AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

A COMPREHENSIVE ASSESSMENT OF U.S. POLICY TOWARD SUDAN

HEARING

BEFORE THE

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS

OF THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

ONE HUNDRED TWELFTH CONGRESS

FIRST SESSION

OCTOBER 4, 2011

Serial No. 112–110

Printed for the use of the Committee on Foreign Affairs

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

U.S. GOVERNMENT PRINTING OFFICE

70–583PDF WASHINGTON : 2011

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

COMMITTEE ON FOREIGN AFFAIRS

ILEANA ROS-LEHTINEN, Florida, *Chairman*

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

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

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

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS

CHRISTOPHER H. SMITH, New Jersey, *Chairman*

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

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

CONTENTS

Page

WITNESSES

The Honorable Princeton Lyman, Special Envoy for Sudan, U.S. Department of State 6
Mr. Ker Aleu Deng, emancipated slave from the Republic of South Sudan 26
Gérard Prunier, Ph.D., nonresident senior fellow, Michael S. Ansari Africa Center, Atlantic Council 30
Mr. John Prendergast, co-founder, The Enough Project 38
Ms. Ellen Ratner, journalist 49

LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE HEARING

The Honorable Princeton Lyman: Prepared statement 10
Mr. Ker Aleu Deng: Prepared statement 28
Gérard Prunier, Ph.D.: Prepared statement 33
Mr. John Prendergast: Prepared statement 42
Ms. Ellen Ratner: Prepared statement 51

APPENDIX

Hearing notice 68
Hearing minutes 69
The Honorable Russ Carnahan, a Representative in Congress from the State of Missouri:
Prepared statement 70
Questions submitted for the record 71

A COMPREHENSIVE ASSESSMENT OF U.S. POLICY TOWARD SUDAN

TUESDAY, OCTOBER 4, 2011

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

The subcommittee met, pursuant to notice, at 2:22 p.m., in room 2200, Rayburn House Office Building, Hon. Christopher H. Smith (chairman of the subcommittee) presiding.

Mr. SMITH. The subcommittee will come to order. And I want to thank everyone for being here and especially for your patience. We did have a series of votes on the House floor.

So, Mr. Ambassador, and to all of our distinguished guests and friends, I apologize for the lateness. We are holding today's hearing for the purpose of examining a wide range of issues involving U.S. policy toward Sudan, including the ongoing attacks on Southern Kordofan and Blue Nile States; the continuing negotiations with the Republic of South Sudan, on challenges, such as the demarcation of the border, the fate of the Abyei region, citizenship in both countries, and oil revenue sharing. Additionally, this hearing provides opportunities to receive an update on the U.S. response to the enduring stalemate on Darfur and to examine U.S. policy on the release of Sudanese still held in bondage throughout Sudan.

Ambassador, thank you again for being here and for your work on behalf of peace and justice in Sudan.

Two months ago, this subcommittee held an emergency hearing on the attacks by the Republic of Sudan on its own Southern Kordofan State. The crisis first arose in June, shortly after the military forces of the Khartoum government attacked the disputed Abyei area. This was apparently a provocation to the Sudanese People's Liberation Movement, or SPLM, government in what is now South Sudan just before the country's new independence. This vicious attack didn't provoke the SPLM into retaliation, which would have or could have derailed its independence. Nevertheless, dozens of people were killed and more than 200,000 were displaced in the immediate aftermath of the Northern attack on its own territory.

This violence was a tragic resumption of a prior war by the Khartoum government on the Nuba of Southern Kordofan. Beginning in the 1980s, Islamic elements in the North began an eradication campaign against the Nuba, pitting Northern Arabs against Africans to the South. Earlier this month, the Sudanese military

bombed its own Blue Nile State, including attacks on the Governor's residence. Nearly half a million people were affected by the air and ground assault on Blue Nile. It seems the so-called ceasefire in Southern Kordofan was only a pretext to facilitate preparations for the assault on Blue Nile.

The Comprehensive Peace Agreement that ended the North-South civil war was supposed to provide for consultations for both states, so residents could determine their political future. However, Khartoum didn't want to risk their breakaway and lose them, as it had South Sudan. The promised consultations were held in Blue Nile but postponed in Southern Kordofan.

When the SPLM-North members of Southern Kordofan and Blue Nile didn't lay down their arms in advance of South Sudan's independence, Khartoum used that as an excuse to eliminate those who had supported the South in the long civil war. A preemptive strike in Southern Kordofan evidently was meant to chase out those who had opposed Khartoum. The members of the SPLM-North were stalked by the Sudanese military who went door to door to eliminate them.

The similar attack in Blue Nile was intended to purge that state of the supposed opponents of the Khartoum government living there as well. In fact, the Southern Sudanese People's Liberation Army-North Governor of Blue Nile, has been chased out of the capitol by Northern military forces.

As the world was focused on the January referendum, in which Southerners voted for an independent South Sudan, human rights organizations reported rising violence in Darfur. There was a resumption of conflict in several locations in North and South Darfur between Sudanese Government military forces and Sudanese Liberation Army rebels loyal to Minni Minawi, a signatory to the now-defunct 2006 Darfur Peace Agreement.

Recently, the Sudanese Army clashed with the rebel Justice and Equality Movement, or JEM, in the remote area of North Darfur, near Sudan's triangle border with Chad and Libya. Darfur rebels have attacked Omdurman and Khartoum in Northern Sudan in 2008, which resulted in a massive crackdown on dissidents.

The brutality by the Sudanese military will not crush the desire for freedom in Abyei, Southern Kordofan, Blue Nile, or Darfur. In seeking to prevent the secession of these states and the special administrative area of Abyei, Bashir's government may be sowing seeds for Sudan's eventual dissolution. Until that time however, the international community must continue to press for an end to the attacks on Sudanese, using all of our available diplomatic and economic resources. The human rights of the people in the North must be every bit as important to us as the rights of those in the South have been.

Meanwhile, we have known that raiders from the North were killing Southern men and taking women and children for slavery for decades. Reports from human rights groups in the U.S. Department of State on Sudanese slavery gained the attention of Members of Congress, such as myself, as early as the 1980s because of the serious human rights implications of modern-day slavery.

I would note parenthetically that I chaired the first congressional hearing ever held on slavery in Sudan on March 13, 1996. Our wit-

nesses included then-Deputy Assistant Secretary for African Affairs William Twaddell; Samuel Cotton of the Coalition Against Slavery in Mauritania and Sudan; Dr. Charles Jacobs of the American Anti-Slavery Group; Baroness Caroline Cox, Deputy Speaker of the British House of Lords, who testified on behalf of Christian Solidarity International; and Dr. Gaspar Biro, Human Rights Rapporteur of the United Nations. Fifteen years ago, these witnesses cited the gross human rights violations committed by the Government of Sudan and their failure to cooperate in addressing slavery. Special Rapporteur Biro referred to it as "manifest passivity of the Government of Sudan." And of course, others thought it even worse, complete and total complicity. Deputy Assistant Secretary Twaddell said the Clinton administration acknowledged then that slavery was an ugly reality in Sudan.

Following a visit to the Sudan People's Liberation Army-held portion of Sudan in November 2000, then-Assistant Secretary of State for African Affairs Susan Rice said that neither the Clinton administration nor its successor would cease working to end slavery in Sudan.

Why has that promise simply not been kept? When former Assistant Secretary Rice made that pledge, the U.N. estimated that there were as many as 15,000 Southern Sudanese held in bondage after being abducted in raids by Arab militiamen on Southern villages. While the current exact number of Sudanese slaves is unknown, too many people remain in slavery in Sudan and more continue to join them each day.

The State Department's 2011 Trafficking in Persons Report lists Sudan as a Tier III country that is a continuing source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Slavery remains a pervasive and deeply disturbing reality in Sudan, and we cannot in good conscience allow this to continue.

We have had active campaigns to end Sudanese slavery, especially those initiated by Christian Solidarity International, to end genocide in Darfur, to end the North-South civil war, and now to end the attacks in Abyei, South Kordofan and Blue Nile. Unfortunately, these campaigns have been conducted in isolation from one another.

If we are to have a successful policy to stop the suffering of Sudan's people, our Government must devise a comprehensive policy for addressing all of Sudan's challenges. To facilitate such a policy consolidation, civil society also must support a coordinated policy in a matter of their particular area of concern. Therefore, I would call on all civil society organizations concerned about the people of Sudan—and you certainly have done tremendous work over the years—to work together and demonstrate to our Government the wisdom and the effectiveness of a coordinated American policy on Sudan.

I would like to now yield to my friend and colleague, Mr. Payne, for any opening comments he might have.

Mr. PAYNE. Thank you very much.

And let me begin by thanking Chairman Smith for his attention in the continuing crisis in Sudan. As indicated, we have had numerous hearings throughout the years when he was chair and then

I was chair, and now that he is chair and we continue to focus on this very important part of the world, very troubled part.

So I applaud him for continuing to have attention paid to this area.

I also would want to thank our witnesses, that we appreciate their years and years of following this very important issue. Of course, Ambassador Lyman, who has a career in the State Department in troubled places, whether it is Haiti or South Sudan, and we are very pleased that you are our special envoy to the country.

We are looking forward to the testimony today about the overall policy toward the Republic of Sudan in the aftermath of the independence of South Sudan and the attacks on Southern Kordofan and Blue Nile State. As we are all aware, on July 9th, the people of Southern Sudan officially seceded and formed the world's newest nation, South Sudan. I was among the delegation with Ambassador Lyman and General Colin Powell and many others present, Dr. Susan Rice, at the ceremony. And I witnessed the joy of the people of South Sudan and how jubilant they felt that day after many, many years of—22 years of civil war and 5 years of interim government, that the day finally came that they received their independence.

Prior to secession, Sudan weathered decades of devastating civil war. In 2005, with the help of the United States and other nations, Khartoum's National Congress Party and South Sudan's People's Liberation Movement, SPLM, signed a Comprehensive Peace Agreement, and I had the opportunity to be present at that signing. The CPA aimed to accomplish three things: One, redistribute both power and wealth in a less centralized structure; secondly, to transform the democratic process in Sudan; and three, to allow the people of Southern Sudan to decide on unity or separation.

While we celebrate the triumph of democracy for South Sudan, many key provisions of the CPA remain unimplemented and conflict in the North rages on. There has not been democratic transformation in the North, and the popular consultations with Southern Kordofan and Blue Nile have been stymied. As time passes, the situation on the ground gets progressively worse.

For nearly 9 years now, conflict has raged in Darfur and western Sudan. An estimated 450,000 people have been killed, over 1.9 million internally displaced, and 240,000 forced to flee neighboring Chad. Congress and the Bush administration recognized that what was going on was genocide and labeled it as such.

Since then, multiple peace agreement attempts have failed. And to this day, violence continues. In late May, at the order of Omar al-Bashir, Sudanese armed forces invaded Abyei, killing over 100 and displacing an estimated 100,000. Bashir's forces then set their sights on the Southern Kordofan State. There were reports of mass graves and the targeted killing of the Nuba people.

In early September, fighting also erupted between the SAF and SPLM in the Northern border state of Blue Nile. Together, both conflicts have displaced as many as 200,000 people, and Bashir's regime has severely restricted access to the region for the U.N. and other humanitarian organizations.

On September 23rd, the Satellite Sentinel Project showed evidence that armed forces from Khartoum were mobilizing a massive

formation of troops, artillery and military aircraft to the region, raising concerns about an escalation possibly of the hostilities. These recent events prove that Government of Sudan is continuing to use the same deadly method that it has employed for years against its own people.

Yet the people of Sudan continue to push for democracy and inclusive government. They took to the streets earlier this year in demonstrations inspired by the Arab Spring activities in neighboring countries. Bashir's regime responded with extreme violence.

There has also been increased cooperation between the various rebel groups dispersed throughout the country. Those groups are united under the mission to forcibly remove Bashir from power. The situation on the ground is fast approaching a tipping point that will likely result in civil war.

It is against this backdrop that we take the opportunity today to reevaluate U.S. policy toward the Republic of Sudan. Two years ago, the Obama administration announced the policy, a Sudan policy that focused on three priorities: One, Darfur; the implementation of the CPA; and counterterrorism. Last year, a new policy was announced focusing on diplomatic engagement and the relaxation of sanctions and restrictions. The administration announced the plan to normalize relations; provide assistance and debt relief; seek congressional support for the removal of Sudan from the State Sponsor of Terrorism designation; support access to multilateral and bilateral assistance; remove executive branch sanctions; and seek congressional support to remove legislative sanctions.

All this was conditioned upon full implementation of the CPA, progress in Darfur, and a commitment that Khartoum would not support terrorism. Not only have these contingencies not been met, but the situation is much worse. The U.S. and international community should develop a comprehensive and unified plan to reverse the pattern of grave crimes, human rights abuses and humanitarian crisis in Sudan and to support the democratic aspirations of the people of Sudan.

I am interested in hearing from our witnesses about these issues. I am also interested in addressing the potential impact of the proposed cuts to the United States international affairs budget, including contributions to the United Nations, on our ability to provide humanitarian relief and bring stability to the region.

Thank you, again, Mr. Chairman, for bringing this hearing today.

And I look forward to hearing the testimony of the witnesses.

Thank you.

Mr. SMITH. Thank you very much, Ranking Member Payne.

Ms. Buerkle.

Ms. BUERKLE. Thank you, Mr. Chairman.

Thank you very much for holding this very important meeting.

And thank you to our witnesses here today.

Many unresolved issues and disputes remain in the wake of the South Sudanese independence. Those issues exist because the new Comprehensive Peace Agreement has not been fully honored, nor has its goal been realized for the people of South Sudan, for those in Abyei, for those in Southern Kordofan and the Blue Nile.

I believe that most of us in this room want the new Republic of South Sudan to flourish. We would also like to see stability, security, and freedom for the people of not only South Sudan but also North Sudan.

As we discuss the situation in Sudan and South Sudan, we must not lose sight of the fact that failure to come to enforceable agreements over oil rights and border lines ultimately translates into more violence and greater loss of life.

Again, thank you to our witnesses. I look forward to hearing your testimony.

Thank you, Mr. Chairman. I yield back.

Mr. SMITH. Thank you very much, Ms. Buerkle.

And I would like to now welcome Ambassador Lyman, who was appointed U.S. Special Envoy for Sudan on March 31st. Immediately preceding his tenure as Special Envoy, he served as U.S. senior advisor of North-South negotiations, where he led the U.S. team focused on supporting ongoing negotiations between the parties to Sudan's 2005 Comprehensive Peace Agreement.

Ambassador Lyman previously worked as an adjunct senior fellow for the Africa Policy Studies at the Council on Foreign Relations. He was also an adjunct professor at Georgetown University from 1999 to 2003. He was executive director of the Global Interdependence Initiative at the Aspen Institute.

His previous career in government included assignments as Deputy Assistant Secretary of State for African Affairs from 1981 to 1986; U.S. Ambassador to Nigeria, 1986 to 1989; Director of Refugee Programs from 1989 to 1992; U.S. Ambassador to South Africa from 1992 to 1995; and Assistant Secretary of State for International Organizations from 1996 to 1998. From 2008 to 2010, he was a member of the African Advisory Committee to the United States Trade Representative. He began his government career with USAID and served as the director in Addis in Ethopia from 1976 to 1978.

He has his Ph.D. in political science from Harvard, and has published extensively.

And I now turn the floor to Ambassador Lyman.

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

Ambassador LYMAN. Mr. Chairman, thank you so very much for holding this hearing.

Thank you, Ranking Member Donald Payne, and Congresswoman Buerkle.

Thanks so much because we do need this attention on the issues in Sudan.

There is much to discuss today, and I would ask if you could to allow my full statement to be made part of the record.

Mr. SMITH. Mr. Ambassador, without objection, so ordered.

Ambassador LYMAN. Some of those issues include, as many of you have indicated, the issues still unresolved under the Comprehensive Peace Agreement; the fighting in Southern Kordofan and Blue Nile; and the situation within each of these countries, Sudan and South Sudan.

While we have witnessed the peaceful independence of South Sudan, tensions remain between the two countries. Three post-CPA issues in particular remain to be resolved that could in themselves lead to confrontation or even conflict. These are the final status of Abyei; the financial arrangements in the oil sector; and disputed areas along the border.

Negotiations on these issues are scheduled to resume this month in Addis Ababa under the auspices of the African Union High Level Implementation Panel, and we are urging the parties to come ready to address all three of these. In regard to Abyei, we are also particularly concerned that, despite agreement in June and reinforced in September on mutual withdrawal of all armed forces from that area, this has not taken place. And in particular, the Khartoum government has introduced conditions for its withdrawal when the agreement was very specifically that this would be an unconditional withdrawal once the Ethiopian peacekeepers were sufficiently in place, which they are. I and my staff will be present at these negotiations in Addis.

