help Sudanese reform the flawed governance model that is a root cause of instability. It is time for that approach to change. It is time for a more comprehensive strategy for addressing Sudan's challenges, rather than the piecemeal approach too often adopted.

This will not be easy. Since the secession of South Sudan in July 2011, the Government of Sudan has shown little appetite for self-reflection or reform, and the more they feel backed into a corner the less likely they are to engage in any mean-

ingful reform. But given the dire economic situation, mounting internal resistance and climate of change throughout the Arab world, they may ultimately have little choice. It is important to keep in mind that Sudan's leaders value self-preservation above all else.

One opportunity for reform lies in the process of developing a new constitution. With the conclusion of the CPA and secession of South Sudan, Sudan is required to develop a new permanent constitution. That process is a natural venue for dialogue about the nature of the Sudanese state and how it should be governed. But the process must be genuine, meaning it must be inclusive, participatory, transparent, and consensus-based. USIP has been working with Sudanese civil society organizations to help them promote these principles.

Recent events and statements suggest that genuine constitutional reform is a tall order. But sooner or later, the people of Sudan must have a dialogue among themselves about the nature of the Sudanese state and how it should be governed. The role of the international community is to help them enter into that dialogue. The international community should draw attention to the importance of that dialogue and work to convince the wide array of political entities in Sudan of its value.

A second area of international focus should be the next elections in Sudan, scheduled for 2015. The substantial flaws of the 2010 elections were largely overlooked because they were viewed as little more than a box to be checked before the referendum. In hindsight, those elections were a missed opportunity to promote democratization. President Bashir has repeatedly promised that he will not run in the next election, which may create space for a more open contest. If the 2015 elections are to be better than previous elections, technical and political preparations cannot begin soon enough.

Turning to governance in South Sudan, it should be noted that the South Sudanese leadership did an impressive job navigating their country to independence. The peaceful and orderly referendum and secession process was an important success for South Sudan and the world. But since independence, there has been growing concern about the Government of South Sudan's commitment to good governance and their ability to stabilize the fledgling nation.

There are worrying reports of large-scale corruption in South Sudan and little progress in prosecuting offenders so far. Journalists have been harassed and detained on multiple occasions, defying explanations that they are isolated incidents. There is widespread indiscipline and sometimes little cohesion within the Sudan People's Liberation Army (SPLA), hindering its efforts to respond to large-scale violence, as witnessed recently in Jonglei state. There are major ethnic divides within government and society as a whole. The Government has so far failed to accelerate service delivery to a needy and expectant population following secession. All these challenges will be magnified by the revenue lost as a result of the shutdown in South Sudanese oil production—one of many reasons it is critical that an agreement between Sudan and South Sudan on oil sector management is reached soon.

The United States has an important role to play in helping to arrest and reverse these trends before they are fully ingrained. The United States has been a friend of South Sudan for years, and that should continue. But it is now time for South Sudan to be held to the same basic standards of governance and transparency as any other independent nation—they should not receive special treatment based on past relations. While recognizing the limited capacity within the Government of South Sudan, the United States should be clear in articulating these standards and accompanying expectations. As with other nations, there should be consequences when these standards are not met.

South Sudan also requires a new permanent constitution, and as in Sudan, the process for developing it will be a unique opportunity to convene a national dialogue about fundamental governance issues. It will be a test of the Government of South Sudan's commitment to good governance and genuine democracy. The recent appointment of a commission to lead the process is a positive step. The international community should provide South Sudan with the assistance it needs to ensure that the constitutional development process embraces the principles of inclusivity, participation, transparency and consensus.

Also similar to Sudan, it is not too early to begin preparations for South Sudan's first elections as an independent country, scheduled for 2015. This will be another test and opportunity. There is much work to be done on both technical preparations and political party development. South Sudan's opposition parties are weak and require capacity-building assistance, which the Government of South Sudan should welcome.

The single greatest challenge facing South Sudan is not one of governance or economics, however, but a challenge faced by many African countries: rising above tribal identities and embracing a national identity. For many years, two forces have

loosely unified South Sudanese: the common enemy they perceived in the north and the shared goal of achieving independence. Those forces are now diminished, and left in their wake is the paramount question of what it means to be South Sudanese. The process of developing a shared national identity will be painstaking and require decades, but it should begin now. As witnessed in various parts of South Sudan, most recently and tragically in Jonglei state, tribal rivalries can take a brutal toll and escalate out of control. South Sudan's tribal identities are deeply engrained and not easily overcome, but they should at least be accompanied by a stronger sense of South Sudanese identity.

ECONOMIC VIABILITY OF THE TWO SUDANS

As the shutdown of South Sudanese oil productions continues and negotiations drag on, the economies of both countries are under considerable strain. The Government of Sudan is opaque in its economic management, but is clearly struggling. The lost revenue from South Sudanese oil cannot easily be replaced. There are efforts to increase domestic oil production and gold exploration, but that will take time and returns are uncertain. Meanwhile, the Government is due to make significant investments in Darfur as called for by the Doha Document for Peace in Darfur (DDPD). But at the same time it has been forced to implement some austerity measures, with the possibility of more in the future, and the massive debt burden remains.

It has been said that it is the price of sugar that will ultimately bring Sudanese to the streets, and this may be true. Part of what has kept the current government in place for so long has been significant investment and development in the center (Khartoum) and extensive patronage networks. But without funds to continue growth in the center and maintain the patronage networks—as well as to pay generous military and security salaries—the Government may be increasingly vulnerable. This is part of the reason Sudanese negotiators are striking such a hard bargain in the ongoing negotiations with South Sudan.

The two greatest economic uncertainties for Sudan are the outcome of those negotiations and whether Sudan will receive economic assistance from friendly nations (such as fellow Arab States or China). Some short-term economic assistance was received in recent months, but it will not last long. Whether longer term assistance is forthcoming will be critical. This is a question on which the United States should be very much engaged. It will be the sovereign decision of other countries whether they provide economic assistance to Sudan, but the United States should encourage that any assistance provided be closely linked to progress on key priorities, such as the type of fundamental governance reform described earlier and implementation of the DDPD. In particular, any economic assistance from Qatar linked to DDPD implementation should only go to its intended destination, as described in the agreement, in order to directly help Darfuris.

In South Sudan the economic outlook may be just as bleak. More than 90 percent of the Government of South Sudan's revenue comes from oil production, which is currently suspended. There is no way to make up much of that revenue in the short term. Furthermore, talk of building a new oil pipeline through Kenya or Ethiopia and Djibouti in 18 months is exceedingly optimistic. By most estimates it will take several years to construct a new pipeline, and critical financing issues remain unresolved.

There is discussion of austerity budgets, but it is difficult to see how the accounting will work given promises not to cut SPLA salaries and to give raises to the police. The decision to suspend oil production has been well-received in South Sudan so far, but one wonders how it will be viewed in 6 months or a year if there are substantial budget cuts that reduce already minimal service delivery. The Government of South Sudan should be straightforward and candid with the South Sudanese population about the implications of a continued shutdown in oil production. Popular expectations following independence were already well beyond what could have been delivered; with the temporary loss of oil revenue, the gap between expectations and reality will be even larger.

The silver lining is that the difficult economic circumstances in both countries create leverage for the international community. Both countries desperately need outside assistance. International coordination of any economic assistance will be crucial, so that it is clear, for both countries, that assistance provided is contingent on certain steps each government must take. Absent those steps, neither country should be bailed out.

SUDAN-SOUTH SUDAN RELATIONS

Beyond the domestic challenges faced by Sudan and South Sudan, relations between the two countries are deeply troubled. Despite heated rhetoric in both directions and little progress in the ongoing negotiations, I do not believe either country wants a return to full-scale war. It would be economically disastrous on both sides of the border. But the international community must be concerned that events may escalate beyond control and pull the two countries back to war. Each blames the other for instability that has much more to do with internal factors than external interference. There is little, if any, trust between Juba and Khartoum. These forces further complicate already complex negotiations on post-referendum arrangements, most notably management of the oil sector. But there must be progress in those negotiations in order to deescalate tensions, especially around the border. The African leadership provided by President Thabo Mbeki and the African Union High-level Implementation Panel (AUHIP) has been valuable, but it has to be backed up by, and coordinated with, multilateral engagement. We know such coordination is possible because it happened in the runup to the referendum, helping to make it a peaceful process despite predictions to the contrary. But we also know that the referendum and independence of South Sudan was not the end of instability in the two Sudans. In many ways, it marked the beginning of even greater challenges.

I want to once again express my appreciation for the opportunity to address this committee. Thank you for holding this hearing today on such an important and timely topic. I look forward to answering any questions you may have.

The CHAIRMAN. Thank you very much, Mr. Temin. That is very important testimony, particularly with regard to the equality of accountability, and I think it is something we are going to have to think about.

George, if I could ask you, we talked earlier about your trip and what you observed. I know that you have brought a video, I think, from that, but could you describe—give us a sense of what you really saw on the ground, and what you see perhaps from that as the most critical, immediate first step emergency that we need to take.

Mr. CLOONEY. Well, what we saw—in general what we saw was Nuban people who were incredibly vulnerable. The issues that Ambassador Lyman was talking about are the biggest one, which is there is a rainy season coming, and there is a great many people who could starve to death. This has been done intentionally. These people usually are farming and have planted by now. They are hiding in caves.

What you see is a constant drip of sphere. Every single day those Antonovs fly overhead. Now, these are not particularly accurate bombs. These are big planes with bombs, and they open up the cargo door, and they just throw them out. If they were aiming for you, it would probably be the safest place you could be.

But what it does is it creates this environment of fear. Every time you hear the sound of those engines, and it takes about 5 minutes for them to get there, and they circle. Every time you hear the sound, everyone runs and runs to the hills. It creates fear to keep them from doing anything really, their ability to do anything.

And they are there without any protection. We went—one of the roads we went up recently was taken by the north, and then the SPLM fought their way through it. There were a lot of dead bodies on the side of the road. We were in one village where we heard the missile attack. They were standing there holding signs saying stop attacking us, stop with the Antonovs. Stop.

These people every single day of their lives have to deal with fear, not just of the future in terms of starving to death, but actually actively being killed. And that is—that was what the majority

of what we are here to do. You know, I am here to talk about the dangers of these people particularly, and the specifics are that the exact same people who did this in Darfur are the people that are doing this again. And these signs, as the Ambassador said, are ominously similar to what happened in Darfur. And that is the problem, and that brings us cause to pause.

The CHAIRMAN. I gather you have a video. Are you going to show that? I beg your pardon?

Mr. PRENDERGAST. Time wise it is probably better to go ahead and ask questions.

The CHAIRMAN. OK. Well, I think it is important. I heard your description, and I think that it would be helpful to the committee to—I mean, that is as firsthand as it gets. But it is your choice. How long is it?

Mr. PRENDERGAST. A few minutes.

The CHAIRMAN. Let us do that.

[Video Presentation.]

The CHAIRMAN. Well, I am glad we did share that. I am glad you brought that, and I think it was an important part of the testimony. And so, I appreciate very, very much your bringing that before the committee. Those images are obviously powerful, important. And I think it underscores what has been said here today.

If I could just ask you, and then we will go around here, you listed a number of things, George, that you thought were immediate steps. What, if any—what do you think is the most compelling, important, immediate step that either the United States or together with the international community can do that would have an impact?

Mr. CLOONEY. Senator, there is a fairly popular feeling that this shutting off of oil by the south is damaging to both, and there are very good arguments for that. You could argue that if it was the United States and we were at war with Canada and sending them oil, and they were buying bombs with it, we would probably stop.

But the truth of the matter is, what we really need to do is we can take this moment and engage with China, I think, for the first time. I have gone to China and tried the version, hey, you have got an Olympics coming, maybe it would not look so good if you are supporting the—you know, the attacks in Darfur. That does not really work. Guilting people often does not.

There are economic reasons to do this for both of us, and it seems to me that we could use this opportunity, this window of opportunity before it gets too long, too late, by sending a high-level envoy. And I do believe we should absolutely focus on where their money is because they are spending a lot of it, and they are hiding a lot of it. Even if we cannot freeze it, the transparency itself. We have seen how that works in other countries during this Arab Spring. When you find out how much money they actually have taken from their own people and hid in banks, that tends to create insurgence inside.