But it is the fighting in the States of Southern Kordofan and Blue Nile that capture much of our attention at this time. Like the members of this subcommittee and many in the public that follow Sudan closely, we are angry and deeply upset at what has transpired there. The fighting has displaced hundreds of thousands of people, more have—tens of thousands have fled into Ethiopia and South Sudan. There are credible reports of serious human rights violations, including the bombing of civilian villages, kidnapping and murder of civilians taken from their home, and denial of desperately needed humanitarian assistance. We have denounced these acts and called for an independent investigation of these abuses.

I regret that African members of the U.N. Security Council, along with China and Russia, have not supported that proposal. The U.N. Human Rights Council has agreed to renew the mandate of the Independent Expert on Human Rights for Sudan, but this is not sufficient.

We have equally demanded that the Government of Sudan allow an international humanitarian organization to assess the needs of the people in these states and provide necessary assistance. We have pressed for this to take place regardless of whether a formal ceasefire or cessation of hostilities is in place, and we have reinforced that command most recently in our meeting with the Minister of Foreign Affairs in Washington last week.

However, while we understand that the Government of South Sudan has historic ties with the SPLM in the North, the United States is deeply concerned that support to the SPLA fighters in Southern Kordofan and Blue Nile from the Government of South Sudan could further exacerbate the conflict in these two areas and run the risk of instigating direct military conflict with Sudan. The United States strongly urges the Government of South Sudan to use the influence it has to encourage both the SPLM-North and the Government of Sudan to reopen direct lines of communication and work to find a negotiated political solution.

We note that President Kiir will be going later this week to a meeting with President Bashir, and we are pleased with that, and

we hope that this offers an opportunity for the two of them to discuss exactly this matter.

What is deeply disappointing is that this fighting was not necessary and could have been avoided. Underlying the conflict are unresolved political issues which were to be addressed as part of the CPA. Just a few months ago, I attended negotiations on these issues under the auspices of the AU High Level Panel. And in June, the Government of Sudan and the SPLM-North signed a framework agreement to address both the political and security issues in these two states. Yet that agreement was later rejected by the Government of Sudan. I commend the efforts of President Thabo Mbeki and the AU panel which he directs, the Prime Minister of Ethiopia, and the Special Envoy of the U.N., with all of whom we worked very closely to reestablish these negotiations.

I am ready to discuss further as we get into the Q&As of the situation in Darfur, which remains of major importance to us, but let me in these opening remarks make a particular point here that relates fundamentally to the outcome in Southern Kordofan, Blue Nile, and Darfur. Right now, Sudan is engaged in war in three parts of the country, the two areas of Southern Kordofan and Blue Nile, and in Darfur. This is happening at a time when Sudan faces particularly great economic challenges. While we often speak of the conflicts in these areas independently, at the root of all of them is the question of how Sudan will be governed in the future. This is a decision for the people of Sudan, not for outsiders. But for Sudan, the time is right for addressing this question.

The government, in fact, recognizes that in the wake of the South's independence and the end of the government of national unity, a new constitution is needed. And it has promised a broadly participatory process in creating it. Therein lies the opportunity to address the fundamental issues that have driven conflict in Sudan for many years, issues of power and wealth sharing, of human rights and the role of democratic institutions, such as political parties and the judiciary. A broadbased national dialogue on these issues would offer the promise of a new day in Sudan, one in which all parts of the country and all of its people would benefit.

There are some in the armed movements and others and elsewhere outside Sudan that have come to the conclusion that such a dialogue and process is impossible while the present government is in power in Khartoum. And they have committed themselves to seeking a military overthrow of the regime. But it is our belief that such a conclusion might well be a prescription for years, even decades, of renewed civil war in Sudan. Tens of thousands, maybe hundreds of thousands of Sudanese could die in such a war, and the outcome may not be what the protagonists had desired.

Instead, we believe that there is real need for political dialogue on all of these issues and still opportunities thereby for peaceful collaborative change. In all our dealings with the armed movements, we have urged them to develop a political platform that would lay the foundation for their participation in such a process. And we continue to urge the Government of Sudan to cease hostilities, engage in dialogue, and put forward its plan for a new constitutional development.

Finally, Mr. Chairman, let me turn to South Sudan. When President Obama met President Salva Kiir at the United Nations General Assembly last week, he emphasized that we are committed to assisting the South Sudanese as they face the responsibility and obligations of independence. U.S. assistance programs are already helping to support health care, education, infrastructure, good government, and economic diversification.

The U.S. sanctions that apply to Sudan do not apply to South Sudan, and we urge American investors to take advantage of the opportunities there.

However, critical to U.S. investment, is a commitment on the part of the Government of South Sudan to transparency, accountability, and inclusive governance. We welcome, therefore, President Kiir's commitments to his people and to the world to combat corruption and to hold those responsible for it accountable. The key will be an implementation of those promises with the full political backing of his government.

The Government of South Sudan should also begin the first stage of the permanent constitutional development process and ensure that it is inclusive, participatory and transparent.

Further, the basic rights of those currently residing in South Sudan must not be ignored. The United States is concerned about allegations of human rights abuse, perpetrated by the security services of South Sudan and particularly transgressions by the police.

We are also gravely concerned about continuing reports of child soldiers in South Sudan. We have sent strong diplomatic messages to both the civilian government and the armed forces regarding this issue, and we are collaborating with the Government of South Sudan to address it. We will continue also to coordination with the United Nations' mission in South Sudan and the SPLA to prevent the recruitment of any child soldiers and to ensure that all child soldiers that are there are immediately demobilized.

In conclusion, Mr. Chairman and members, the United States remains committed to seeing peace prevail in Sudan and an environment in which freedom and economic growth is there for all Sudanese. Right now, the situation is deeply worrisome. But we must persevere in bringing an end to the nightmare of war, depravation and suffering that has gone on for far too long in this part of Africa. Thank you.

[The prepared statement of Ambassador Lyman follows:]

Statement of Ambassador Princeton Lyman, U.S. Special Envoy for Sudan
U.S. House of Representatives Subcommittee on Africa, Global Health, and Human Rights Hearing

October 4, 2011

Introduction

Chairman Smith, Ranking Member Payne, Members of the House Foreign Affairs Committee's Sub-Committee on Africa, Global Health, and Human Rights, thank you for the opportunity to come before you again to discuss the challenges and opportunities facing Sudan and South Sudan. Since I last came before you in June, we have witnessed a historic achievement – the independence of South Sudan. After decades of conflict, the people of South Sudan have peacefully exercised the right of self-determination enshrined in the 2005 Comprehensive Peace Agreement – an agreement the United States helped to negotiate and implement. This is an achievement that was not foreordained, and for which the people and governments of Sudan and South Sudan, as well as their international partners, deserve great credit. Today, the United States is committed to supporting the emergence of two viable states at peace with one another and their neighbors.

Ranking Member Payne and I had the privilege of participating in the U.S. delegation to Juba on July 9 to witness that extraordinary day – with the unveiling of the John Garang statue, the raising of the South Sudan flag, and the well-wishes of dozens of heads of state and international organizations. We also watched in awe the tens of thousands of South Sudanese who stood in the sweltering heat for more than eight hours to hear their President speak and their new national anthem played for the first time. We saw their positive reaction to President Bashir's speech welcoming the new nation and pledging good relations.

Rhetoric alone, however, will not remove the underlying tensions that continue to exist between these two countries. The peace is fragile. Several key issues from the Comprehensive Peace Agreement (CPA) remain unresolved, especially the status of Abyei and border disputes. Post-CPA arrangements for oil must also be agreed. Deep mistrust and a lack of well developed instruments of communication make progress on these issues difficult. The peace is further threatened by the outbreak of fighting in two states in Sudan, the so-called "Two Areas": Southern Kordofan and Blue Nile. These two states are in Sudan, not South Sudan, but the political issues underlying the conflict there have the same roots as the civil war that ended with the CPA, and which should have been resolved in that context but were not. International engagement on all these matters will be of utmost importance in the coming weeks and months if the full promise of the CPA is to be realized.

Unresolved CPA and post-CPA issues between Sudan and South Sudan

Let me begin with the unresolved issues between Sudan and South Sudan.

One of the most critical is the future status of Abyei, whose population has been unable to exercise its own right of self-determination granted to it in the CPA. Negotiations on this issue were severely set back by the occupation of Abyei by the Sudan Armed Forces in May. Long, hard negotiations have resulted in a new UN peacekeeping force in Abyei, led by the Ethiopian military, and an agreement for the withdrawal of the armed forces of Sudan and South Sudan.

Yet each step along the way has proved difficult. Even when both sides agreed recently for the withdrawal to take place from September 11 to September 30, in fact it did not. Both sides have raised obstacles to the implementation of the agreement, and both sides must completely withdraw from the Abyei area, and this withdrawal must be verified. The statement by the Sudan Armed Forces (SAF) spokesman that SAF would remain in Abyei until the UN is fully deployed is unacceptable, and counter to the spirit and the letter of the agreements. Meanwhile, nearly 100,000 displaced persons from Abyei remain in dire conditions. We greatly appreciate efforts by the United Nations and Government of Ethiopia to rapidly deploy a robust peacekeeping mission to Abyei. The deployment of this force, called UNISFA, and the withdrawal of armed groups will, we hope, pave the way for a final resolution of Abyei's status.

Other outstanding issues, including oil sector arrangements and resolution of disputed border areas, are in both countries' interests to resolve. Negotiations on these matters are scheduled to resume in October. Beyond these issues lie many others that the two countries should address. For example, there is still no trade agreement between the two, leading to blocked trade across the border that has produced hardships on both sides. We were encouraged by the establishment of the first intergovernmental mechanism between Sudan and South Sudan, the Joint Political and Security Mechanism, which held its inaugural meeting on September 18. Coupled with President Kiir's planned visit to Khartoum for meetings with President Bashir later this week, this will hopefully result in the establishment of a robust and regular bilateral dialogue.

Situation in the Two Areas and Our Response

The violence in Southern Kordofan and Blue Nile States is of particularly great concern. Fighting between the Sudanese Armed Forces and the Sudan People's Liberation Movement & Army, Northern Sector (SPLM/A-N) has displaced an estimated 200,000 people in Southern Kordofan and more than 134,000 in Blue Nile, though humanitarian actors have only very limited access to these areas to conduct accurate assessments of affected populations and provide needed aid. At least 25,000 civilians have fled into Ethiopia, and some 11,000 more into South Sudan.

In Southern Kordofan, there have been reports of significant human rights abuses, including arbitrary arrest; extrajudicial killings; targeting of individuals based on their ethnicity, political or religious affiliation; and, indiscriminate bombing of civilians. There has reportedly been deliberate obstruction of vital routes required for resupply of food and aid.

Mr. Chairman, accountability for human rights violations that have occurred in the Two Areas is critical to a lasting resolution of the conflict. We will continue to push for a credible, independent investigation of violations of human rights that will contribute to efforts to bring those responsible to account. Unfortunately, to date, there has been insufficient support in the UN Security Council for such an investigation. While just last week, we successfully secured renewal of the Independent Expert on Human Rights by the UN Human Rights Council, this Expert will not be in a position to mount an investigation of the type and scale that is warranted.

We are also deeply concerned with the looming humanitarian crisis in these areas. Ongoing bombing has caused many people to flee their homes. Food stocks have been depleted and the planting season interrupted. We believe a major humanitarian crisis may be developing in

Southern Kordofan and potentially in Blue Nile. We have urged the Government of Sudan to allow an international agency such as the World Food Program and/or UNICEF to have full access to these Two Areas, but so far they have been denied. We condemn the Government of Sudan's ongoing denial of humanitarian access. While the ultimate resolution of the conflict in the Two Areas requires negotiations and a political solution that addresses the broader issues at stake, the issue of humanitarian relief is too urgent to await a political solution. Humanitarian access must not be conditional on a ceasefire or progress on political talks—the Government of Sudan and the SPLM/A-North must allow access even while conflict is ongoing. The Government of Sudan can and should immediately allow humanitarian organizations to undertake humanitarian assessments in affected areas and provide assistance commensurate with the needs of those populations. Mr. Chairman, the Administration has sent one of our most trusted Africa experts, Ambassador Mary Yates, to Khartoum as Chargé d'Affaires to provide consistent high-level dialogue on these issues with the Government of Sudan.

The conflict in Southern Kordofan and Blue Nile cannot be solved militarily. Our view is that continued armed conflict will result only in a stalemate and prolonged suffering by the citizens of the Two Areas. There is also the danger that the conflict could spread, with possibly serious consequences for the peace between Sudan and South Sudan. South Sudan must be careful not to be drawn into this conflict, and it should be working along with others to promote a political solution. Both the Government of Sudan and the SPLM/A-N must be ready to address the underlying political as well as security issues as part of a political dialogue. In June, both sides agreed to such an approach in a Framework Agreement, but the Government of Sudan has since reversed its decision on that agreement. We commend the efforts of the African Union High-Level Implementation Panel, led by former South African President Thabo Mbeki, as well as the efforts of Ethiopian Prime Minister Meles Zenawi and UN Special Envoy Haile Menkerios, to bring the parties back to the negotiation table. The June 28 Framework Agreement created a process to address political and security arrangements for the Two Areas; it was a welcome step forward and it is vital that the parties return to the principles of it.

Darfur

The Darfur conflict remains unresolved, despite significant international efforts to support a mediated settlement. In July, the Government of Sudan signed a peace agreement in Doha with the Liberation and Justice Movement (LJM) – one of the four major armed movements. The agreement represents a step forward in the Darfur peace process, and we have called upon the Government of Sudan, in consultation with LJM, to implement provisions in the agreement that could immediately improve the lives of Darfuris, such as setting up a National Human Rights Commission, a Compensation Fund for victims of the conflict, a Special Courts system with UN and AU monitoring to try alleged perpetrators of war crimes, and a Land Commission to address one of the main drivers of conflict in Sudan.

Despite the signing of this agreement, an inclusive settlement with all the armed movements remains elusive. We and our partners in the international community see the Doha Document as the basis for future talks between the Government of Sudan and other Darfuri armed movements, as it attempts to deal with the root causes and the extraordinary consequences of the conflict. For this reason, we have called upon the non-signatory armed movements to refrain from armed action and to commit themselves to a political process and a readiness to negotiate on their

political objectives. At the same time, we have urged the Government of Sudan to remain open to negotiating with these movements.

After much fighting between December 2010 and May 2011, there was a lull on the ground due primarily to the rainy season. Many analysts are predicting an upsurge in violence this month as the rainy season comes to an end. We are particularly concerned about the reported return of members of armed movements to Darfur from the fighting in Libya. The Justice and Equality Movement's Chairman Khalil Ibrahim stayed in Tripoli from the beginning of the uprising there until the beginning of September. Since returning to Darfur, he has called for further fighting, including an assault on Khartoum.

While the status quo in Darfur remains deeply unacceptable, the security and humanitarian situation has improved slightly in several parts of the region. There are pockets of security and therefore better opportunities for at least some of the displaced. We believe that projects supporting sustainable livelihoods that reduce dependency on humanitarian assistance could now be undertaken in those areas where conditions permit. In these cases, we must look for ways to improve the livelihoods of communities there that have lived under abnormal camp conditions for far too long. In doing so, we will be careful that all such activities are based on the voluntary cooperation, and are reflective of the desires, of the IDPs themselves, and are in no way suggestive that the fundamental problems of Darfur have yet been resolved.

Sudan

United States policy has consistently been aimed at seeing two viable states emerge from the results of the referendum. Instability, conflict, or economic decline in either Sudan or South Sudan would impact on the other and not only raise the threat of renewed war between them but could endanger the stability of the entire region. Sudan, since the secession of the south, faces particularly great challenges in this regard. On the economic side, it has, by some estimates, lost 60% of its annual revenue with the loss of southern oil revenues. The government predicts a $2 billion budget deficit for the balance of this year and a $4 billion deficit next year. Inflation this year is 21% higher than last year. Food prices are rising and the value of the Sudanese pound is falling precipitously. Even with a possible financial contribution from South Sudan to ease the transition, Sudan will face several years of difficult adjustment to restore growth to previous levels.

But it is the political situation that offers at once the greatest challenge and the greatest opportunity. Right now, Sudan is engaged in war in three parts of the country – the Two Areas and Darfur – and maintains a substantial presence in Abyei. As I indicated earlier, we see no military victory in these conflicts. Meanwhile, the wars drain scarce resources and create both humanitarian and political crises. While we often speak of the conflicts in these areas independently, at the root of all of them, as with the previous conflict in the east, is the question of how Sudan will be governed in the future. This is a decision for the people of Sudan, not outsiders. But for Sudan the time is right for addressing this question. The government, in fact, recognizes that in the wake of the South's separation and the end of the Government of National Unity under the CPA, a new constitution is needed and has promised a broadly participatory process in creating it. Therein lies the opportunity to address the fundamental issues that have driven conflict in Sudan for many years, issues of power and wealth sharing, human rights, and the role of democratic institutions such as political parties and the judiciary. A broad-based

national dialogue on these issues, and a clearly defined process for participatory development of the new constitution would offer the promise of a new day in Sudan—one in which all parts of the country, and all of its people, would benefit.