So, I think those are the two major steps that could be done. That is our belief. There are many others.

The CHAIRMAN. Senator Lugar.

Senator LUGAR. George, I noted down as you gave your first testimony your ideas about sending an envoy to China so that we can

address these issues together and using the banking sanctions to impact the wealth of high-level Sudanese officials. We are using similar measures with respect to Iran and for good reason. We have had some experience with this with North Korea. In those cases, it was because of nuclear devices. They either had them or they were developing them.

But one could argue this is equally serious for different reasons, and our diplomacy with China is, as you suggested, unfortunately not just humanitarian, although humanitarian issues are an important component of that. Access to oil is extremely important for the Chinese, and they are prepared to fight for it eventually if they cannot get it. And so, we have somebody to talk to here, and I just wanted to endorse your idea as a hope that the administration might pick up on the testimony and some of the things we are discussing today.

Likewise, Mr. Chairman, although it is, as you say, far-fetched to think of an alternative pipeline in the shorter term, perhaps it is not a pipe dream to think about it as a longer term idea regard to South Sudan. This could be repeated even if we move through one crisis, and it seems to me that for the sake of our humanitarian effort it may be worth exploring which investors may be willing to be involved in such an alternative.

So, I just wanted to pick up that suggestion as one that may be fundamental down the trail and strengthen the temporary or immediate measures that we have to take.

So, I thank all three of you again for your testimony and for these very practical suggestions of policy that I think are very useful.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator Lugar.

Senator Menendez.

Senator MENENDEZ. Thank you, Mr. Chairman. I want to thank all of you for your insights. Where you are, Mr. Clooney, in terms of seeking a practical economic leverage for a worthy result is, is what I was trying to elicit from our previous panel.

How is it that we influence the behavior of others who can influence Sudan? And in that respect, as someone who has led sanctions here on Iran, I actually believe that we can, in fact, use leverage in this case for a worthwhile humanitarian purpose.

And when the Chinese have such an investment that is not being productive, it seems we must work with the Chinese to both get them to understand their economic interests, if nothing else, and at the same time look at that as the opportunity for how we ratchet down—you talked about the accounts. We do that quite often. I hope the President might even look at the possibility of an Executive order doing that versus waiting for us legislatively to respond. It might be possible under his abilities. We would have to look under the Treasury Department.

But I would like to take some of your insights regarding how we create the leverage to change the on-the-ground reality. The Chinese have a multibillion dollar investment that is not being productive, which can be used to create economic consequences that will move people to a different course of action out of pure necessity when they do not do it for a higher calling, and I think those are

the ways in which we are going to actually change the realities on the ground.

So, as someone who has been a big advocate here on sanctions for different purposes, I think they can work, especially when we can multilateralize them. But often the United States has to lead in order to get the rest of the world to follow.

So, I appreciate those insights, and I hope our friends in the State Department are listening, and that we can take it into action. I certainly will be looking forward to doing that. So, thanks.

The CHAIRMAN. Thank you very much, Senator Menendez.

I note that Ambassador Lyman and Administrator Lindborg are still here and indeed listening, and I know that they also talk to and work closely with John Prendergast and George Clooney, so that hopefully—I am confident we will follow up on this.

Senator Corker.

Senator CORKER. I just want to thank you again for the attention that you bring to this issue, and certainly the reality that we have seen here through this production this morning. And those of us who travel to countries like this just cannot bring the attention to it that people like you can, so I thank you for that. I thank you for the suggestions that you made not only here, but in the back room. And hopefully we will follow up on those. But, again, thank you very much. It has been very moving.

And to Mr. Prendergast, while you are here, since there has been some discussion about the Satellite Sentinel Project, I wonder if you might just take a minute or so to explain to the rest of us and to the others here exactly how that works and how that might be utilized in conflict areas like this.

Mr. PRENDERGAST. Thank you, Senator. It is a partnership between Digital Globe, which is a satellite imagery company, Harvard, and Enough Project to take—it was George's idea frankly that, you know, we wanted to try to drive attention to deterring war crimes before they happen rather than bemoaning the fact afterward, and to create a capacity to—and this is what has happened over the last year. You find, OK, we have soldiers mashing a particular area. We have air assets being moved into position, attack helicopters, Antonovs, and other things. I mean, those are targeting some of the signal intelligence where areas are being targeted, and we can raise the alarm bells that particular people are vulnerable, and we need to have action.

And if there is not action taken and the attacks do happen, at least we have the visual evidence, empirical evidence, to go present to the International Criminal Court and the United Nations Security Council and others for hopeful prosecution in the future.

Senator CORKER. I know the first panel acknowledged that this was a useful tool. Are there ongoing discussions between you and the State Department and other agencies of our government to utilize this more fully?

Mr. PRENDERGAST. You know, it is very important for us to say just a footnote to George's testimony that the administration's policy and strategy is the right one. You know, we support very strongly Ambassador Lyman as a special envoy, and think he is doing an extraordinary job. And so, we are in touch all the time because we want to be supportive of the administration, by the

way, which is a very bipartisan strategy, and it has been through the last three administrations on Sudan. And, of course, Congressman Payne was one of the sort of incubators of this bipartisan effort. So, we wanted to note him as well, and raise.

But I think there are a few opportunities right now just to put a little fine point on what this moment does present with the cutoff of the oil. President Obama and President Hu are going to meet very soon. This will be a chance to put this issue high on the radar screen of the two leaders to talk about how specifically the United States and China can forget this kind of a partnership we are talking about.

Ambassador Lyman and others are already having conversations, so, again, we are not telling somebody something they do not know. But I think having that high level, real strong endorsement of the need to deepen the partnership would be really helpful.

And also, and you are going, Senator Kerry, very soon to Qatar to talk to the emir. I mean, a number of countries are bailing these guys out, you know. It is easier for them to continue to be intransigent if they are getting credits from—or soft loans, which they will never pay back, from the Middle Eastern countries. So, for President Obama, for example, to make a call directly to the emir of Qatar and say, this is not the right time, hold it, and use it as leverage for a deal, a comprehensive deal that addresses all these problems.