It is the participatory nature of such a national effort that is most important, and such an enterprise must reach all sectors of Sudanese society, including civil society actors, workers, students, and representatives from all of Sudan's diverse populations. This process must account for the unique influence of women in Sudanese society, for they have often served as peacemakers and social advocates.

There are some, in the armed movements fighting the government, and elsewhere, that have come to the conclusion that such a dialogue and process is impossible with the present government in power, and they have committed themselves to seeking a military overthrow of the regime. But it is our belief that such a conclusion might well be a prescription for years, even decades of civil war in Sudan, with untold numbers of Sudanese killed, and no assurance that the outcome would be that which the protagonists desire. Instead, we believe that there is real need for political dialogue on all these issues, and opportunity thereby for peaceful, collaborative change. In all our dealings with the armed movements, we have urged them to develop a political platform that would lay the foundation for their participation in such a process, and to put less emphasis on threatening forced regime change. We will continue to urge the Government of Sudan to cease hostilities, engage in dialogue, and put forward its plan for constitutional development. Further, we have appealed to the government to foreswear military solutions that will only prolong the crises and worsen the economic problems of the country. We will continue to press all parties for peaceful dialogue as hard as we can, for the alternative is painful to contemplate.

Peaceful political processes for addressing the current conflicts, and completion of the key post-CPA issues between Sudan and South Sudan, offers a clear path to improved U.S.-Sudan bilateral relations as well as to broad international support for Sudan, with debt relief, new investment, and assistance. Then we will indeed see two viable states, side by side, in peace and with growing prosperity.

South Sudan

Let me now turn to South Sudan. When President Obama met President Salva Kiir at the United Nations General Assembly last week, he emphasized that the United States is committed to assisting the South Sudanese as they face the responsibilities and obligations of independence. U.S. assistance programs are helping to support health care, education, infrastructure, good governance, and economic diversification in South Sudan. President Obama has nominated one of our top Sudan experts, Deputy Assistant Secretary of State Susan Page, as our first Ambassador to South Sudan, and we look forward to a close relationship with the new state. We have encouraged U.S. companies to do business in South Sudan, and I reiterate here that U.S. sanctions do not apply – South Sudan is open to U.S. business. We are working to end difficulties South Sudan is having in the banking and financial sectors as a result of confusion over sanctions, and to clarify our licensing policy with respect to South Sudan's oil sector.

Critical to U.S. investment is a commitment to transparency, accountability, and inclusive governance by South Sudan's government. History affords too many tragic examples of states—particularly those blessed with a wealth of natural resources—whose people fought long and hard for freedom but fell victim to corruption, exclusionary politics, and conflict after winning that freedom. We welcome President Kiir's commitments to his people and to the world to combat corruption, and to hold those responsible for impropriety to account for their actions. The five point plan he recently announced is bold and sweeping. It includes a strong anti-corruption unit and investigative body, a process to repatriate assets taken abroad, and new systems for transparency and accountability in the ministries. The key will be in implementation with the full political backing of his government.

Mr. Chairman, the progress the Republic of South Sudan has made in building the backbone of a functioning government since the signing of the CPA in 2005 is commendable. But the depth of administrative capacity is thin. Moving forward, it is critical for the Government of South Sudan, in full cooperation with the UN Mission in South Sudan (UNMISS) and with ongoing support from the United States and other international partners, to continue this long-term process while making significant improvements in basic service delivery. Managing the high expectations of the population will be a key challenge, and the Government of South Sudan must communicate clear, realistic priorities and timelines, and follow through on those commitments.

With the extraordinary opportunity of their hard won independence comes also great responsibility. I encourage the Government of South Sudan to uphold the fundamental responsibility owed to its citizenry by demonstrating a steadfast commitment to democracy, good governance, and respect for human rights. Key elements of this commitment include fostering inclusive, democratic institutions; encouraging the development of robust civil society and free press; and fully involving opposition groups in the political process.

To this end, the Government of South Sudan should also begin the first stage of the permanent constitution development process and ensure that it is inclusive, participatory, and transparent. Further, while the long-term process of institution building is vital, so too is the need to protect the basic rights of those currently residing in South Sudan. The United States is especially concerned about allegations of human rights abuses perpetrated by the security services of South Sudan and the increasing reports of transgressions by the police. The police are a critical institution for establishing public trust in the government and must be seen not only as respecting human rights and fundamental freedoms, but as promoting them as well. We are also gravely concerned about reports of child soldiers in South Sudan. We have sent strong diplomatic messages to both the civilian government as well as the armed forces regarding this issue. We will continue to coordinate with United Nations Mission in South Sudan and the SPLA to encourage efforts to prevent the recruitment of any child soldiers and to ensure all child soldiers are immediately demobilized. The new UN Mission in South Sudan will play a vital role in helping South Sudan address these issues and deserves our strong support. We will, along with UNMISS and other donors, also work with the Government of South Sudan to professionalize its security sector with a strong human rights culture and to begin to plan for eventual demobilization of soldiers equipped to contribute in the civilian sector to the economic growth of the country.

Lastly, let me return to South Sudan's role in preserving the peace. While we understand that the Government of South Sudan has historic ties with the SPLM/A-N, the United States is deeply concerned that support to the SPLM/A-N or Darfuri groups by the Government of South Sudan could further exacerbate the conflict in Southern Kordofan and Blue Nile, and run the risk of instigating direct military conflict with Sudan. The United States strongly urges the Government of South Sudan to use any influence it may have to encourage both the SPLM/A -North and the Government of Sudan to reopen direct lines of communication and work to find a negotiated, political solution to their concerns. President Kiir's forthcoming visit to Khartoum represents an opportunity to do just this.

Closing Remarks

Mr. Chairman and committee members, South Sudan's independence creates a new dynamic and new opportunities for Sudanese on both sides of the border. Yet, the potential for continued violence in the Two Areas and Darfur threatens to subject Sudanese to many more years of brutal conflict. Sudan has known too much conflict, Mr. Chairman, and the region's history shows us that war has only magnified suffering and postponed necessary political decisions. Sudan and South Sudan are intricately linked by history, geography, and economic necessity. Cooperation, not conflict, must define their relationship with each other. We support both states in their objective of achieving peace and development. We share with both our best counsel—that these goals are best achieved when the parties seek justice and democracy for all Sudanese through negotiations and peaceful conflict resolution. This administration will continue to engage all parties toward that end, and to partner with all those in Sudan and South Sudan who are working for peaceful resolutions and a future better than their history.

Mr. SMITH. Thank you so very much, Ambassador Lyman.

Let me just begin the questioning. We have a second panel, as you know, and some of the statements are, while supportive in some ways, are very critical in others.

Let me just focus on John Prendergast, who has been before this committee many times, both when Mr. Payne chaired the committee as well as when I have chaired the committee. And he makes a very important point, and I would just appreciate your response to it. He asked the question, how could U.S. policy toward South Sudan over the last decade been so successful and the policy toward Sudan to be such an abject failure? He says, contrast this with the U.S. policy toward the North after he talks about what he actually did in a bipartisan way vis-à-vis the south. And he notes that U.S. policy is never focused on the fundamental issue of abuse and total concentration of power in the hands of a minority. American diplomats, he writes, or will testify, have ineffectively chased disparate peace processes down disparate rabbit holes in Darfur, Abyei, the Nuba Mountains, Blue Nile State and the east, instead of focusing on a comprehensive solution to Sudan's authoritarian system of government. Negotiators have invested heavily in separate regional peace processes which have played right into Khartoum strategy of divide and conquer. None of the peace deals that have been struck have never been implemented, no attempt at justice or accountability has ever been seriously supported, including that of the International Criminal Court. The result is an unmitigated human rights and governance disaster. And he calls for a fundamental change in U.S. policy toward Sudan and makes a number of recommendations, including draconian financial sanctions against officials responsible for the attacks against civilians, a kind of micro targeting of sanctions, which I think would be very helpful.

I would note—and I know you know this—both Bashir has been to China in June, Turkey before that, and I know the European Union leadership asked that Turkey deliver him, Bashir, to the ICC at the Hague, which did not happen. And China, obviously, didn't do anything either. An additional question in response to that analysis of U.S. policy, did we talk to the Chinese? Did we ask them to? We are signatory, even though we have not ratified the ICC, did we also convey to Beijing our concern that they hand over Bashir?

Ambassador LYMAN. Thank you, Mr. Chairman. Let me address several parts of those comments.

I would just say at the beginning, of course, we can't say that all efforts of the peace process have been a failure because one of the main elements of the CPA was to secure the peaceful independence of South Sudan, and that did occur. And when I began——

Mr. SMITH. He was talking about the north, not——

Ambassador LYMAN. Peace agreements for the north only. Okay. Okay. Well, that is different.

Mr. SMITH. He was saying that is the model, and we seem to have been chasing, you know, a disparate strategy vis-à-vis——

Ambassador LYMAN. That goes to a point that I addressed in my opening remarks. Clearly, the fundamental issue that has created conflict in many parts of Sudan, the two areas that we have men-

tioned, Darfur, is this whole question of governance, this whole question of power sharing, of human rights, et cetera.

That is an issue that is fundamental. The question is, what is our role in that regard? To be candid, the government of Khartoum thinks that the only interest we have is in regime change. They tell me that all the time.

What we really want to do is to encourage the kind of change that is absolutely necessary for Sudan.

We have sanctions on Sudan. We have individual sanctions on people that have perpetrated human rights. We have had sanctions in place for 8 years. They are some of the most heavy sanctions we have on any country in the world. They have had some effect. They, obviously, haven't had the effect that people would have wanted.

And what motivates the government of Khartoum is not so much the sanctions as their own view of retaining power as they see it in Sudan.

But I think all of us concerned care about these fundamental issues of governance, and encouraging that kind of change is all we can do. But reaching inside and forcing that change is something we probably can't do.

Now, the attitude of other countries is important here. Yes, we have said to China and to others that they shouldn't invite the President, and we have made that point in every case. China has a very important role in Sudan, and we have urged China to use that influence both to avoid further confrontation with the South over the oil issues and to follow a peaceful process of political negotiation in Southern Kordofan and Blue Nile.

I think they have conveyed those messages, but I cannot tell you how strongly or in what fashion they delivered them. But they say they have delivered those messages.

On the attitude of our European friends, I think they are very much on the same wavelength as we are.

But when we go into the U.N. Security Council, if you were to want to get more multilateral sanctions or, as I mentioned, even an independent human rights investigation, you find that there isn't unanimity of that approach.

Mr. SMITH. Which countries are objecting?

Ambassador LYMAN. I would say the African countries, South Africa, Nigeria, as well as China and Russia objected to an independent investigation of——

Mr. SMITH. Nigeria is the chair of the Security Council.

Ambassador LYMAN. They are now chairing it. The issue came up just before. So getting the kind of unanimity in the international community on such international issues is an upward battle.

They have their own reasons. They take a different view of how to influence Sudan.

So we work on those issues. We continue to push for an independent investigation of human rights, for example. We try to mobilize all of the other countries to emphasize the need for humanitarian access, and I think everybody is concerned about how Khartoum responds to these fundamental issues of governance.

Mr. SMITH. How hard have we pushed back with the allies and friends who have looked askance to some extent, like Nigeria? We

are close to Nigeria, and we are close to South Africa. I, frankly, liked what Mr. Prendergast said when he talked about draconian sanctions. We usually use the word draconian to talk about the bad guys, but we need to become draconian ourselves in at least isolating—and I know you know this, and you have given them no quarter either. But you are not everywhere in our Government, and so the thought is, how hard do we push it at the U.N.?

Ambassador LYMAN. I know at the U.N., our permanent representative, Susan Rice, has certainly pressed these issues very hard, and we have addressed them when we meet with them. And it was true in our meetings with them up in New York during the General Assembly, and our Ambassadors raised them.

They take a different view. For example, the African countries, Nigeria, South Africa, argue that there should be more incentives rather than sanctions, that they should be given more rewards for having gone along with the secession of the South. So they have a different perception of what would work to move—than we do and they feel very strongly about that.

The Russians and the Chinese in general don't like to support sanctions. So I think it is a very fundamental disagreement as to how you approach the issue in Sudan, and we keep working with them.

Now, we do work together on the negotiation, the Africa Union High Level Panel plays a major role in bringing about negotiations trying to find peaceful solutions. We work very closely with them.

And I was in Beijing just recently to urge the Chinese to play a more active role in these areas.

So it is a question of working with them where we can find common ground, recognizing that they take a different approach to how to motivate the Government in Sudan.

Mr. SMITH. Did anyone in our Government ask Hu Jintao or anybody below him to arrest and to facilitate the arrest of Bashir? I mean, as we all know, Bashir did not go to Ankara because of the pressure. Another reason was——

Ambassador LYMAN. We did convey to the Chinese Government that we thought it was wrong for them to invite President Bashir. That came from the White House. I don't have exact details. But I know that message was conveyed.

Mr. SMITH. Could you provide that for the committee? It could be very helpful to have that, because the stronger and the higher up, the better, obviously.

Let me just ask you with regards to slavery, we will hear from Ker Deng very shortly, who, as you know, Christian Solidarity effectuated his rescue. Ellen Ratner, a journalist, helped to mobilize the effort to bring him here, and he recently got some significant surgery. And we will hear from him shortly. But he in his testimony said, I was treated worse than the animals I slept with. Like them, I was property. I was a slave held in Northern Sudan. But the animals weren't beaten every day. I was, every single day with a horsewhip; sometimes on my front, sometimes on my back, sometimes with my clothes on, sometimes not, but every day. The animals were fed every day, but I wasn't. And then he talks about how the chili peppers were rubbed in his eyes as he was upside down. Cruel, cruel torture, making him blind. And thankfully, the inter-

vention—this will, we believe, lead to him regaining his eyesight and is in the process of healing. Can you speak to the issue of slavery? How many do you think? What are we doing to help free the slaves in Sudan?

Ambassador LYMAN. As you indicated, you have put a spotlight on this issue for some years, and it is—it is not only a tremendous human rights issue, but it is a source of a great deal of lingering bitterness among communities that have suffered. I found this in several trips to Sudan; that it remains a source of great bitterness.

Some of the type of attacks in slavery were ended when the civil war ended and the South was able to gain its independence, but we still have people who are held. And we still have instances of it occurring in other contexts, between groups that engage in raids on other ethnic groups, sometimes in South Sudan, and capture children or others and keep them. So it is an ongoing issue, not quite the scale before, but still an ongoing issue. It is part of that general need in Sudan to establish a constitution that protects human rights, that investigates wrongdoing and brings people to accountability. That doesn't exist today.

And it is the fundamental issue that divides the people of Sudan. Whether it is considered—felt to be ethnic, whether it is felt to be political, et cetera, when people are arrested, when people are enslaved, when people are dragged out of their homes, this is the fundamental issue in Sudan.

And what we are urging and hoping is that there are people in Khartoum who say, this is not a path we can stay on, this is not a path that will survive, that we have got to change the political system. There are people inside the government of Khartoum who recognize this. The question is, how will they come forward and create a process that people have confidence in?

We don't see it yet, but we think it is terribly important. Otherwise, there are going to be situations like Southern Kordofan, like Blue Nile, continuing trouble in Darfur. These are the fundamental issues.

Mr. SMITH. With deep respect, I would ask that you raise the profile of this labor issue. When I held that first hearing—and I did subsequent briefings and hearings—we even heard from a woman who told the story about how the door of her small home was kicked in, her sons were taken, were forced—given Islamic names, forced into Islam, and she was beaten senseless. And she stood there—or stood here and told her story. It is a tool of war, just as rape is being used as a hideous method of war, so is that. So I just would ask you to raise the profile of it if you would.

Ambassador LYMAN. I will. Thank you.

Mr. SMITH. Mr. Payne.

Mr. PAYNE. Thank you very much, Ambassador Lyman.

As we have seen the problem in South Kordofan and the Blue Nile, what solutions—there has been criticism because it has been alleged that the SPLA supported their comrades in South Kordofan when they were being attacked by the Sudan armed forces. As you know, the SPLM in South Kordofan were aligned with the South, and it would sort of be unconscionable I suppose to allow the Government of Sudan to continue the atrocities they were doing without expecting that SPLM from South Sudan would respond.

What is the U.S. expecting from the SPLM when the Government of Sudan is bombing and, as you know, went house to house, and what do you suggest as a resolution? Of course, we want to see a cessation of hostilities, but without the SPLM being able to protect themselves in South Kordofan, they are sort of left in an untenable position. What does the U.S. suggest that they do there?

Ambassador LYMAN. Well, Congressman. There is clearly a historical link and important links from the civil war between the SPLM and the SPLA in South Sudan and the elements in the North. But now that South Sudan is an independent country, this is an issue that takes place in another country; it takes place in Sudan across the border. And while we certainly understand those linkages, we don't think it is wise to encourage the idea on the SPLA side in those states anymore than on the government side that there is a military solution to this problem. And there are some who do feel that is the answer. This is the beginning of the revolution. And what we see is continued fighting with neither side being able to achieve a military victory.

So what we would like the Government of South Sudan to do—and I think President Kiir's visit this week with President Bashir offers an important opportunity—is to convey to both sides that there isn't a military solution in this area, that there must be political negotiations, that Government of Sudan will help in any way it can, the Government of South Sudan, to encourage and facilitate those negotiations. But we don't want this to become another North-South war. And for the South to engage militarily in those states does run that risk, and that would widen the war in a major way. And it would have consequences that I would not like to anticipate.

So what we are asking of South Sudan is, be vocal on behalf of the fact that neither side can win a military battle here, that the fighting should come to an end and there should be political negotiations and to offer its good office in any other way it can to help bring that about.

Mr. PAYNE. Well, the Government of Sudan has been unwilling to allow outsiders into Southern Kordofan. Where do the Ethiopian troops stand at this point?

Ambassador LYMAN. The Ethiopian troops are in Abyei. They are not in Southern Kordofan or Blue Nile. They have taken up their position in Abyei. And even though they aren't at full strength, they are at sufficient operational capability that they are arguing that the withdrawal from Abyei should now proceed immediately. The force commander is very good. He is very capable. And he has been urging the sides to adhere to the agreement, which is that there would be an unconditional withdrawal. And we have supported him in that regard, and this issue will come up at the U.N. Security Council on Thursday. And we see no reason for the delay that has taken place. There were various delays in this process. But right now it is the government of Khartoum that is not withdrawing its troops, and it is raising conditions that are not in the agreement. So we have to press for that.

But on Southern Kordofan and Blue Nile, there is no international presence. The government has not allowed it. And that is one of our great disadvantages. Because even to get a good handle

on the humanitarian situation, let alone the human rights situation, we don't have independent verification there. And we have pressed the government very hard on this—Government of Sudan—very hard on this, the humanitarian issues are becoming overwhelming. And they do themselves no good by denying humanitarian access. And pressures are building up in this regard. People are looking at alternative ways of getting humanitarian assistance there. That is not in the interest of the Government of Sudan.

So we think the humanitarian access issue is a top priority, and we think they ought to allow it. And I am sure that the SPLM will open its areas to any independent international organization that comes in.

Mr. PAYNE. I agree that I don't think that continued hostilities, that it is certainly not going to lead to anything but worse conditions. However, the Government of Sudan refuses to allow even humanitarian assistance. And it is true, I was mixing Abyei and Ethiopia up with Southern Kordofan. But if the Government of Sudan continues to refuse to allow there to be some protection, you know, they are sort of baiting the SPLM if they, once again, have attacks on them. And I think that we should certainly also urge them strongly—I am sure you will—that there needs to be some protection from a neutral party in Southern Kordofan to protect the SPLM-North that are there.

As has been mentioned, we find that Bashir definitely refuses to cooperate. We feel that there perhaps even needs to be more pressure. I know there is some thinking in the Department of State that we should give kudos to the Government of Sudan for allowing the separation. But it seems to me that when we talk about easing sanctions as was—not by you, but by the previous Special Envoy, I just think that that is really going in the wrong direction because this government just seems like they simply defy all logic and just refuses to come with any kind of solutions.

I know that there was a meeting in Uganda that you recently had. And I wonder, were there any kind of breakthroughs in your negotiations there?

Ambassador LYMAN. Well, thank you. I just pick up on another point you made, and it goes to a question you asked earlier, Mr. Chairman. When we talk to other governments, they often take the position that we haven't offered enough rewards to Khartoum. Our position has been, look, sanctions are there for a reason; they are there to change behavior, to signal the need for change. And the normalization process requires change on their part in terms of fulfilling the CPA and certainly ending the fighting now going on in Southern Kordofan and Blue Nile. Other countries say to us, we should have given them more at the beginning, but that hasn't been our policy.

We think that the government faces now very severe economic problems. There is a $2 billion deficit in their budget for the balance of this year, $4 billion next year, because of the loss of oil revenues. They need to address these fundamental economic issues. And that means turning away from this war and these wars and engaging in a different set of both economic and political policies.

But coming to your question about Kampala. I went to Kampala to meet with members of the SPLM-North, Yasir Arman and Abdul

Aziz, and also with an element of the JEM, the Justice Equality Movement, from Darfur. And the point of those meetings, Mr. Congressman, was to say to them, what is your political platform? It is one thing to say you are against the regime or whatever, but what is the political platform that you are putting out there that if there was an opportunity for a political dialogue, what do you represent? It can't just be, I am against the regime. It has to be for something. And I think you will see in some of the material coming out from the SPLM-North more along those lines of what a political platform would be.

In relationship to Darfur, we now have a split taking place in JEM. Khalil Ibrahim has come back from Libya, apparently with a lot of weapons, and we foresee further fighting in Darfur. But another part of JEM has split off and said we are prepared to go to Doha and do further negotiations. So we have a split there. And we are trying to pursue a process whereby the government implements some of the things they have promised to do, but where the armed movements say we are prepared to negotiate, here is our political platform.

Mr. PAYNE. I guess my time has expired, but there is continued frustration out of Darfur. I will be having a meeting in my district just this Friday coming up with the Darfur Coalition. And they are certainly disappointed at the lack of progress. I know that a JEM person has been appointed Vice President. But I am not sure that is going to solve the question. I wish that—and just I know that the oil sector is going to impact on South Sudan. One of the problems with U.S. businessmen is that they are confused. It is not that they are confused, it is they say our State Department—not you per se; everyone but you—are confused because they get confusing answers.

And so Treasury says one thing, USAID says something else, Department of State says something else, National Security says something else. When do you think the policy will be clarified and we might have a single policy?

Ambassador LYMAN. Sometimes I get confused. The first point, as I mentioned, is that sanctions generally do not apply to South Sudan.

Mr. PAYNE. Right.

Ambassador LYMAN. The issue in the oil sector is to determine when investments there have a benefit for the North, on which there are still sanctions. And quite frankly, the Treasury, and this is not a criticism of the Treasury, they have to issue guidelines along these lines, because a license will be required. What we would like American companies to do is to make application for those licenses, because that will help clarify what the dimensions of investments might look like and how we would structure the licenses to meet the requirements. We want American companies there. We want them in the oil sector, as well as others. And it is tricky, with all respect to the people working on it. But it would help. We only have one license request from an American oil company. So if we could get more, we would have a caseload on which to say, okay, these are the guidelines that make sense.

Mr. PAYNE. Let me thank you very much. I recall about a decade ago we talked about a no-fly zone for Sudan that John Prendergast

and some of us supported it, Joe Biden. Perhaps if we had had that no-fly zone then, perhaps we would have had a Libya-type situation, where we don't have a dictator like Ghadafi anymore. Maybe Bashir would have been gone by now. But we didn't do it, so we are still stuck with him. But thank you very much.

Mr. SMITH. Thank you very much, Mr. Payne. Mr. Lyman, just one final question. Dr. Prunier of the Atlantic Council does, in his seven recommendations, ask that the feasibility of a no-fly zone be looked at. Is that something that is under consideration?

Ambassador LYMAN. It isn't under active consideration. I would just say this about it, and you can draw a little bit of experience from Libya. If you had a no-fly zone, you would still face a lot of artillery. And then the question is what do you do next? And Sudan has a lot of artillery, and it can be just as damaging. So the question is do we want to go down the path that way? And we have not indicated we want to go down that path. And it would be very complicated. And we would be alone. So I think right now, as far as the administration is concerned, it is to avoid going down a path of further war. We think the government needs to reconsider its rejection of the framework agreement. It needs to come back to negotiations, as they are being urged to do, and bring this to a halt before it gets totally out of hand.

I want to say just one quick thing about Darfur. We haven't had a chance to talk about it. I just want to say a word about it, because Congressman Payne has raised it. It is a frustrating situation. Because you don't have a CPA, you don't have a structure. We have a peace agreement between the government and one of six now, six different armed groups, a split LJM, a split JEM, a split SLA. And you have some interested in negotiations, some saying we are not going to negotiate, we are just going to fight. So what we are trying to do is work on several different fronts here. One is the government has signed this agreement with LJM. They said they are going to set up a land commission, a human rights commission, a compensation commission. We are saying set them up. Let's see if you are really going to do these things and demonstrate that you are really going to move on these things. That might affect the situation. We are saying to the armed movements, as I mentioned when I met with JEM in Kampala, what is your political platform? You are fighting. What are you fighting for? What is the political platform that you might be able to sit down and negotiate?

And finally, we are saying to the government, you can't say just because you signed with LJM, or one element of LJM, that everybody else has to sign this agreement, there is no further negotiations. That is not realistic. You have got to keep the door open to further negotiation. Now, it is not a perfect situation by any means, and I am very worried about renewed fighting. But we got to work on all three of these right now, because we have such a disparate situation in that area.

Mr. SMITH. Mr. Ambassador, thank you so very much for your testimony, for giving this subcommittee the benefit of your counsel and your recommendations, and your take on the situation, and for your leadership.

Ambassador LYMAN. Thank you. Thank you, Congressman Payne.

Mr. SMITH. I would like now ask our second panel if they would make their way to the witness stand. We will be beginning first with Mr. Ker Deng, a former slave from Sudan. He is a victim of modern day slavery. As a toddler, he and his mother were captured by Arab slave raiders who destroyed his village, and massacred the men. He grew up under brutal conditions, eating the same grains as the slave master's horses.

When a goat escaped on one occasion, his master hung him upside down from a tree and rubbed chili peppers in his eyes, causing him to go blind. Mr. Deng was freed by Christian Solidarity International, and hopes that his recent cornea surgery will help him to regain his sight. His mother, along with thousands of others in southern Sudan, remains enslaved. I would note I mentioned Christian Solidarity. John Eibner, the president of CSI, is here. Dr. Julia Haller, chief of retinal surgery at the famed Wills Eye Institute, who actually performed the surgery, is here. Mark Ackermann, president of Lighthouse International, is also here. They are working on the rehabilitation. And Diane Gooch, who is an activist, and who actually traveled to Sudan and has worked for his release. And then just to introduce her, Ellen Ratner, by unanimous consent will be part of our panel.

And I thank Mr. Payne for his willingness to accommodate this activist. An accomplished journalist, who works with Talk Radio News Service and Talkers Magazine, she has a long and distinguished career in the media, and she was at the news conference earlier. She became an activist upon attending slave liberations with Christian Solidarity International. And she worked very, very hard to help Mr. Deng be here today, to get out of the country, get his surgery, and be here today. And she will join us on the panel as the fourth witness.

We will hear from Dr. Prunier, who is a nonresident senior fellow with the Atlantic Council's Michael S. Ansari Africa Center. He previously served as an adviser to the French Government, as well as a consultant for the U.S. State and Defense Departments, various European and African governments, as well as private companies. Dr. Prunier also served as a senior researcher at France's largest research organization, and directed a center for Ethiopian Studies in Addis. He has published over 200 articles and a dozen books, many of them focused on genocide in Africa, and especially in Darfur.

Then we will hear from Mr. John Prendergast, who heads up the Enough Project. A human rights activist, best selling author, and co-founder of the Enough Project, an initiative to end genocide and crimes against humanity. He has worked for the Clinton administration, the State Department, and in Congress. He has also worked for the National Intelligence Council, UNICEF, Human Rights Watch, the International Crisis Group, and the U.S. Institute of Peace. He has helped fund schools in Darfurian refugee camps, and helped launch the Satellite Sentinel Project with George Clooney. Mr. Prendergast has worked for peace in Africa for over 25 years, and has been a frequent and a very welcomed and

very esteemed witness before this subcommittee and the full committee. And I thank you for being here as well.

I would like to now begin with Mr. Deng. We are going to show a taped video with Dr. Garang, and then we will go to Mr. Deng.

[Video shown.]

Mr. SMITH. We are joined on the subcommittee by a long-time activist for peace and reconciliation and justice in Sudan, Congressman Frank Wolf. Chairman Wolf?

Mr. WOLF. I just appreciate you, Mr. Smith, having the hearing. Mr. Payne. And you know, I just came to, you know, just support you. I guess Mr. Lyman has left. But this really can't continue. This has been going on for so long. But I just want to thank you and Mr. Payne. With that, I will end.

Mr. SMITH. Thank you very much. Mr. Deng.

STATEMENT OF MR. KER ALEU DENG, EMANCIPATED SLAVE FROM THE REPUBLIC OF SOUTH SUDAN

Mr. DENG. Hello.

Mr. PAYNE. Hello.

Mr. DENG. I am here today to tell you about my life experience as a slave, and how my life has changed since I got out of slavery. I am happy to be here right now to share this moment with you. I used to hear a lot about Washington, but now I am here. Even though I do not fully see everything around me, I feel it.

I love American food, broccoli.

When I was in the North, I never had some meals like I had here in the U.S. I didn't have good nutrition. So when I came here I was not used to eating every single day, three times a day, and I was worried about my weight. Now that I have been very fortunate to get out of the situation, I still think about those who are in the same situation I was in. All I want, I just want them to get out of the situation and have freedom just like I am now.

So when I got out of Zacharia's house, who was my master, one day it just came to me that I have to go. Now I am free. I have to go back to my homeland, the South. When I was at Zacharia's, it was something unimaginable. Now, every now and then I have a relapse. Every single day it plays in my head. But I have hope that everything will be okay from now onward. So I am very happy to be meeting with all these people that I have always never thought I could meet.

When I was in the North with Zacharia, I was basically like his goats. Like every single night I spent the night with his goats. And my mother would sleep in the garden. Every single day I warned Jalaliah. They give me a name, Habagah, and they made me to be a Muslim. While some of the people in the South were Christian, and I didn't even know that. So when I came back to the South, I decided to go to church.

You have seen in me now what happened to me and how my situation was. You have heard it all. And it is not me alone. It didn't just happen to me alone. Many, many people in the same situation, they don't have the power, the means to get out of that. And they give us, they call them Jengae. That is the name. So it was very difficult. When you are in that situation you try to get out of it,

but you are also afraid. If you try to escape, you are going to get caught along the way before you reach the South.

So we stayed, and my mother would teach me my Dinka language, even though Zacharia prohibited us to speak our own language. Most of the time we speak Arabic. He taught us to pray in a Muslim way. You don't have any other God with this. So many other people are in the same situation. So Zacharia would take his kids to school, but not me. The school was far. I couldn't, maybe even if I wanted to sneak out and try to go to school. So I just heard about it, there is something called school. I didn't even know there were markets. I didn't see any other person who looks like me.

So after Zacharia had tortured me, got me blinded, and I was no longer useful to him, I got into the care of the other man called Bakit. Even though he tried to give me good care, he didn't have medicines or anything like that to treat my eyes. So when people got me out of slavery and went back to Sudan, I got along with them. I just wanted to come back to the South. So we walked a long way from the North back to the South many months.

So when we came back to the South, we gathered in the same place. So people came and saw us, asked us where we were coming from. We didn't even know where to go and how to start our new life in the South. And then the Christian Solidarity, that is when they came in. We were hungry. So they tried to feed us, give us some food, provide. And the same organization got me to America today. So Momma Chicken is right here, the one who brought me here. I am very happy for the job that she has done in my life. I wouldn't have been here today without her.

I just wanted to let you know that there are still many people in the same situation I was in. They don't have the means to get out of there, but they want so badly to get out. Like during Ramadan, they were never given a chance to, and many horrible things were done to them. If they had the power, they would have left a long time ago from the North. So many things, I have no words to describe everything that went on with us in the North. I know that you have the power to get them out of there so they can have their freedom like I am now. I am very happy. And thank you all.

[The prepared statement of Mr. Deng follows:]

TESTIMONY OF KER DENG

**BEFORE THE SUBCOMMITTEE ON AFRICA,
GLOBAL HEALTH AND HUMAN RIGHTS
OF THE U.S. HOUSE OF REPRESENTATIVES COMMITTEE ON FOREIGN AFFAIRS
October 4, 2011**

Thank you, Chairman Smith, Ranking Member Carnahan, and Members of the Subcommittee.

My name is Ker Deng, and from a time I can't remember until very recently, I slept with cattle and goats. I ate the grain that was fed to horses.

I was treated worse than the animals I slept with.

Like them, I was property. I was a slave held in Northern Sudan.

But the animals weren't beaten every day. I was. Every single day, with a horsewhip. Sometimes on my front, sometimes on my back. Sometimes with my clothes on, sometimes not. But every day.

The animals were fed every day. But I wasn't.