And then finally on the unilateral leverage that the United States has, we have plenty of sanctions, you know, as everyone knows, but we are not enforcing them. And so, giving the Treasury Department, specifically the Office of Foreign Assets Control, the capacity to enforce, having a couple of people on the staff full time chasing those assets, as George said. Even if we cannot freeze them or cannot get any other country to freeze them, by exposing them.

What was the root of the explosion of popular sentiment during the Arab Spring in Middle East and North Africa? It was popular resentment against all this corruption. All these guys have been packing the old wealth in the private accounts under these companies—international companies that they are invested in. Let us go find that money and expose it if we cannot freeze it. It will put them in even deeper hot water with their own people who at the end of the day going to solve the problem.

Senator CORKER. Mr. Clooney, Mr. Prendergast, and Mr. Temin, thank you very much. Appreciate it.

The CHAIRMAN. Thank you very much.

Senator Cardin, I would just note that it is about 11:40, and three votes started, so we have about 15 minutes, something like that.

Senator CARDIN. I will limit myself to 2½ minutes. Let me just make this point.

First, again, thank you all for what you are doing. And let me just underscore the point on sanctions. You are absolutely right, sanctions are important if they can be enforced internationally. The United States has to show the leadership, has to have tough sanctions, and have to not only enforce those sanctions, but use it as a high priority on their diplomacy with other countries to enforce it.

But you are right on the asset issue. There the United States can have a major impact because the world leaders are hiding their money, and they come across U.S. banks. So, we can have an effective remedy here. Some of us have joined together what is known as the Magnitsky bill, which deals with human rights violators in Russia that we believe should not get the privileges of our banking system. And we think that would be an effective way to bring them to justice.

Al-Bashir was indicted as a war criminal. There was an arrest warrant issued for his arrest by the International Criminal Court in March of 2009. He is a known abuser of human rights and has violated international standards. Defense Minister Hussein, an arrest warrant was issued this month for his arrest. So, these are criminals. So, I think we are on a very high authority to impose the type of financial sanctions which could have a major impact.

The Government should not be afforded the legitimacy of the international community when their leaders are scheduled to be at The Hague to stand up for the crimes that they have committed.

So, I just really wanted to urge us to keep this focus. We cannot allow under our watch another Darfur humanitarian crisis to emerge in this same region of the world.

So, thank you again.

The CHAIRMAN. Senator, before—I do not want you to feel rushed. And what we are going to do is Senator Coons has gone over. I am going to go over quickly and vote, come right back so we will be able to keep the continuity. So, take your full time.

Senator CARDIN. Well then, would you like to respond to what I said?

[Laughter.]

I will give you a chance to respond. I think your message, Mr. Clooney, about the importance of international respect for sanctions and denying the banking, the individual is what make the decisions. So, we can deny al-Bashir the opportunity to hide his wealth, it will have a major impact.

Mr. CLOONEY. I think it would, Senator. I think that the secret to this is just tightening this noose around Khartoum, around the people who are charged with war crimes. They should not be allowed to have a ton of money stuffed in a Malaysian bank, which is what is going on. We need to be able to track it down and find it.

They are also using that money to buy weapons to hurt innocent people. It is a cowardly act what we saw while we were there. These are not—these are not acts of war. These are war crimes. And they are funding it, and they are not funding it simply with Sudanese pounds.

So, I think chasing the money is a very big issue, not just to stop the actual acts themselves, but to put pressure on them internally.

You know, Omar al-Bashir in his home has five tanks surrounding and pointed out. That is not a very secure, you know, leader quite honestly. And so, we feel as if the more you expose his corruption, the more inclined the people in Khartoum would be to perhaps have someone else lead their country.

Senator CARDIN. As Senator Lugar pointed out in his opening statement, the transparency bill the two of us worked on to require

that oil companies, mineral companies, to disclose their contracts so that we can at least try to track the money.

We know that the Sudanese Government has received a lot of income from oil wealth over the years, and we know a good part of that has been diverted. It is not going to the people. So, tracking that money, tracking that wealth, would have a major impact on the comfort of their leaders. And it is something that the United States can do. This is something that—it does not require a lot of countries to work with us. We are the major banking center in the world. We have got London to go along with us. We can do an awful lot in this area without worrying about China, or worrying about Russia, which at times does not always follow our lead on the human rights front.

Senator Isakson, I will hand it off to you.

Senator ISAKSON. Thank you, Senator Cardin. I will be brief also. I have got two questions.

Mr. Clooney, when I went to Darfur 3 years ago, one of the tools that had been used to cause the disruption, and the fear, and the intimidation was gender-based violence against women, primarily rape. Is that going on the mountains as well?

Mr. CLOONEY. In the camps we were visiting, that was a very big issue still. Again, these are the exact same patterns we saw in Darfur. We saw it happen last year when we were in Abyei. We saw it used in—employed again here in the Nuba Mountains in South Kordofan. Absolutely. There was no question about it. John, you might have—

Mr. PRENDERGAST. Only to say that it is still happening in Darfur. Even though the attention has gone away, there still are massive atrocities being committed against the civilian population. So, we need to—when we talk about a holistic solution in Sudan, we need to talk about dealing with all of these problems comprehensively that we have been coming back to this committee over and over again to talk about rather than stove piping them individually and playing into the hands of Khartoum, which wants to divide the international community about these various problems.

Senator ISAKSON. On that point, Ms. Lindborg mentioned the possibility of a tripartite agreement in the U.N., the Arab League and I think the African Union proposed. If al-Bashir signed it, is there any fear he would do the same thing in Kordofan that he has done in Darfur about just kicking NGOs out indiscriminately and trying to disrupt the aid that we do get in?

Mr. PRENDERGAST. Well, I think that the Government of Sudan learned its own version of a lesson in Darfur by allowing international aid agencies to come in early on into the crisis, and then become, in fact, the witnesses. So, they basically said at the outset of their military operations in the Nuba Mountains and Blue Nile, we are not allowing any witnesses in.

So, there are no aid groups operating now, so it is an access crisis for all those people as the clock ticks inexorably toward the rainy season.

So, on the first instance, and Ambassador Lyman and USAID and others have worked very hard at trying to get an access agreement so that working behind the African Union and the Arab League and U.N. proposal. And so, that is really where the atten-

tion needs to be on, and it is to stop the use of starvation as a weapon of war. It is a war crime, and it just must be ended.

Senator ISAKSON. Thanks to all of you for your advocacy, and I will turn it over to Senator Udall.

Senator UDALL. Thank you very much. Thank you, Senator Isakson.

I cannot tell you how important it is, I think, for George, for you and John to have gone over there and brought these images back. And I think Chairman Kerry was right in saying we should play them and have them up on the screen because I think as painful as they are to see them, the thing that this does is allow all of the American people and people around the world to really get engaged with us, and say we do not want this to happen again.

And one of the things that you have mentioned is, and that is what I wanted to question a little bit on, and I think John mentioned this, but I am willing to hear from both of you. The idea that Satellite Sentinel could be used by prosecutors—I was a former prosecutor, so I kind of relish the idea of having bad guys that know something is going to be done to them. I mean, something at The Hague. It is going to come down on them.

Have you visited with prosecutors at The Hague? Are they interested in your technology? Have you talked to them about the kinds of things that may be—could be utilized to strengthen cases and those kinds of things, because if there is anything out there that is going to prevent this from happening again in other places in the world, is that people know that we have an international justice system that is going to work and eventually bring people like you described, George, the just terribly murderous individuals, bring them to justice.

Mr. CLOONEY. Well, I will let you talk about The Hague for a second.

I do want to say one thing. There is an interesting thing that happens when you get involved in these. You think that the minute people know, then it will stop. Your assumption is that everyone just does not know. And the truth is even when you know, it does not stop. It requires a constant drip of information. It requires you to keep piling it on. And sometimes that means that it is not going to be effective in stopping it, but at the very least it is going to be used later as evidence in a trial.

We are trying to continually—you know, we would like to use this information at the Security Council because a lot of the times what happens at the Security Council is someone, we know the players, will veto any raising of the mandate of protection because they will say, well, this is just rebel infighting. Well, we have imagery that shows—we got images yesterday that show an Antonov flying over the top, plumes of smoke where it has bombed innocent villagers.

Well, that is not rebel infighting.

So, our hope is not just to use it at The Hague, but our hope is to try and use it as something to pry the Security Council toward raising the mandate from a six to a seven, you know, trying to move that along. And John can speak about talking with The Hague.

Mr. PRENDERGAST. Yes. The current International Criminal Court mandate is only—involves Darfur, crimes committed in Darfur. So, basically as the arrest warrants have been issued for three of the key regime leaders, they are greeted internationally with a lot of skepticism. Like, there are still a number of governments that believe a lot of this evidence is manufactured, and there are still a lot of divisions internationally about whether the crimes were as terrible as they were alleged to have been.

So, part of the purpose of having this Satellite Sentinel Project is to create airtight evidence for future arrest warrants and prosecutions based on the crimes that are being committed now, which are the same kinds of crimes by the same people orchestrating them, as were the—as is the case in Darfur. So, it is creating that evidentiary base for future prosecutions, and we hope that at least the three that have already been indicted will actually come to justice someday.

Senator UDALL. Yes. Could you—I know that there are others that are involved with you that are your partners in this, and you may want to just mention them in terms of who has worked with you and who is—

Mr. CLOONEY. On the Satellite Sentinel Project?

Senator UDALL. Yes, Satellite Sentinel.

Mr. CLOONEY. The biggest gift we got was the satellites themselves. Digital Globe really out of—for no other reason than the goodness of their heart donated millions of dollars' worth of imagery. It is hard to explain how important that is because there is only really on satellite company that is in that area that can do this for us. So, they have been an incredible partner to us, and continue to be. The evidence that we picked up, we have gotten shots of mass graves. We have gotten shots of tank movement and troop movement and all those things.

Remembering and understanding that part of the reason this can work is because of the topography, you know. This would not be as effective in the Congo because it is harder to see from the sky, you know, with all the trees, Harvard.

Mr. PRENDERGAST. Harvard, and then, of course, once you get the imagery you have to have analysis of it. And so, there is a team at the Harvard Humanitarian Initiative that is dedicated to in real time analyzing the imagery, producing independent nonpartisan reports about what they are seeing and what they are assessing these images to mean, and then those reports get put out, and then we try to generate attention around them in order, again, to act as a deterrent to the crimes.

Mr. CLOONEY. And they stay up all night working. They are young people and they are just doing—it is all heart, those kids. They are great.

Senator UDALL. Thank you very much. It has been very, very helpful.

The CHAIRMAN. Thank you, Senator Udall. I think you have got time to get over there.

Senator UDALL. I hope so.

The CHAIRMAN. Senator Coons.

Senator COONS. Thank you, Chairman Kerry, and thank you for your disciplined and engaged leadership on Sudan and for calling

this hearing today, and for all you have done to help continue to sustain attention and engagement on the challenging issues around Sudan and Darfur.

I would like to thank Special Envoy Lyman and Assistant Administrator Lindborg for your testimony and for your very hard work in this area. And to George, to John, and to Jonathan, thank you for what you have done to get so much focus, engagement, and effective attention on the challenging humanitarian issues in Darfur, in the Nuba Mountains as your video so poignantly demonstrates, and in the ongoing and strategic challenges that we face in engaging people in paying attention to sustainably the very real challenges in bringing peace and development to South Sudan and to the whole region.

Later today, Senator Isakson and I, as the chair and ranking minority on the Africa Subcommittee, will be joined by Senators Durbin and Wicker in introducing a resolution for consideration by the Senate that specifically supports the efforts that all of you have talked about today. And it calls for the Government of Sudan to allow immediate and unrestricted humanitarian access to South Kordofan, Blue Nile, and other conflict areas, and calls on Sudan and the SPLM-North to reach a mutually beneficial agreement to end their conflict. That is just one of many things that we in the Congress can and should be doing to continue what has long been a bipartisan tradition of engagement leadership on these issues.

George, you closed by referencing the folks who stay up all night, the energetic young people who process the images from the satellite project. Just in the past few weeks, we have seen a flood of interest in Joseph Kony through the Kony 2012 Campaign, and, John, the Enough Project has been one of the central partners working with Resolve and with Invisible Children to drive that.