To the man who owned me and my mother, the animals had worth. They were valuable. We weren't.

My mother and I were captured when I was too little to remember.

My mother told me how it happened: Of the day Arab raiders from the north came to our village. They burned our huts. They killed the men. They stole the livestock. They tied the rest of us to camels and dragged us to a life of slavery in Northern Sudan.

Our slave masters were named Zacharia and Mariam. They gave me a name: "Cattle-Keeper."

That's why I had to sleep in the shed with the goats and the cattle. They'd tie my ankle to a goat, so I'd be awakened if they tried to get away.

At least I had a grass roof over my head. My mother had to sleep outdoors – in the garden – so she could keep animals away from the family's crops.

Zacharia and Mariam had five children, some of them older than I was, some younger. When they went to school, I would go into the fields to pick red tea.

I was fed with the horses.

Once in awhile, I was given watermelon or vegetables to eat. I remember being told, "This is your food for the next few days."

When I was very small, I couldn't control the goats. That's usually why I was beaten, but not always.

Zacharia drank. And whenever he got angry, I got a beating.

My mother could do nothing to help me. She'd be locked up, and if she resisted in any way, she was beaten, too.

When he was drunk, Zacharia would call me an infidel and make me recite Muslim prayers. I still remember them. I want to forget them. I'd like to forget all of it, but I can't.

The worst thing Zachariah did was to blind me.

He was dissatisfied with my work looking after goats and sorting red tea leaves. I was beaten and hung upside down from a tree. Zacharia rubbed chili peppers in my eyes and built a fire under me so the smoke would make the pain even worse.

I almost went crazy because the pain was so bad.

I was saved by a neighbor, an imam named Bakit. He felt sorry for me and cut me down from the tree. He took me to his home, and he let me stay there several years.

In the beginning, I could still see. Bakit even had me sort red tea leaves for him. But because of the peppers, my sight gradually got worse, and after awhile, I became completely blind. First I lost sight in one eye and then in the other.

My mother always told me, "Do not forget who you are. You are Dinka man, born in the South, and your father still lives in the South. Don't forget your language and who you are."

As far as I know, my mother is still being held in Northern Sudan, and she's only one among many. I often saw other Dinkas in the same situation we were in, but was never allowed to talk to them.

My mother never gave up hope. She used to say to me, "I know we are living in a bad situation, but maybe something will work itself out."

I think of my mother every day, and what she is probably still going through. I pray to give her the strength to survive -- and to give you the courage and wisdom to find some way to gain her freedom.

I would like the people of America to know that Southerners are still being held in the north, and they are still being treated worse than animals.

And I bring you a message from them, and from me: I want to see my mother again, in freedom, along with all the others being held in slavery in Sudan.

You are powerful men and women. Please, find some way to help.

Thank you for your time and consideration.

###

Mr. SMITH. Mr. Deng, thank you so very much for your testimony, which gives all of us a great deal of hope. But with so many people still remaining in Sudan enslaved, the challenge is formidable. And we need to, all of us need to do more to liberate those slaves. Without objection, your written testimony will be made a part of the record. And you are a very, very articulate man. Knowing that you couldn't read your testimony, all of that was done extemporaneous. So thank you so much again for your testimony. Dr. Prunier.

STATEMENT OF GÉRARD PRUNIER, PH.D., NONRESIDENT SENIOR FELLOW, MICHAEL S. ANSARI AFRICA CENTER, ATLANTIC COUNCIL

Mr. PRUNIER. Mr. Chairman, Ranking Member Payne, distinguished members of the subcommittee, I would like to thank you for the opportunity to testify today on the current situation in the Sudan, and to comment, perhaps, on the policy options that would be available to the U.S. in this respect. I am not a humanitarian, I am not a political activist, but I am an academic. So perhaps I will take this opportunity to try to go back into the deeper background of the present situation.

What we are witnessing now, stretching from south Darfur all the way to Blue Nile, is not a violation of the peace or humanitarian crisis; it is something much bigger, much more serious. After 56 years of conflict, this is probably the last stage of a fundamental and massive restructuration of the very basis of Sudanese polity. Sudan has never been a nation-state. It is an arbitrarily cut chunk of the African continent, which its Ottoman conquerors slapped together during the 19th century. It was a mixture of three, not two, basic strands of humanity, cultural Arabs, African Muslims, and African animists who later converted to Christianity. That polity was dominated by the first group of people, to the detriment of the two others under the Turks, under the British, and since 1956, under the independent Government of the Sudan Republic.

The religious contradictions appeared to loom very large, and were, at first, thought to be the main, if not the only ones, leading to two extremely long civil wars, the first one between 1955 and 1972, the later one between 1983 and 2002. But one thing many observers often missed at the time, the Islamic culture was, in terms of size, the dominant one, but the Arab culture was not. In other words, the Arabs are a minority in the Sudan. And the fact that the Muslims are a majority, the two were often confounded. This put the Black African Muslims in a tremendously ambiguous position. During the first war, they sided with the Arabs, and most of the fighters, most of the soldiers fighting in the South killing Black Africans were other Black Africans, not Arabs. But during the second war, the clear message of guerilla leader John Garang de Mabior insisted on culture and economic marginalization, not religion. Garang was not fighting for the independence of Southern Sudan, he was fighting for more equal, more democratic restructuration of the whole of the Sudan.

As a result of this new ideology, African Muslims switched progressively from siding with the Arab minority to aligning themselves with the Southerners, either by joining the SPLA directly,

as was the case of the Nuba in Southern Kordofan, or else by starting anti-Khartoum insurrections of their own in Darfur and along the Bija populations of the east.

The problem came to a head in January 2005, when the Comprehensive Peace Agreement was signed, because this agreement treated the conflict and its solution in a binary manner. On the one side, the Arab North versus the Southern Africans. On the one side, the Arab Muslims versus the Christian Blacks. But what about the problem of those populations who were Black Africans and Muslims? Northerners, but fighting alongside the South? The agreement had nothing for them apart from a very vague mention of popular consultations, which carried no political weight, and carried no legal obligation in the postwar period. What we see now is a refusal of that very large section of the Sudanese population, basically one-third of it, to fit on the Procrustean bed, where their hopes and aspirations are supposed to die.

One-third of the population neglected and made invisible by the CPA, in spite of the benefits it could have for the South, is revolting and fighting from Darfur to the Blue Nile Province by way of Southern Kordofan. It started with the nonresolution of the Darfur war in the unrealistic Doha process, which has not put an end to the conflict at all. It went on with the attempt at disarming the Nuba SPLA forces in Southern Kordofan, which was legal from the point of view of the CPA, but which was a completely unrealistic move because these people were the guarantors of their community. And it ended in June with the government attacking the elected SPLM governor of Blue Nile, Malik Agar, in an attempt at reducing any manifestation of the political force with which it was faced.

This now means open war from the border with Chad to the border with Ethiopia, clear across the whole country. Considering the situation, what are the possibilities now open for a constructive U.S. approach to this massive structural crisis? First of all, I will have to disagree with the special envoy. Getting Khartoum—but, of course, in his position this is quite normal that he would say so—getting Khartoum to genuinely negotiate peace is an unlikely prospect. Why? The present regime is, after 56 years, the last rampart, the last protection of Arab domination in the Sudan. And its track record hardly suggests flexibility and adaptability.

The second point I would mention—there are seven of them—is that Sudan's neighbors probably have a better access to the problem, particularly in the case of Ethiopia and Uganda. Their initiatives to attenuate the effects of the conflict should be helped and supported.

The third point is the ways and the means to help the victims, because the war will go on. Regardless of what we might want, the war is the last resort of the people who have been completely marginalized as a result of the CPA, and it will go on. So ways and means to help the victims, regardless of Khartoum's claims about the fact that they are bandits or rebels, should be helped and furthered.

The fourth point is that consultations with the Juba government and military support to the Southern Sudanese authority are necessary to help them guard themselves against Northern desta-

bilization attempts. These are going on now, and they will go on. They are a kind of quid pro quo of what is going on in the strip between North and South.

The fifth point is to discourage Eritrean intervention in the region. It has already occurred with the help that Eritrea has tried to bring to the George Athor group. We have seen what the Eritreans have done in Somalia. It is still going on in Somalia. And very likely, given the desperation of the Eritrean regime, they will try to fiddle with that situation in a most nefarious way.

The sixth point is that there should be contacts with the SPLM-North. And I was extremely happy to realize that the special envoy had taken the important step in Kampala of meeting with them. Because their representativity should be heightened, their visibility should be heightened, and they should be helped, also, with the possibilities of alternative humanitarian help that they can do for the war situation where access would be denied to "foreigners."

And finally, something which is not very easy technically, would be trying to restore a no-fly zone from the base in Djibouti. Now, as the special envoy was saying, this is not a solution for the whole war problem. There is artillery indeed. But then we have seen in Libya that airplanes can knock down artillery forces. So the no-fly zone maybe could be extended for further benefits. So I thank you for your attention, and I look forward to questions.

Mr. SMITH. Doctor, thank you so very much.

[The prepared statement of Mr. Prunier follows:]

Prepared Statement of

Dr. Gérard Prunier
Nonresident Senior Fellow, Michael S. Ansari Africa Center
Atlantic Council

before the

United States House of Representatives
Committee on Foreign Affairs
Subcommittee on Africa, Global Health, and Human Rights

on

"A Comprehensive Assessment of U.S. Policy Toward Sudan"

Tuesday, October 4, 2011
2:00 p.m.
Rayburn House Office Building, Room 2200
Washington, D.C.

Mr. Chairman, Ranking Member Payne, Distinguished Members of the Subcommittee:

I would like to thank you very much for the opportunity to testify today on the current situation in Sudan and to comment on the policy options for the United States with respect to them. With your permission, I will summarize my prepared testimony, the full text of which I respectfully request be entered into the record of this hearing.

Since September 1, war has come back to the Sudan. To describe the events that have progressively globalized the situation from Abyei to Southern Kordofan to Blue Nile over the last five months as either "a violation of the peace" or "a humanitarian crisis" does not do justice to something much bigger and much more serious: the Sudanese polity, after fifty-six years of almost continuous conflict, is probably entering the last stage of a fundamental restructuration which will transform it deeply and durably.

Being neither a political figure, nor a social activist, nor a humanitarian worker, I would like to use this remarkable opportunity to shed a deeper, more dispassionate, and more historical light on those momentous events. (By "dispassionate," I do not, by any means, intend "disengaged." I am linked closely to Sudan and its people and am very committed to their future, being closely tied to them by the bonds of marriage and family.)

"The Sudan" has never been a nation state. Its name itself, borrowed from the Arab term characterizing "the land of the Blacks" (*al-Bilad as-Sudan*) was geographical, rather than historical. A chunk of Africa arbitrarily cut out of the continent by Turco-Egyptian conquerors in the nineteenth century; it was – to simplify matters – an unstable blend of cultural Arabs, African Muslims, and African animists who later converted to Christianity. The social, political, military, and economic control of the ensemble was more or less in the hands of the conquering Ottomans, only to pass later, after the period of British occupation, into those of the Nile Valley Arab minority. Thus emerged a polity that was fundamentally unbalanced. The existence of an overall Muslim majority was seen, by the British and, later, by both the Arab world and the international community at large, to mean that Arabism was dominant in the Sudan. Indeed it was, but not as the result of a global cultural consensus. It was an expression of power and political domination. ***The Islamic culture was dominant, but the Arab culture was not.*** The Sudan was a majority Black African cultural mosaic where Arabism exercised an ascendency based on having equated religion and culture. For the first twenty years of Sudan's independence, the problem was seen as religious, pitting a Black African Christian minority against a Muslim majority which was considered to be an "Arab" one, although it was not. This led to the first civil war between 1955 and 1972 and to the uneasy period of "peace" between 1972 and 1983.

When the second civil war broke out again in 1983, the Southern rebel leader Dr. John Garang de Mabior offered a different narrative about the nature of the conflict. In his view the problem came not from a religious difference, but from the incapacity of the Arab center to democratize its rule and adapt it to the need for recognition coming from the African majority, ***both Christian and Muslim.*** He placed the cause of the Sudanese wars squarely on the domination of the Arab centre over the non-Arab periphery, regardless of whether it was Muslim or not and of whether it had been marginally arabized or not. His discourse about the need for the empowerment of the black Africans, regardless of their religion, drew to his movement a large number of Muslim Africans who, in the previous war, had sided with the ruling Arab minority because of religion.

The confirmation of the correctness of Colonel Garang's views came in February 2003 when the low intensity conflict in Darfur which had been simmering over the last eighteen years finally broke out in the open, leading to the genocidal violence of Muslim Arabs killing Muslim Africans. But the situation resulting from this new state of affairs was not properly recognized by the Comprehensive Peace Agreement (CPA) signed in Nairobi in January 2005. The CPA was designed as if the only violent contradiction existing in the Sudan was that between a supposedly homogenous Muslim North and a similarly homogenous Christian South. Both views were abstract constructs and the present situation, unfolding since last May and that has led to

the present war, is simply a case of reality re-asserting itself against the simplifications imposed on the situation by well-meaning, but poorly-informed, foreigners.

What did happen after the implementation of the CPA? Colonel Garang having died accidentally six month after the signature of the CPA, his vision of a transformed unified Sudan fell by the wayside as his associates did not feel capable of winning a national democratic election and did not wish to remain united to a North they had come to hate after half a century of strife. This left those populations of the Black Muslim periphery which Garang's political discourse had attracted to the side of the fighting Southerners during the war years, in a tremendously uncomfortable situation. Millions of Black Muslims who had believed they were fighting for their own freedom within the framework of a future new democratic dispensation in the Sudan suddenly found themselves caught in the trap of a religiously designed "peace" which had scant regards for their aspirations. Those were poorly expressed in the vague provision for "popular consultations" which were supposed to allow an expression of popular sentiment but without any guarantee that these "consultations" would be given any practical expression once they had been carried out. On the contrary: schedules began to be interfered with, terms of reference became very vague, accepted outcomes turned controversial and the whole political landscape started to show an increasing disregard for those people who did not fit the Procrustean bed of the CPA.

This was a very grave miscalculation on the part of the international community. It had been thought that the main contradiction was a North-South religious one and that secession would solve the problem. After July 9, 2011, it suddenly became obvious that the problem had been wrongly perceived and that the neglected third term of the equation – the Black African Muslims – was not about to let itself be silenced and folded back into a new form of blanket Arab domination.

The situation came to a head with the provincial elections in South Kordofan. There, the NCP candidate Ahmed Haroun (the same Ahmed Haroun who has been indicted by the International Criminal Court for war crimes and crimes against humanity in Darfur) "won" the gubernatorial election in controversial circumstances against the veteran politician Abd-el-Azziz al-Hilew who had fought on the side of the Southerners during the war. After Abd-el-Azziz allegedly lost the poll, the Khartoum government ordered his troops to be disarmed. From the point of view of the CPA's "logic" it was inescapable that those SPLA soldiers not being Southerners were to obey Khartoum's orders. But this was politically unfeasible since these armed Nuba men were the last protection of their community against a return to cultural and political subjugation which was going to be marginalized by the independence of the South. Khartoum's decision was simple: declare Abd-el-Azziz to be a rebel and crush his military and political forces. Placed in a similar situation his colleague Malik Agar, who had been elected Governor of Blue Nile Province on an SPLA ticket, felt that he could play a stronger hand, given his popular mandate and negotiate some solution that would be acceptable to Khartoum. But on September 1, the Khartoum authorities crossed the Rubicon and decided to submit him to the destructive treatment that had been reserved for Abd-el-Azziz al-Hilew in Kordofan. The war had become globalized across the whole country, West to East, from the Chadian border to the Ethiopian

border. But, in a way, Khartoum itself was now caught in a trap of its own making. The present regime, which is still commonly called "Islamist" or "Fundamentalist," is in fact simply the last incarnation of Arab domination in the Sudan.

Arab domination in the Sudan has been embodied by military dictatorships under Ibrahim Abboud (1958-1964) and Gaafar Nimeiry (1969-1985), has presented itself under the guise of democracy in the 1960s and then later between 1985 and 1989, brandished the flag of Communism in 1969, and became "Islamist" twenty years later. Now, after fifty-six years of independence, a final decision has to be made concerning the shape of the Sudanese polity: either it tries to entrench itself in the abstract position of dominant Arabism, in which case it has to fight at least its non-Arab Muslim fellow countrymen and possibly the newly independent South; or else it accepts a new dispensation in which geography, culture and ethnicity are reorganized according to new democratic criteria. So the question posed today is the following: ***Can the present regime in Khartoum be expected to honestly accept such a tremendous groundswell of political, social and economic reform – in short, a virtual revolution?*** If we consider its record, the answer is probably "no."

Under the pretext of "restoring order," the NCP regime has started a full-fledged war against a whole segment of its population, the Muslims belonging to non-Arab communities. Militias are being recruited on a communal basis – Missiriya in South Kordofan, Rufa'a and Fellata in Blue Nile, Tunjur, Birgit and Berti in Darfur where the war is continuing. The ethnic basis of these militias are carefully chosen : they are the ones who, for a variety of social and economic reasons, can be expected to try to violently make room for themselves, even when they are themselves Black Muslims. We are looking at a picture of massive civil violence clear across the whole Sahelian strip, from Chad to Ethiopia. How long can the Southern Christians, now "independent," accept to see their Muslim brethren massacred without intervening? The respective places of the three main groups of Sudanese communities – Arab, Black Muslim, Black Christian – are now being violently reassessed.

Considering this situation, what are the possibilities now open for a constructive U.S. approach to this crisis?

First of all, we should avoid deluding ourselves: while a miracle is not impossible, it is unlikely. Given its previous attitude towards the international community, the Khartoum regime is likely to do as it said: try its best to crush the resistance movement it deems to simply be an illegal revolt. Dilatory discussions are possible but a genuine negotiation which would accept to deal with the admittedly very deep roots of the problem seems quite unlikely. The last direct action that could be undertaken by the United States would be to renew the promise helping on Sudan's debt, but making it very clear this time that such an offer is conditional upon an improvement of the regime's human rights record in Darfur, Southern Kordofan, and Blue Nile – as well as its living in peace with the newly independent South Sudan.

Second, in a way, Sudan's neighbors have a more open access to the problem. This is why the United States should, after due consultation, try to support the initiatives that could be

undertaken particularly by the Ugandan and Ethiopian governments. They are very concerned and they are at present trying to contribute perhaps not really to a solution (that belongs to the Sudanese themselves) but to an attenuation of the humanitarian consequences of the conflict.

Third, ways and means of helping the victims, particularly the wave of internally displaced persons, should be put into place, even though Khartoum will keep arguing that the victims are not victims but simply "bandits" or "rebels" who deserve their fate.

Fourth, continued consultations should follow with the Juba authorities who are in danger of being de-stabilized by Khartoum-sponsored rebels to prevent them from helping the victims in North Sudan.

Fifth, the Eritrean government should also be told that intervening in South Sudan for aiding and abetting such Khartoum-based destabilization plans is not an acceptable policy. The danger here is to see a repeat of Eritrea's support for the Shabaab terrorist movement in Somalia and such a development should be strongly discouraged.

Sixth, contact should be made with the representatives of SPLM-North to heighten their degree of visibility and enable them to organize channels of humanitarian help for the victims.

Finally, the feasibility of creating a no-fly zone preventing Khartoum's air force from bombing the civilians should be studied. It is not technically easy, but the possibility of using the American base in Djibouti as a point of departure should at least be studied.

Thank you for your attention. I look forward to your questions.

Mr. SMITH. And now Mr. Prendergast.

STATEMENT OF MR. JOHN PRENDERGAST, CO–FOUNDER, THE ENOUGH PROJECT

Mr. PRENDERGAST. Thank you very much, Mr. Chairman, members of this subcommittee, and for you three human rights champions, Congressmen Smith and Payne and Wolf, for all the efforts that you have made to shine a bright light for so many years actually on the plight of the people of Sudan and South Sudan.

Mr. Chairman, since you stole what little thunder I had by reading parts of my testimony to Ambassador Lyman, I thought I would have to get a little creative. So I want to pick up on something that Ambassador Lyman testified on. He talked about the importance, and as President Obama said directly to President Kiir when they met in New York at the United Nations, the very strong emphasis the United States has on trying to stop the South from giving any kind of support to the people in the Nuba Mountains, and Blue Nile, and even in Darfur, and their very strong opposition, at least stated at this point, to any idea of doing proactive civilian protection, such as the kind of things that you have been very strong in asserting, at least consideration of ideas like a no-fly zone.

And I want to look empirically at what happened over the last 10, 15 years, and why I think that is very injudicious as a means of basing your policy toward the North, toward Sudan, and the potential for conflict between North and South. Because if you look at the way we have dealt with this issue of our relationship with opposition movements, we have demanded that the South and other elements within Africa not support the SPLA-North. We, in fact, went further on the Darfur front, and demanded that the Chadian Government stop its support of any kind for the Darfurian rebels. And we, of course, were at the time, as you pointed out, or as Congressman Payne actually pointed out in his cross-examination of Ambassador Lyman, we opposed, the United States opposed any kind of no-fly zone during the last decade in Darfur, as there had been calls for that.

So the result has been, interestingly, a weakening of the rebellions, a splitting of the rebellions, which makes it actually less likely that they will come to the table and negotiate and be able to deliver a real peace deal. It makes it unlikely, more unlikely that the Government of Sudan will come to the peace table and negotiate with elements inside Sudan that are actually strong enough to exact concessions.

The one and only exception to that is the referendum in the South. Because the United States, led by the Congress over the last 15 years, stayed very, very supportive of the South Sudanese aspirations for self-determination. We were unwavering, Congress was unwavering, the activists that cared about this issue were unwavering. And every time the Clinton or the Bush or the Obama administration sort of swayed off to the side, Congress batted them back to where they should be. And we were front and center right behind General Sembeiywo in negotiating the deal that got the self-determination referendum, called the CPA, the only, by the way, element of the CPA that was implemented. Then we stayed on the ball, actually dropped it for a while with General Gration,

and picked it back up because history never ends. And President Obama himself led the policy process, and we led the international community to back the South Sudanese heroic efforts to have that referendum held on time and peacefully.

That is the successful model, of us being supportive of opposition demands for change, not running away from them, not finding ways to undermine any kind of support to the opposition. It simply flies in the face of the facts of our history here in Sudan.

So I want to just use the rest of my time to go straight to the policies that I think the U.S. should be pursuing now in Sudan. And the trigger, you know, today we may not be able to get President Obama's attention to alter this policy immediately. But I do think people streaming out of the Nuba Mountains and the Blue Nile, the way they are doing out of Somalia now, because they are starving to death, because the Government of Sudan—2 or 3 months from now—because the Government of Sudan is blocking and denying humanitarian access, and using food as a weapon of war, as they have done over the last 22 years of their rule in Sudan, I think that will be a potential for a trigger.

We have needed triggers of street protests in Egypt. We have needed triggers of the march across Libya that the Ghadafi forces. We needed the guy literally setting himself on fire in Tunisia. We need triggers. And I feel like this potentially could be a trigger. And we need to be ready, those that have advocated for so long for a stronger policy, to push the Obama administration to go in the right direction. The three areas I think we should focus on are democracy, protection, and justice. And these are very consistent with everything that this subcommittee and you, Congressman Wolf, have pushed for for so long. And I want to just get very specific quickly on each of those three areas.

On the democratic transition side, we have so many levers of being supportive of opposition elements within a country that is authoritarian. There are the above-board efforts that we all know about that we have all supported, the NDIs and IRIs, and all the kind of political party development and civil society support. There are also under the table ways of doing it. And I think we need to look at all those ways of strengthening the opposition now in the face of this authoritarian regime in Khartoum.

Secondly under democratic transition, I think having and building unified support internationally for elections that are internationally monitored. It probably won't happen, but at least we are leading with the right principles. And now we have sort of capitulated on basic principles. We are not dealing with what we ought to be fundamentally dealing with. As Ambassador Lyman acknowledged, the fundamental issues are the abusive governance at the center of the country. Well, one way you get at that is democratic elections. And there are elements within the regime that want this, elements within the regime that don't want it. So push it and help create divisions within.

The third piece on the democratic transition side is we have wasted years chasing all these different peace processes in Darfur and in Southern Kordofan, Blue Nile, and East, and all these other places. And now we are going to take the unusual step of bringing the Darfurian parties, some of them, to Washington at the end of

this month, and waste more people's time. Instead of cratering that process, accepting and acknowledging that it was dead a long time ago, the Doha process, and folding our peace efforts into a national strategy that addresses all of the core issues at once. All the regions share the same problems. They are cut out of the pie, the division, the slices of the pie politically and economically. That has to be restructured. The constitution has to be revised. And we have to end up with elections that allow people of Sudan to just choose their leaders. That is the democratic transition part of it.

The second part is civilian protection. This is the one where we get all hung up on, everybody gets very agitated, and we spend a lot of time divided. First, I think everyone agrees, but unfortunately the administration hasn't moved on it, that we need to have those really harsh sanctions. We don't need to crow about it. We just need to go after the businesses, really, it is the businesses that the senior members of the National Congress Party are financing. The military-industrial complex that keeps this country afloat, that the Iranians have invested heavily in, this is where the money is, let's go after it. And if we can't freeze those accounts, then let's identify it and publicize it, and show the people of Sudan how this regime is stealing all of the oil money and keeping it in the hands of a few people. So there is at least the idea of exposure, even if we can't get at those assets to be able to freeze them. So that is the first element of civilian protection.

The second element is really pushing the administration to look at how do you protect those people in the Nuba Mountains, in Darfur, in Blue Nile from these aerial attacks? The reason why I would differ with Ambassador Lyman, and Gerard just got to the point right away, is that, yes, of course they have artillery on the ground. But the biggest advantage that the government has had in all of these conflicts in Sudan has been their air superiority. Take that away from them, and you suddenly get the hurting stalemate that the North and South had to get the CPA to get the referendum.

Absent the hurting stalemate, absent removing the air advantage, the war actually would go on longer, which is precisely what he said is what will happen if we actually do these things. So I feel like our analysis of that is completely the opposite, is this would actually accelerate a peaceful end to the conflict, as opposed to throw gasoline on the fire.

And then, of course, third point under civilian protection, and this is the one we can have a big difference right now, to prevent those people from streaming out of Nuba Mountains and Blue Nile starving to death 3 months from now, we need a cross-border program of humanitarian assistance right now. The United States did it in the South. The U.S. and Europe did it in the South in the 1980s before Operation Lifeline in Sudan. We did it during the time of Mengistu during the great famine in Ethiopia, where we initiated the cross-border operation to save millions of lives in Ethiopia and Eritrea. We can't sit back and just beg the Sudanese Government to let humanitarian agencies in to stop starving their own people. We need to jam them by pushing food assistance through the border, like we have done in other places. It is not like this is the first time. We don't have to reinvent the wheel.

Finally, support for justice, and I will close very quickly. We need to increase our support for the apprehension of those already—arrest warrants have already been issued for, including the President. And your follow-up comments, Congressman Smith, were very helpful during Ambassador Lyman's testimony, in that way, going after the countries that are supporting his visits when the President goes and visits these countries. And then especially that further cases of the International Criminal Court be opened of specific senior members of the National Congress Party that are most responsible for the atrocities, not only that have been committed in Darfur, but also in the Nuba Mountains, Blue Nile, and Abyei.

And if any of these things happened, anything we have talked about today, your recommendations and ours, it will only, I believe, be because Congress takes a leading role, just like you have over the last 20 years, in crafting a meaningful U.S. policy and demanding meaningful U.S. action, action that in the case of Sudan can actually save millions of lives. Thank you.

[The prepared statement of Mr. Prendergast follows:]

Congressional Testimony
House Subcommittee on Africa, Global Health and Human Rights
October 4, 2011

John Prendergast
Co-Founder, ENOUGH Campaign

How could U.S. policy toward **South Sudan** over the last decade be so successful, and its policy toward **Sudan** be such an abject failure? The answer to that question partially holds the fate of millions of Sudanese who remain trapped in a state at war with its own people on four fronts and ruthlessly repressing all forms of unarmed opposition.

Over the last three presidential administrations, Republicans and Democrats in Congress have worked closely together to demand that Presidents Clinton, Bush and Obama craft policies that supported the aspirations of the people of South Sudan. This led to the isolation of the Khartoum regime in the mid to late 1990s, the securing of a peace deal in 2005 between North and South Sudan, and the successful referendum and independence of South Sudan earlier this year. Throughout this time, Congress often was far out front of each of the three administrations, pressing for more active engagement by the Executive Branch and keeping its eye on the strategic prize: the self-determination referendum for the South.

It worked.

Contrast this with U.S. policy towards the North, what is now known as Sudan. U.S. policy has never focused on the fundamental issue of the abuse and total concentration of power in the hands of a minority party. American diplomats have ineffectually chased disparate peace processes down disparate rabbit holes in Darfur, Abyei, the Nuba Mountains, Blue Nile State, and the East. Instead of focusing on a comprehensive solution to Sudan's authoritarian system of government, negotiators have invested heavily in separate regional peace processes which have played right into Khartoum's strategy of divide-and-conquer. None of the peace "deals" that have been struck have ever been implemented. No attempt at justice or accountability has ever been seriously supported, including that of the International Criminal Court. The result is an unmitigated human rights and governance disaster.

It is time for a fundamental change in U.S. policy toward Sudan. In the long run, democratic transformation should be at the center of all that the U.S. does going forward, consistent with the bold decisions made in support of people's aspiration for change in Egypt, Libya, Yemen, and Syria. In the short run, protecting civilians should be an urgent and immediate priority of the United States. Congress has often led administration policy over the past two decades. Your advocacy for a new policy and a more bold approach is needed more than ever.

The time to begin demanding change is now. The opportunity for more aggressive action may come in the next few months when levels of malnutrition begin skyrocketing in South Kordofan and Blue Nile, as Khartoum uses the denial of humanitarian assistance as a weapon of war. That

will be the moment to move, and Congress must be ready to help the Obama administration and other key countries seize that moment.

RECOMMENDATIONS FOR THE U.S. GOVERNMENT

SUPPORT FOR DEMOCRATIC TRANSITION:

- Tangible political, logistical and financial support for Sudanese parties and non-governmental organizations pressing for democracy
- Unified international support for internationally observed elections
- Refocusing the peace strategy on support for one comprehensive process dealing with all rebelling regions, opposition groups, and civil society organizations

SUPPORT FOR CIVILIAN PROTECTION

- Draconian financial sanctions against officials (and their associated businesses) responsible for attacks against civilians
- Acceleration of decisions regarding how to protect Nuba, Blue Nile, and Darfuri populations from air attacks, looking at options such as a no-fly-zone or destruction of offensive aerial assets
- Immediate initiation of a cross border emergency aid program to the Nuba Mountains and Blue Nile wherever the denial of aid is used as a weapon of war

SUPPORT FOR JUSTICE

- Increased international coordination around apprehension of ICC suspects
- Increased international support for further ICC cases targeting those responsible for war crimes in Abyei and the Nuba Mountains

SUDAN'S WINDOW OF OPPORTUNITY

Against a backdrop of the Khartoum regime's population-clearing invasion of Abyei, its war crimes spree in the Nuba Mountains, its ongoing attacks against civilians in Darfur, and most recently its assault on the Blue Nile border state, it sounds counterintuitive to proclaim this as an unprecedented moment of opportunity for Sudan. Yet that is my premise here—to argue that the combination of current internal, regional and international variables could provide a real catalyst for future peace in Sudan.

Internally, the secession of South Sudan produced massive reverberations in the state of Sudan it left behind. The regime in Khartoum can no longer play the South against other regions, or use peace processes with the South as a reason to force international actors to deemphasize human rights and conflict resolution issues within the remaining Sudan. As Darfur, Abyei, the Nuba Mountains, Blue Nile, the East, and the Nubia in the far North all represent armed or unarmed opposition to the regime with almost identical grievances, the potential grows daily for a more united opposition advocating for structural change in Sudan. Unlike the street revolutions beginning in Khartoum that overthrew Sudanese dictatorships in 1964 and 1985, my colleague Omer Ismail reminds me, today's dynamic is very different, marked by a revolution of peripheral regions against an exploitative, non-inclusive central government.

Sudanese are taking multiple paths in support of altering the status quo. Demonstrations earlier this year, inspired by Arab Spring initiatives in neighboring countries, were ruthlessly crushed with draconian regime tactics—including rape of women involved in protests. The ability of the national security apparatus to utilize modern day technology and infiltrate potential opposition groups further chilled mass protests which might have drawn the type of attention we have seen from the international community to similar uprisings. Traditional opposition political parties and civil society organizations continue to agitate for democracy and inclusive government. Moreover, armed opposition movements in Darfur, South Kordofan and Blue Nile are at full-scale war with the regime, but are not yet fully coordinating their activities.

Regionally, Sudan is adrift in a sea of change. Egypt, Tunisia, Libya, Syria, Bahrain, Yemen and others are facing mass protests and/or armed revolutions. The Arab Spring is reverberating throughout Sudan, though a specific direction has not yet fully manifested itself. Rather than the street protests of Syria and Egypt, the more likely scenario in Sudan is an increasingly coordinated armed opposition focused on negotiating transformation or overthrowing the regime.