You have both been very effective in getting Americans and folks around the world to pay attention to a great humanitarian crisis in a fairly remote corner of the world. What advice do you have for all of us who want to sustain and engage Americans and folks more broadly in actually continuing to be concerned about a humanitarian crisis such as exists in Darfur, such as we see emerging in the Nuba Mountains, such as continues in the jungles of the DRC and Central African Republic with Joseph Kony. How do we keep young people, people of all ages excited and engaged? It is rare we have millions of people calling for more American engagement with Africa. What do we do at this moment?

Mr. CLOONEY. Well, John will have some ideas. He has been doing this a lot longer than I have.

I would say that, you know, we are going to fail a lot.

You know, we are going to fail in our attempt to help people in these very difficult regions, and we are going to fail a lot in trying to keep attention in a certain area because other news stories are going to bump us off. You know, there is going to be an Arab Spring, and we are not going to be paying attention to what happens. And a lot of these people use that as a moment to do some pretty terrible things.

The trick is going to be in sustaining it is to be able to find moments that are—that you can point to and say, this is a turning point, good or bad, and let us amplify it. And finding several of

those a year to be able to keep it up, you cannot have a constant drip every day on television because no one would care quite honestly. There is not just donor fatigue. There is misery fatigue, and people get tired of it at some point.

So, what we—our job is to find those moments. It is 100 days before these people vote for their own—for a referendum for their own state, so let us make it a—let us focus on that. There is an election; let us focus on that. There is a brand new state. There is a good possibility of people starving to death in the next couple of months, so let us focus on it.

So, part of our job is to try and pick through all of those news cycles, find areas that we can keep it up. But young people and church groups have been the real—they have been doing all the hard work for us. They have been carrying this thing for years. They were driving Darfur forever. They have been keeping the message out. They have been fundraising. They have been keeping the pressure on, quite honestly, all of us in this room.

And so, I would not worry too much about the sustainability inside the hearts of all of these young people and all of these church groups because that just continues. It is just more about finding moments that we can draw attention to try to move the pin forward a little bit, and I find that to be the issue.

Mr. PRENDERGAST. And the only footnote I would add is that the good news is this is such a bipartisan venture. And, therefore, we do not have real opponents here except for just indifference of often ignorance. People just do not know.

So, the thing that I find exciting about the first 10 years of the 21st century of activism is the chance through social media and other fora to create real partnerships between all these wonderful nongovernmental organizations that are working so diligently on these issues. They partner with groups in Africa, because, remember it is on the front lines where Africans in places like Sudan and Congo and Northern Uganda have been doing most of the work to try to resolve these problems, so we can only just come in on the margins and try to help them. So, the coalitions and the partnerships they create.

Then the partnerships that are created here in Washington between those NGOs and Members of Congress like yourself, Senators who have taken a stand one time after another in supporting positive engagement in the world by the United States. That helps stiffen the spine and give political support to the administration, whatever party is in power.

And for President Obama, the way he engaged in advance of the referendum in the latter half of 2010, every Sudanese, South Sudanese person we talked to said that was perhaps the most important, along with China's support, the most important aspect—international aspect of getting a free and fair and peaceful referendum in 2011.

So, it is that chain that starts on the ground in the region with African human rights activists and others, women's group and others, struggling to try to get the word out about their situation, partnering with NGOs here in the United States who partner then with you guys, who then give support to the administration, Republican or Democrat, to then actually engage positively.

And that, I mean, when I started in the 1980s in doing this kind of stuff, that kind of thing did not happen. So, it is a very exciting moment. And having George frankly can make that larger. Having the Invisible Children video, despite all the different opinions about it, it just makes this kind of a partnership even more real and possible.

Senator COONS. If I could just in closing, Mr. Chairman, George and John, I am grateful for your sustained engagement in this. There are lots of faith groups of all backgrounds. There are lots of nongovernmental organizations in Africa, in the United States, and around the world who keep doing the hard work on the ground engaging, bringing information to the light, helping make the world aware of these crises. And this has been a bipartisan effort across the Bush administration, the Obama administration, folks on both sides of the aisle.

The one challenge here is sustaining support for America's use of diplomatic and developmental resources around the world. The United States has a lot of power—military, diplomatic, developmental. But sustaining the investment that makes possible what Assistant Administrator Lindborg is doing, what Special Envoy Lyman is doing, making sure that they have the resources for us to be engaged in Northern Uganda, in South Sudan, in the region, delivering the sort of sustaining investment in providing the framework for peace, for progress, and development. That is something that has been very hotly contested here in Congress just in the past year, and so I would urge folks who may be paying attention or tuning in to these issues for the first time to realize that that is something on which there are sharp disagreements. I think we should continue to invest 1 percent of America's total budget in making sure that we have got the resources to be an effective voice for justice and for progress in these parts of the world. And I am grateful to you for bringing these things to light and for sustaining our engagement in these parts of the world.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Coons, and I want to thank you—as chairman, I really want to thank you for your tremendous commitment and your diligence as chair of the Subcommittee on African Affairs. You have really been terrific.

Senator Shaheen.

Senator SHAHEEN. Thank you. Thank you all very much for being here.

I want to just follow up a little bit on Senator Coons' questions about how to sustain the interest and get action that will help bring that international pressure to make a difference in South Sudan, and whether you are contemplating, or anyone you know of is contemplating, a stop Kony-like video. I know that you have referenced that, or whether there are other ways to get young people more engaged in this issue because clearly that kind of energy can really make a difference. Any of the three of you.

Mr. CLOONEY. It was funny. We landed yesterday and we were gone for 8 days, and did not have time, the Kony video sort of hit. By the time we landed everyone was asking us about it, and I did not really know what had happened.

It is an incredibly effective tool, like John was talking about. Social media can really be a very big deal now, and YouTube, and Twitter, and all those elements are a way to keep young people involved. We are going to put the videos and the things that we got that we put together, we will make it available to people.

There is a—the Sudan in general has an infrastructure that is a lot stronger than most places for charitable organizations. There have been church groups and student groups for a long time who have been working in these areas. So, in some ways it does not go away, you know. In some ways there is that sustained—already sustained. Our job is to amplify it as much as we possibly can, and we will continue to do that.

Understanding that in an election year, political will is probably the most important thing you can get. What I think is so terrific about being here today is that this is truly one subject matter that both sides not only agree on, but have actively worked hard on, and have had some success on, and have had some failures on, and understand one another.

So, this takes a little less political will. This one is one where you do not come up on the wrong side doing the right thing. And so, we feel as—we feel heartened by the idea that it is Senator Kerry and Senator Lugar, and that both of them have worked very hard on this subject matter. We feel heartened that this is something that is not polarizing.

And so, yes, you need political will, and we will continue to push as much as we can to get as many people as we can get involved because the louder it is, the harder it is for these people to commit atrocities. But we also thank you here for your sustained involvement and know that not only do we appreciate it, we are also very well aware that you will continue.

Senator SHAHEEN. You know, I think you have all, including the first panel, made a very important point about the fact that this is a bipartisan effort, and that it needs to be, and that that has been very important. I do think, as Senator Coons pointed out, that the public support for international assistance and our foreign aid budget, which is important to addressing what happens on the ground in Sudan, is not always that bipartisan and not always as robust.

So, I guess I would urge us to be thinking about social media that is getting people to act, thinking about how to address that foreign aid piece as part of that action because that is clearly going to be critical as we sustain the efforts that we need to make on the ground.

So, thank you all very much.

Mr. CLOONEY. Thank you, Senator.

The CHAIRMAN. Thank you, Senator Shaheen.

A couple of quick questions, and I think we will close out. But, Jonathan, what—you have talked about the political reforms in the north and the potential of, you know, elections in 2015 or something, trying to make a difference. Just very quickly if you can, how do you see that—I mean, these guys are not exactly reformers, number one, and they are not exactly listening to anybody. How do you envision that?

Mr. TEMIN. Thank you, Mr. Chairman. It is an uphill battle, and I don't want to be Pollyanna about this. But it is also an unprecedented time in Sudan's history. A quarter of their country just voted almost unanimously to leave. They are under unprecedented economic stress right now. There are signs of internal dissent within the leadership that we have not seen much in the past. And so, those are things that could add up to some sort of change.

But as I said, there is not a lot of evidence of it so far, and I am not certain there is going to be. But I also think that the alternatives are ugly, and particularly some of the talk about regime change through violence would be quite violent.

The CHAIRMAN. Well, I agree with you, and certainly in the conversations that I have had in Khartoum with members of the Government, we have tried to make the point that this really is a major opportunity for them to kind of move in a different direction. I worry that the threesome that has been well named here linked to Darfur that has sort of asserted power for the moment seems to be moving in a totally different direction. But that, frankly, makes all of this much more compelling. And so, we really need to refocus in a lot of ways.

If I could ask both John and George quickly, you have made it very eloquently clear here today and compelling about the need to deal with the food supply to avoid a disaster. But in the long run here obviously, Blue Nile and South Kordofan need a political solution. What did people share with you, and what is the vision that you come back with or that they expressed to you about that political solution for those Two Areas?

Mr. PRENDERGAST. Well, I think that the difference is that the people of the Nuba Mountains and Blue Nile learned from Darfur that if they allow their region to be sort of isolated and stove piped for a bilateral deal between the Government of Sudan and them for some kind of regional autonomy or something, in the long run that is unsustainable. There needs to be a deal that addresses the problem, the big root cause of the problem in Sudan, which is the problem, as John was talking, is the problem of governance in the center.

And so, for the first time we have really seen in the north in Sudan a broader effort, armed and unarmed because you have the Sudan Revolutionary Front, which has sort of formed an association with a number of these armed groups. And, by the way, for the first time, all the Darfur actors who were so divided during the Darfur specific negotiations, are now under the same umbrella and working together. And then a number of unarmed groups who have their own objectives.

But the bottom line is people want to see a democratic transformation just like they do throughout North Africa and Middle East. And that is where—I think that is one of the things that the United States can be helpful in quietly in providing support to some of the unarmed groups that are struggling every day to try to figure out a way—civil society groups, and faith-based groups, and community groups, and women's organizations, who are struggling to find a way to help build for that democratic transformation. That kind of support, and I know that the discussion is internal in the administration. They have not resolved it, like how

can we be helpful here? And I think there would be a lot of things that we could do in that regard to be able to help foster and facilitate and empower some of the Sudanese groups themselves to assert more definitively their democratic rights and their future.

The CHAIRMAN. Well, we are now started on a second vote, and this is only a 10-minute vote, so we are going to be compelled here I think in this round to try to wrap up. But I think we are at that point anyway.

Let me say to you, John and George, how much we really appreciate what you have done here. I think this is a tremendous example of the best citizen activism, and obviously, George, you have lent your celebrity and stardom to this initiative, which has its risks. But it also is critical to the ability to be able to get to focus sometimes. We all wish it were otherwise, but it is not. And we thank you for being prepared nevertheless to just in case, spontaneously, take 8 days and go over there, and, you know, not without its risks, might I add.

I was an activist before I came here to be a Senator, and I vowed that I am going to stay an activist Senator. And I am proud to have people on this committee who feel the same way. So, I can tell you that we are going to absolutely stay focused on this, continue to work with you, do everything we can to try to leverage the outcome that we would all like to see.

I am an optimist, but I have, you know, learned around here not to be naive about it. But I still do believe as intractable as some of this looks, and I think Ambassador Lyman believes this, too, or he would not stay at it. There is a pathway here. There is an avenue. But we do need to increase the leverage. We do need to reach out to China, Qatar, Saudi Arabia, and others, and get them to share some of this sense of urgency and, frankly, humanitarian compelling rationale that is not always high on the agenda in some parts of the world.

I think we can have greater impact here, and to a large measure I think your sense of timing about when those moments are that you need to kind of push again is important and well taken.

So, I express the gratitude of a lot of people, but I do not want to get gushy about it because we have got a lot of work to do. And there is a long way to go. But this has been helpful. And I just would say to you and others who follow this and are interested in it, I hope the Sudan Embassy, I have no doubt, is following it, and I hope Omar al-Bashir realizes that there is no easy out. There is no way here that we are going to not continue to stay engaged and to be involved. We had a roadmap. We thought we could have moved on some components of this. And regrettably Blue Nile and South Kordofan evidenced behavior that made it impossible to do that.