Internationally, the Arab Spring has produced major changes in U.S. and European policy, with China and Russia even altering course when their options have narrowed. The international community's abandonment of Mubarak and Gaddafi, and the increasing isolation of Assad have defied most prognostications. Dictators like Sudan's Bashir cannot be confident in the face of this domino effect. Furthermore, the success of focused interventions to protect civilians in Benghazi, Libya and Abidjan, Ivory Coast demonstrate that the world is not powerless and not always unwilling to act in the face of human rights atrocities. The apprehension of key war crimes suspects from the Balkans and Africa has breathed new life into international accountability efforts.

The U.S. and Europe can play a major role in supporting the Sudanese people as they strive for a positive outcome, but real changes must be made in their policies toward Sudan. The existing approach encapsulated in acceptance of an authoritarian system and the pursuit of a series of stove-piped "peace processes" for Darfur, Abyei, the Nuba Mountains and Blue Nile, the East, and South Sudan weakens leverage and entrenches the fractured status quo.

The U.S. and other countries with leverage in Sudan should prepare and present a clear choice for the Sudanese regime. A comprehensive peace deal that addresses the grievances of the peripheral states in rebellion as well as those of civil society and opposition in the center of the country, followed by internationally monitored elections, would positively transform the relationship between a more democratic Sudan and the broader international community. On the other hand, further conflict, repression, and autocracy should trigger rapid, meaningful, and escalating international consequences. The Arab Spring, successful international efforts at civilian protection, and the escalating multi-front civil war in Sudan, have changed the framework for what the endgame should look like in Sudan. The new goal for the U.S. and other governments of influence should be a framework peace deal for all regions followed by genuinely free and fair elections.

Time is of the essence. Besieged civilian populations in the Nuba Mountains, Blue Nile, Darfur, and Abyei require immediate protection and emergency assistance. Very little is being done to meaningfully protect those populations. Escalating financial sanctions should target those

officials most responsible for human rights abuses, and a no-fly-zone or destruction of offensive air capacities should be deployed immediately to end aerial bombing of civilian centers.

With regime change in Egypt and Libya, and a similar shift in policy on Syria, the time has come to consider whether Sudan's track record of war crimes and rapidly worsening violence against civilians should qualify it for inclusion in that category. I think in the first instance efforts should be expended on a comprehensive peace deal for all rebelling regions alongside free and fair elections. If the regime refuses, then increased support should be provided to its opponents, along with other measures that would hasten the end of the present authoritarian, exclusionary governing system.

WHERE WE SHOULD GO IN SUPPORTING CHANGE IN SUDAN

The people of Sudan certainly deserve no less than those in Egypt, Syria, and Libya. In those countries, the U.S. and Europe are actively supporting processes, efforts, and institutions aimed at creating democratic governments that can help bring peace, development and security to those countries.

Why should Sudan be different?

After years of pushing for the resolution of the North-South issue, which led to major policy compromises to the detriment of human rights and democracy in the North, now is the time to step back and refocus on how peace can best be secured in Sudan. If the regime in Khartoum is left unreformed—violently suppressing most independent voices and concentrating wealth and power in the hands of a few regime stalwarts—cycles of warfare that are unfolding today are guaranteed to continue. While the world focused on trying to deal with South Sudan's quest for independence, the aspirations of North Sudanese were largely ignored or regionalized. That is no longer a tenable approach.

In other words, the time has come to press for democracy and justice in Sudan. They are the best guarantors of long-term peace in Sudan. This approach may have the potential to lead to more conflict in the short term, as it has in Libya, or more uncertainty, as it has in Egypt, but the status quo of a dictatorship at war with its own people is the very worst-case scenario, and that status quo has to be altered. Sudanese from around the country are pressing for change, and we need to support them.

To those that think this is naïve and overly ambitious, I would simply point to what is happening in Cairo, Damascus, Sana'a, and Tripoli as evidence of the level of complete unpredictability of this moment in the history of that region.

Why should we treat Sudan with kid gloves at this moment of historic change? Given that the Khartoum regime is responsible for more deaths than all of the other regimes that have unified the bulk of world opinion against them, it seems inevitable that a tipping point will eventually be reached regarding Sudan, when one too many atrocities are committed, followed by a unified call for change. Many lives can be saved if that unified call for change—insisting on real democracy and justice—comes sooner rather than later.

The counter-argument that this will lead to either a further crackdown by hardliners or a power vacuum, assumes that Sudan's situation could get worse. My view is that at this moment under the regime of Omer al-Bashir, Sudan has bottomed out. The Sudanese government is committing war crimes in four different regions of the country and ruthlessly suppressing all dissent. The calls for change and methods for organizing are diverse in Sudan, and include armed and unarmed approaches. U.S. policy should refocus on support for those seeking change, first and foremost through the combination of a coordinated national peace process and free and fair elections.

Concurrently, the U.S., working closely with other countries with means and influence, should accelerate planning for protecting civilian populations. The Obama administration's diplomatic efforts in support of the Southern referendum were grounded in a preventive approach to upholding the international Responsibility to Protect, or R2P, doctrine. In Libya and Ivory Coast, upholding R2P required the eventual use of military force as a last resort. The U.S. and its allies should undertake a robust review of the spectrum of policy options that could be employed to protect civilians at threat of violence in Sudan, and act if attacks against civilians continue.

WHY CHANGE IS NECESSARY NOW IN SUDAN

Left unreformed and autocratic, the Khartoum regime will continue to pursue the same approach to ruling the country it has successfully utilized for 22 years: dividing and destroying any form of opposition it can find. The human suffering this has produced throughout Sudan and South Sudan has few parallels globally. Sudan, when South was still part of it, has recorded the second highest number of war fatalities in the world over the last two decades, and the highest number of displaced people. Human rights crimes have been so egregious that the president of the country has an outstanding International Criminal Court arrest warrant against him for genocide and war crimes, sharing that distinction as a sitting or former head of state only with Colonel Gaddafi.

In order for the Sudanese people to achieve a future that includes a measure of peace, stability and freedom, the U.S. and Europe will need to pursue a more aggressive policy in defense of human rights. Promoting a democratic transition in Sudan is the best guarantee for a more peaceful future for the Sudanese people. Leaving the current autocratic regime in place, unreformed, will ensure a continuation of the divide and conquer approach to governance that has marked the 22 years of Bashir's rule.

The new nation of South Sudan has a major and equally critical stake in what happens to the government of Sudan. Bashir's government has spent the last 22 years undermining stability in the South, and will not stop just because South Sudan is now an independent state. The best insurance against a rocky future for South Sudan is a democratic transition in Sudan.

HOW CHANGE IS POSSIBLE IN SUDAN NOW

The steps required to get to a democratic and peaceful state will be difficult. Without question, there will be failures along the way. The Bashir regime will undoubtedly continue to unleash offensive operations and violate agreements, frustrating and undermining any effort at progress. No process of change is devoid of failures and setbacks, but every temporary failure is fraught

with learning opportunities and insights into what does and does not have an impact. Therefore, these failures and setbacks are an essential part of the path to change.

It is common knowledge that the first rule to follow when in a hole is to stop digging. U.S. and European support for all these uncoordinated, incentive-driven peace processes throughout Sudan should be brought to an unceremonious end. The deals are rarely if ever implemented, thus delaying and undermining any lasting solution that has a chance of dealing with the entire country.

It is important to remember that the one deal that was at least partially implemented was the promise of a referendum for South Sudan's independence. Why that one? Because after years of infighting, the South Sudanese people unified largely behind one party—the Sudan People's Liberation Movement—and the international community led by the United States backed the deal, the implementation of the referendum, and its results. After some delay and distraction created by his previous special envoy, President Obama led the multinational charge for ensuring that the referendum was held on time, freely and fairly.

The role of Congress and grassroots activists was crucial in bringing about that assertion of U.S. leadership. Emails, petitions, demonstrations, phone calls, letters, and congressional visits were crucial in building the political will necessary to drive U.S. action. This was not only a major success for U.S. diplomatic leadership, but it was also a major success for Congress and activists making a real difference through their advocacy.

This last point is crucial. After years of extremely frustrating advocacy on behalf of Darfur, which did not end the war there as people had hoped (even though thousands of lives were saved by virtue of the attention placed on the region and the corresponding aid and peacekeeping efforts that made it harder for Khartoum to utilize its deadliest tactics freely), the prevention of mass violence between North and South Sudan around the referendum and the peaceful creation of the new nation of South Sudan were remarkable successes in which Congress and activists played an important external role in supporting the aspirations of the South Sudanese people. It demonstrated that concerted advocacy can make a difference by building political will to take the necessary steps to achieve objectives.

So what opportunities does this moment in time bring for Sudan? The key is to get the beginning and ending right. We know in the end the Sudanese and South Sudanese people want to see functioning democracies in both states in which justice is served for human rights crimes. That will be the best guarantor for peace in and between Sudan and South Sudan. So that should be our endgame as well.

So how should we begin? Using the above described lens, groups and processes in Sudan aiming for democratic change demand support. This should involve a very clear 'Door One' versus 'Door Two' scenario. 'Door One' would include a revamped peace process that pulls all the regional initiatives together into one comprehensive process, given that the issues are largely the same in all of the rebelling regions. Unfortunately, Khartoum's ability to manipulate divisions between its opponents and its tendency to sign agreements and immediately disregard them attests to the vested interests that may forestall this scenario. 'Door One' would also require an endgame of internationally monitored free and fair elections. The National Congress Party recently hinted at their openness to early elections, and this could provide a vehicle, if held

appropriately and inclusively, for a huge step towards peace. If 'Door One' was chosen, then following demonstrated action by a democratizing Sudanese government, the international community would normalize relations and provide real aid to Sudan.

'Door Two' would result in a very different Sudan. If the regime continues to prosecute wars throughout the country, continues to undermine peace efforts, and continues to rule autocratically, then regime change in support of Sudanese aspirations and following examples from the region should become the goal of the U.S. and other concerned countries. Without a reformed central government, there will never be peace in Sudan or South Sudan, given the willingness to cross borders to destabilize the newly independent South.

Decisive action is required, or hundreds of thousands more Sudanese will die.

CONCLUSION

This lesson of Congressional and civil society activism's positive role and impact needs to be learned and re-learned. Those who participated in the blood diamond or anti-apartheid campaigns can be proud that they contributed to peace in part of West Africa and democratic transformation in South Africa, just as anyone who ever participated in a Sudan action helped contribute to the peaceful independence of South Sudan. These are huge achievements and rarely cited amidst the usual gloom and doom narrative of Africa. Countries like these have experienced massive transformations due in part to the actions of intrepid members of Congress and activists in the U.S. and elsewhere.

It's Sudan's turn now.

President Obama has shepherded U.S. policy through three successful efforts at civilian protection. First, his diplomatic leadership helped to avert a war between North and South Sudan through the timely and peaceful holding of the referendum for Southern independence. Second, he supported UN efforts at restoring democracy and countering war crimes in Ivory Coast. Third, his decisive action prevented massacres in Benghazi, Libya. These successes, combined with support for regime change in Egypt and Libya, may not provide a perfect parallel to the current situation of multiple ongoing wars in Sudan and huge numbers of at-risk populations, but they do illustrate the potential for positive, sustainable change during this moment of crisis. The Arab Spring provides an historic moment, and a significant, active segment of the American public is strongly supportive of action to end Sudan's suffering. All of these variables could add up to a real possibility for change in Sudan, if the moment is seized.

Mr. SMITH. Mr. Prendergast, thank you very much for your testimony and your leadership. You talked about us being battlers. Well, you have been a battler-in-chief. And I applaud you for your profound impatience with the situation as it is. Because no matter who is in the White House, you have been consistent, and you have been absolutely bold. So thank you for that. And we all know that the people who have been so malaffected, thank you, even though they may not know how you have raised your voice and your actions on their behalf. I would just point out, and I didn't say this earlier, but Agha Deng, who was the translator for Mr. Deng, is a Lost Girl herself. She lived in a refugee camp from the age of seven, spent 10 years without her parents, apart from her parents. And so she too is a very noble and courageous young woman. And thank her for her courage and for being here today. I would like to now ask Ellen Ratner if she would present her testimony.

STATEMENT OF MS. ELLEN RATNER, JOURNALIST

Mr. RATNER. I will go quick. Thank you, Chairman Smith, Ranking Member Payne, and members of the subcommittee. My name is Ellen Ratner. And since 1993, I have been a journalist here in Washington, and I have been privileged to cover Capitol Hill and the White House as a member of the Radio-TV galleries here. My interest in South Sudan began when, as political editor of Talkers Magazine, I was approached by Joe Madison, a well known radio colleague, who suggested that we form a diverse group of hosts to travel of what was then Southern Sudan. We brought with us six hosts, each representing a different point in the political spectrum, from left, right, and center.

The humanitarian organization, Christian Solidarity International, arranged and guided our trip. I have traveled extensively through the third world. And despite our religious differences, I am Jewish, I have been very impressed with the Christian Solidarity International's impressive work, low costs, and efficiency.

Our first visit was in March 2008. It moved me greatly. We met with the President of South Sudan, President Kiir, and then went to Gok Machar in Aweil North County, where we slept with tents and saw abductees who have been liberated from the North. I say abductees because it is not politically correct these days to use the word "slave."

In the late 1990s, Bashir's government in Khartoum successfully pressured the United Nations agencies and many members of states to refer to Sudanese slavery as abduction and slaves as abductees. However, as a member of the press and as a radio person, I call things as I see them without political niceties. And let me assure you and assure the subcommittee what is happening is slavery, plain and simple. People are being beaten, stabbed, raped, and having their throats slit. The violence and murder is committed because these individuals are considered by their captors as war booty. In the minds of their captors, they are outside the law, they can be beaten, raped, insulted, branded, and even killed with impunity.

If there is anyone on the subcommittee who doubts the horrible reality of Sudanese slavery, come with me to South Sudan. I would be glad to take anybody in this room. After my visit, I came back

came back to tell the story, and I have returned to Sudan regularly. I just left there on Saturday to attend this hearing. And even these hearts, the heart that I am wearing right now is made by women who have seen at least one person killed in front of them and are in a PTSD recovery group there.

In the course of these visits, my life has been profoundly changed by a blind teenager, Sudanese boy named Ker Deng, who I am sitting next to. He is a member of the Dinka tribe of South Sudan. I met Ker in September 2010, when I was asked by John Eibner of Christian Solidarity International, to help him. John knew that I too had lost vision in one eye. And after four retinal detachments, what I have in my right eye was saved by Dr. Julia Haller, who is now the ophthalmologist-in-chief at Wills Eye. And she is also the surgeon who guided the team for Ker's surgery. I also serve on the board of Lighthouse International. And Mark Ackermann, who is the president, is here as well. And since I enjoy some of the access to the best eye surgeons, I came to serve as Ker's sponsor in the United States.

You have heard Ker's story, so I am not going to review that, although it is in my written record. And I want to say that every time I look into Ker's damaged, unresponsive eyes, I sense the unspeakable suffering endured by him and his mother, and the countless others still being held. I certainly heard about slavery growing up. I grew up Jewish. I attended Passover services for 2 nights every year, and I have heard about slavery. So the whole idea that it is happening currently very much moved me.

The world has really known about the horrible reality of Sudanese slavery in our time. And it is that Americans, I believe, should be paying attention to this. I certainly have been talking about it on radio. The 2000 peace accords ended hostilities in South Sudan, and also the North Sudanese Government sponsored slave raiding, but negotiations have failed to produce a mechanism for the liberation and repatriation of slaves held in the North like Ker and his mother. We are very much working with the Arab slave retrievers and Christian Solidarity International to try and get Ker's mother out of slavery.

And in 2000, then-Secretary of State for African Affairs Susan Rice said we have an obligation not to speak out, but to ameliorate the suffering. And despite official condemnations and blue ribbon panels, there has been little done by the U.S. Government or U.N. agencies—and, by the way, we also cover the United Nations at Talk Radio News—to ameliorate the suffering of South Sudanese slaves.

Mr. Chairman, Mr. Payne, members of the subcommittee, it is time to take affirmative steps. Christian Solidarity International, in concert with thousands of people in good will, regardless of race or religion, have stepped in to fill the void. Diane Gooch has certainly been a partner in our work there, and certainly Tony Sayegh have been working with her with Christian Solidarity. Slavery is an internationally recognized crime against humanity. And effective action by the United States and the international community is long overdue. And I am hoping that today's hearing and Ker's testimony inspire our Government, along with Christian Solidarity

International and other NGOs, to do something about this horrible crime. Thank you.

Mr. SMITH. Ms. Ratner, thank you so very much for your testimony, and for your very strong and principled advocacy. It is certainly, I think, having a profound impact.

[The prepared statement of Ms. Ratner follows:]

TESTIMONY OF ELLEN RATNER
WHITE HOUSE CORRESPONDENT, TALK RADIO NEWS SERVICE
and POLITICAL EDITOR, "TALKERS" MAGAZINE

BEFORE THE SUBCOMMITTEE ON AFRICA,
GLOBAL HEALTH AND HUMAN RIGHTS
OF THE U.S. HOUSE OF REPRESENTATIVES COMMITTEE ON FOREIGN AFFAIRS

Thank you, Chairman Smith, Ranking Member Payne, and Members of the Subcommittee.