So, it is really his choice, their choice. They will decide to some measure where we are going to go. We are prepared to offer open opportunities to go in a different direction, and I know that President Obama and his security advisors and others are—and Secretary Clinton—are greatly focused on this. You will have an opportunity to meet and talk with them in the next day. And all of us just need to work as we have in a very cooperative way, I think,

across party lines, across branches of government lines, just in a constructive way to try to get the job done.

So, thank you for helping us today to do our job better, and we appreciate your efforts.

If everybody could just let the witnesses sort of come back, Ambassador and Administrator. But we thank you all for coming. We will keep the record open until one week on the close of business Wednesday, March 21.

The CHAIRMAN. We stand adjourned.

[Whereupon, at 12:15 p.m., the hearing was adjourned.]

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

RESPONSE OF AMBASSADOR PRINCETON LYMAN TO QUESTION SUBMITTED BY SENATOR JOHN F. KERRY

Question. I have been told that UNAMID may be downsizing the number and seniority of personnel working on sexual and gender-based violence and human rights. I know that the U.N., like all of us, must make budget cuts, but that is not where I would begin. Protection of women and girls and of human rights is especially important if the peace process is to go forward. Is this downsizing taking place and if so, what do you expect will be its potential effect?

Answer. The U.N. Secretariat assures us that senior staff human rights positions are guaranteed under an interagency MOU between the U.N.'s Department of Peacekeeping Operations (DPKO) and the Office of the High Commissioner of Human Rights (OHCHR). It is therefore not possible for the mission to reduce the number or seniority of these leadership positions without amending the MOU, which DPKO does not intend. Ambassador Susan Rice and Ambassador Dane Smith, U.S. Senior Advisor for Darfur, have repeatedly raised the issue of improved human rights reporting from UNAMID with Joint Special Representative Ibrahim Gambari and with the U.N. Secretariat. The civilian components of UNAMID must be adequately staffed to interact with the broad range of stakeholders in Darfur so that they are able to produce quality reporting and to integrate these stakeholders into the broader peace process. To that end, UNAMID is currently finalizing an internal matrix on how it can support the signatories of the Doha Document for Peace in Darfur (DDPD) in implementing the agreement. The Gender Advisory Unit and the Human Rights Division have both contributed to this process, as there are a number of provisions related to women and human rights more broadly in the agreement. We will provide you with more details as they are available.

RESPONSE OF ASSISTANT ADMINISTRATOR NANCY LINDBORG TO QUESTION SUBMITTED FOR THE RECORD BY SENATOR JOHN F. KERRY

Question. A problem is emerging in South Sudan in which international NGOs, supported by USAID and other donors, are having trouble securing work permits for their necessary staff. I understand that the South Sudanese Government wants to encourage the hiring of South Sudanese staff, but the capacity gap is immense. International staff, many from neighboring countries in Africa, are essential for the work and oversight of these projects. What is the extent of the problem? Should the United States consider conditioning our aid based on access?

Answer. The U.S. Government has been tracking closely the issue of work permits and visas issued by the Government of the Republic of South Sudan (RSS) since the country's independence in July 2011, as a growing number of implementing partners of USAID-funded programs are encountering problems renewing or extending existing permits and obtaining new permits necessary for their expatriate staff. Difficulties have included delays in processing of work permits (more than 3 months to process and up to 1 year until completion), arbitrarily enforced nationalization of positions previously allocated to international staff, and inconsistent application of rules. An informal survey of nongovernmental organizations (NGOs) in October 2011 indicated that nearly three-quarters of NGOs had experienced difficulties when applying for work permits during the previous 6 months. Because the issue has affected the NGO community at such a large scale, the United States and international bilateral and multilateral partners have been working collectively to raise

the issue with the RSS in order to ensure that NGOs can continue to deliver humanitarian and development assistance in South Sudan.

In December 2011, U.S. Chargé d'Affaires Chris Datta and USAID/South Sudan Mission Director Kevin Mullally met with Republic of South Sudan Vice President Riek Machar Teny, Minister of Interior Gen. Alison Manani Magaya, and the Acting Minister of Labor to discuss the challenges that international NGOs, including U.S. Government implementing partners, are facing regarding visa and work permits. The outcomes of the meeting were as follows:

- The ministers indicated that visas would no longer be issued for just 1 month, but rather for 3 months, until such time as an individual's residence situation was regularized.
- The need to pay for a visa in Washington and again in Juba was an error and will be stopped.
- The Acting Minister of Labor said that only one international NGO had contacted him regarding difficulties in obtaining work permits, and that the issues were quickly resolved to everyone's satisfaction at the meeting. The ministers indicated that a formal policy to clarify procedures would be issued in the near future. However, as of the end of March, this policy has not yet been issued.
- U.S. Government representatives committed our implementing partners to working collaboratively with the RSS and making every effort to employ qualified South Sudanese. All emphasized work with implementing partners to employ qualified South Sudanese before recruiting non-South Sudanese. In addition, the U.S. Government and our implementing partners are making strong efforts to develop local capacity by training South Sudanese staff and preparing formal procedures to transition positions and people to ensure maximum South Sudanese representation on our staffs.

In some recent cases, work permits for some USAID partners have been granted in a very short time. We expect this is a result of U.S. attention to the issue and cooperation with the RSS to align procedures. We believe that part of the problem has been a lack of sufficient or clear visa processing procedures and systems or their consistent application following independence last July.

We hope that a recent letter sent from the American, British, and the Norwegian Embassies, the Delegation from the European Union, and the United Nations Development Program, which outlined policy recommendations for visas and work permits, will help lead to a permanent solution on the issue. We believe that the South Sudanese Government intends to resolve the problem with clear and consistent procedures. For this reason, we do not believe that the United States should consider conditioning our aid based on international access to visas and work permits at this time.

We will continue to closely monitor developments, and coordinate with our donor partners to advocate for the wide dissemination and consistent application of clear appropriate, written, and respected policies. These policies will ensure that the necessary capacity is available in the country to provide uninterrupted delivery of humanitarian and development assistance at the present time and in the future to the South Sudanese people during this fragile post-independence period.