My name is Ellen Ratner. Since 1993, I've been a journalist here in Washington, where I've been privileged to cover Capitol Hill and the White House.

My interest in South Sudan began when, as political editor for the talk media's magazine, "Talkers," I was approached by Joe Madison, a well-known radio colleague, who suggested that we form a diverse group of hosts to travel to what was then known as southern Sudan.

We brought with us six hosts, each representing a different point in the political spectrum, from left, right and center. The humanitarian organization Christian Solidarity International arranged and guided our trip. I've travelled extensively through the Third World, and despite our religious differences – I am Jewish – I've been impressed with Christian Solidarity International's impressive body of work and efficiency.

Our first visit was in March of 2008, and it moved me greatly. We met with the President of South Sudan in Juba and then went to Gok Machar, in Aweil North County, where we slept in tents and saw "abductees" who had been liberated from the north.

I say "abductees" because it is not politically correct these days to use the word "slave." In the late 1990s Omer Bashir's government in Khartoum successfully pressured UN agencies and many member states to refer to Sudanese "slavery" as mere "abduction", and "slaves" as "abductees". However, as member of the press, I call things as they are without political niceties.

Let me assure the subcommittee, what is happening is slavery -- plain and simple. People are being beaten, stabbed, raped and having their throats slit. This violence and murder is committed because these individuals are considered by their captors as war booty. In the minds of their captors, they are outside the law. They can be beaten, raped, insulted, branded and even killed with impunity. If there is anyone on this Subcommittee who doubts the horrible reality of Sudanese slavery and its impact on thousands of South Sudanese men, women and children, I urge you to travel with me and see the truth for yourselves.

After my visit, I came back to tell the story. I have returned to Sudan regularly since that time, and in fact just left South Sudan on Saturday to attend this hearing.

In the course of these visits, my life has been profoundly changed by a blind teenaged Sudanese boy named Ker Deng. He's member of the Dinka tribe in South Sudan.

I met Ker in September of 2010, when I was asked by John Eibner of Christian Solidarity International

to help him. John knew that I, too, lost vision in one eye in 2005 after four retinal detachments. I also serve on the Board of Lighthouse International and, since I enjoy access to some of the world's best eye surgeons, I came to serve as Ker's sponsor in the United States.

Arab raiders from Northern Sudan enslaved Ker when he was still a toddler. His mother later told him how they were captured and forced to leave their home in Southern Sudan. Many of their relatives and neighbors, especially the men, were killed. Homes were burned. Cows and goats were stolen. Ker and his mother were tied to a camel and taken to the North as booty of war.

I doubt that Ker will ever be freed from the vivid memories of abuse meted out by his sadistic master: frequent beatings and death threats, racial abuse, forced conversion to Islam and the denial of his humanity.

His meals consisted mostly of the same kind of food that was given to the horses. At night, he slept with the goats.

We can only imagine the indescribable abuse his mother – still in bondage – continues to face as their master's sex slave. I've spoken to dozens of freed Sudanese slaves, who've told me that rape and beatings are frequent, and that most women's genitals are mutilated.

For Ker, the worst of slavery was being tied upside down and having chili peppers rubbed into his eyes. He lost his eyesight for the crime of letting some goats wander astray and sorting red tea leaves slowly; he was simply too little to meet his masters standards.

Blinded and unfit for work, Ker was handed over to Arab slave retrievers who return former slaves to South Sudan. Christian Solidarity International provides the means of exchange. In Ker's case, his freedom was obtained for the cost of a young goat.

Today, Ker is here before you, recovering from a complex surgery that will, hopefully, restore some measure of his sight.

Of all the things he wants to see in this world, however, his fondest hope is to see his mother again. As far as we know, she is still enslaved - one of the tens of thousands of South Sudanese slaves who remain trapped in the North. He is anxious about his mother's safety, fearing that she, too, will someday be blinded, maimed or even killed. Ker is still haunted memories of the terrible beating to which his mother was subjected by their sadistic master.

Every time I look into young Ker's damaged, unresponsive eyes, I sense the unspeakable suffering endured by him, and his mother, and countless thousands of others still being held.

The world has known for years about the horrible reality of Sudanese slavery in our time.
It is what drew American's attention to the Sudan's genocidal conflict in the first place.

The 2005 peace accord that ended hostilities in South Sudan also ended Sudanese government-sponsored slave raiding there. But the negotiations failed to produce a mechanism for the liberation and repatriation of slaves already held in the North, like Ker and his mother.

In 2000, then Assistant Secretary of State for African Affairs Susan Rice came face to-face with recently liberated Sudanese slaves. She rightly responded by declaring: "We have an obligation not only to speak out, but to ameliorate the suffering."

Nevertheless, despite official condemnations and blue-ribbon panels, there's been little done by the US government or the UN agencies to ameliorate the suffering of Sudanese slaves and reunite them with their families and communities.

Mr. Chairman, Members of the Subcommittee, it's time to take affirmative steps. Christian Solidarity International, in concert with thousands of people of goodwill, regardless of race or religion, have stepped in to fill the void. Slavery is an internationally recognized "crime against humanity". Effective action by the United States and the international community is long over-due. May today's hearing, especially Ker's testimony, inspire our government to act in cooperation with the Sudanese communities victimized by slavery, with Christian Solidarity International and other credible international partners to ameliorate the suffering and eradicate slavery in Sudan for all time.

Thank you for your time and consideration.

###

Mr. SMITH. Let me ask just a couple of questions of our distinguished panel. And I did, as you know, Mr. Prendergast, borrow some of your testimony to ask Ambassador Lyman. I think it is important. Very often I think we ought to try to reverse the order, but protocol usually wins out, and the administration goes first. So they don't get to hear what you have to say, which is why I tried to tee that up for him to try to get a response. So I thank you all for your testimony. Without objection, all of your written testimonies will be made a part of the record.

Mr. Prendergast, you mentioned that the opportunity for more aggressive action may come in the next few months, when the denial of humanitarian assistance, which will skyrocket, as you say in Southern Kordofan, Blue Nile, and, you know—so early warning, it is coming. It will be very severe. Skyrocketing is, I think, an apt description. Do you think that the international community grasps that, as well as our own administration?

Mr. PRENDERGAST. It doesn't. And I think that, you know, with the competing crises in the region to the north and east, with Arab Spring, with the Somali famine, and other things, that it just isn't—you know, something that is on the next—over the next horizon is just not going to be prioritized as much as the things that are on this horizon. And especially with Libya and Syria unfolding now, and the Somali famine, and the effort that is going to be necessary to try to stop tens and tens of thousands of children from starving to death, you can understand why.

And with all the things coming at people, they just ignore the thing they don't have to worry about for another few months. Well, our job as activists, and yours of course, and you have taken this on so strongly, both of you, as the legislative branch, is to take the battering ram and hammer it against the door of the executive branch until they listen. And the people of Southern Kordofan, the people of Blue Nile, and we have already seen the displaced, ethnically cleansed people of Abyei strewn like rubbish all over the northern part of Bahr el-Ghazal, we have seen what has happened with 8 years of this kind of a strategy in Darfur, and we just want to get ahead of that. And this is an opportunity now to take some bold actions, particularly, first and foremost, on the humanitarian front, to get the cross-border humanitarian assistance through the courageous NGOs that are willing to deliver that assistance, both Sudanese and international, get that assistance in and break the attempt to try to create starvation as a principal weapon of war, which the government has used so effectively for so many years.

So my feeling is that our job is to push and push, get some early action. But the sky will open up, I have no doubt, in the next few months. We will have an opportunity in the next few months to push a more aggressive policy. We just need to be there with a unified position about what the things are we expect from the Obama administration, the legislative branch, and civil society working together, pushing those people within the administration. Because there are very good people in the administration who do want to make a difference, including—well, we can go on, the list goes on of all kinds of people that have a long history on Sudan advocacy. So I think that it isn't like they don't want to do anything. We just have to push it up to the top of that pyramid that is constantly

pushing issues like Sudan down and say, no, it is time now for the people, or hundreds of thousands will die.

Mr. SMITH. Ambassador Lyman, in response to a question, said that Nigeria and South Africa have not been as helpful. They come at this from a whole different perspective. I would appreciate your view, especially with Nigeria as President of the Security Council for this month. It seems to me that some very aggressive work on their part, if they could be persuaded, could help mitigate this additional looming crisis on top of the already existing crisis.

And, Dr. Prunier, you might want to speak to that as well, Mr. Prendergast and anyone else.

Mr. PRENDERGAST. I think that, you know, it certainly has been the case that some of the members of the African delegation, African Union delegation, that have made their way to the Security Council have been difficult on the issue of Sudan, and others have been forward leaning. Right now we have two countries, as you point out, that have been unfortunately some of the biggest obstacles to getting any kind of human rights advocacy moved forward in Sudan today.

And so I think what is required, and having done it when I worked for the Clinton administration, you have to go—you have to send senior emissaries from the White House to their version of the White House in Pretoria and Abuja and talk frankly about our shared interests and where we are going on this stuff.

Mr. SMITH. And that has not been done?

Mr. PRENDERGAST. And do it frequently.

No, it is talking point 37 in a demarche by the Ambassador, our Ambassador, going in and doing his regular meetings. That is not—it just isn't going to get anyone's attention. It has to be a priority. Again, we don't have to advertise it either. Not every diplomatic venture the United States takes has to be in the headlines. We can go quietly. They will appreciate that.

Let us do the kind of diplomacy that actually gets results with Africa instead of just waiting until the thing is a traffic jam and then sort of issuing, well, they should do this, they should do that publicly. Now, that will dig them deeper into a trench against taking formal action. So I think that is the kind of diplomacy, proactive diplomacy, we need to see on behalf of an issue that matters so much to the American people and matters so much to the United States Congress.

Mr. PRUNIER. I might add a little caveat to that. I have lived over the past 8 years in Addis Ababa, and I have been in constant contact with the African Union. There is a very special feeling there. The indictment of Bashir was taken as an insult to Africa. It is very difficult, but you are trying to talk with people. They say, well, the victims are Black Africans. Yeah, but this is an insult to Africa. And, you know, you—this is the same thing that we saw with this lost stamina of support for Ghadafi.

There is a kind—I would quote Julius Nyerere on this when he had a big fight with the Organization of African Unity in 1978, when he was invaded by Idi Amin and they refused to help him. And he said, "You are not the Organization of African Unity, you are a trade union of heads of state." And these were very harsh words. Nyerere was a very plainspoken, direct man. And the same

phenomenon is at work. It is not that they love Bashir. It is a group thing. And for the United States to try to dictate another position would be extremely difficult.

Mr. SMITH. Let me just ask you, If there were a court like the Sierra Leone court, headed so well by David Crane, or the Rwandan court, which were regional courts, would that have been more acceptable? It seems to me that just because it is housed at The Hague, it is the International Criminal Court—you know, it is very superficial. I certainly can understand, and I know you are conveying what you found, but when monstrous deeds are committed, would a regional court have been more effective?

Mr. PRUNIER. Yes. But I cannot see a regional court happening. Who would be part of that regional court? The only countries that would love to have such a regional court would be Uganda, Kenya and the usual gang of suspects. And I am not sure at all that this would happen as an internal part of the AU debates.

Mr. SMITH. Yes.

Mr. PRENDERGAST. One of the things that is important to point out is I think—and I think Gerard and I would agree on this—is that, you know, the fact that the first few cases that the ICC took up were African, you know, and that——

Mr. SMITH. Milosevic, although that was——

Mr. PRENDERGAST. That was a regional court. And it appeared—and then Bashir gets the arrest warrant against him. And as Gerard is saying, it appeared to be the International Criminal Court against Africa, two heads of state, you know, who is next, you know, because many of them have human rights abuses that could potentially rise up. And now we are seeing the Ivory Coast being looked at, we are seeing Libya and a number of other countries.

I think that as time goes on, and the ICC widens its lens to other regions and begins to pick up on these issues, it will become less of a sting, a difficulty, less of a solidarity-based rejection by a number of these heads of state. But right now it is—the phenomenon is, as Dr. Prunier said. However, quiet diplomacy in support of specific interventions, like having an international investigation of what goes on, what has gone on in the Nuba Mountains and Blue Nile, these kinds of things, working quietly on some of these things could yield fruit. It is not a guarantee, but we need to try a lot harder than we are trying now, and to do that, you have to send representatives from Washington.

Mr. SMITH. One last point on the Court. Do you feel the U.S. Government sufficiently weighed in with Beijing to—when the visit occurred with Bashir to get them to do something constructive? I know they are not signatories and all of that, but, I mean, the hero's welcome that he was afforded was unconscionable.

Mr. PRENDERGAST. I will go ahead, too, also. But unlikely it could have changed their view, but we should have been stronger.

Mr. PRUNIER. You could have done it, not immediately. But the Chinese are lost. When you talk to them, they are trying now to get on better terms with Juba. At the same time they don't want—because Khartoum is their old ally. They are new imperialists. They are not really used to this situation. And, of course, they would not accept immediately an injunction of the United States,

but the idea would make its way because they themselves are uncertain about what to do.

Ms. RATNER. I just want to say one thing. I travel around the world. I am in Grenada and the West Indies quite a bit, and in Sudan and other places in the world, and the Chinese are there, everywhere. I mean, our presence is minor often compared to the Chinese and difficult unless we put some pressure on them.

Mr. SMITH. Well, they all have their own human rights atrocities to account for as well. So dictatorships don't usually put people first.

Let me ask with regards to your statement, Mr. Prendergast, about draconian financial sanctions against officials and their associated businesses responsible for attacks against citizens. As you know, in April 2006, President Bush did an Executive order. I think it only included four people. It seems to me that list and the annex should have been much larger. But has that been implemented in any way?

And I think when you get to the businesses and the connections in terms of a personal sanction—government sanctions are important, but when you go after and target individuals, that might have a more chilling effect and hopefully an accountability effect as well.

Would you recommend, any of you, that the administration promulgate a new Executive order, an expanded one building on this one, to hold individuals to account?

Mr. PRENDERGAST. I think that was a really insightful moment. Again, trying to understand—because we are all—at the same time as we are advocates for a stronger policy, we also need to be students of what has gone on before. If you remember, Andrew Natsios articulated this whole idea of a plan B, that we were going to—if they don't do X, then we are going to do Y. And Y was plan B, and it was going to be this very, very strong series of deep and biting unilateral sanctions which we would work to multilateralize aggressively, and talked a big game about it, and then we didn't do it.

We, as you said, put a few—all they do is change the name of the company, and it is no longer the next month—I mean, it is just silly. So you have to chase and have active intelligence that focuses on all of these very wily efforts that the private sector in Sudan and their international counterparts take in order to evade having a light shining on them.

So the biggest argument that cratered plan B during the Bush administration and undermines the use of more aggressive sanctions under the Obama administration—in other words, it is a bipartisan executive branch paralysis on this issue—and that is that our diplomacy will be undermined if we push more strongly this accountability tool.

I believe—and I think we all share this—the opposite; that, in fact, speaking of accountability and then backing it up with these kinds of things, with draconian sanctions, with crossborder humanitarian operations when they deny humanitarian assistance, a no-fly zone when they keep bombing civilian populations, that would actually strengthen our diplomatic hand. That would actually mean that we are backing up what we are saying all these years about human rights, and governance, and on democracy, and all the

peace and all the other stuff that we are doing. And we would be taken more seriously instead of making these vague threats, never implementing them, and then looking even more like the paper tiger that America gets accused of being all the time. We don't have to be a paper tiger in Sudan if we make some policy decisions that our first interest and foremost interest in Sudan is the people of Sudan.

Mr. SMITH. Let me ask two final questions. Dr. Prunier, you mentioned as your fifth point that the Eritrean Government should be told that intervening in South Sudan for aiding and abetting such Khartoum-based destabilization plans is not acceptable. The danger here is to see a repeat of Eritrea's support for al-Shabab's terrorist movement in Somalia, and such a development would be strongly encouraged.

Who should make that appeal? We have very little contact with the Eritrean Government ourselves. What government or governments should do that?

And my final question to all of you, obviously Ambassador Princeton Lyman knew that we had a former slave here today. It is an issue that I had raised. I am not the only one. Many of you have raised it for many, many years. As was mentioned earlier—John mentioned this from Christian Solidarity International—slavery was kind of resurrected back in 1983 as a means of war, exploitation, but also as a means of demoralizing. And as Mr. Deng pointed out in his testimony, the men were killed; the women and the children were abducted, put into slavery and abused thereafter.

My question, because it was not in Ambassador Lyman's testimony at all, no reference to slavery, which I thought was an oversight perhaps, he did say he would address it—your feeling about the issue. We heard from Dr. Garang earlier in his taped statement, obviously having died so long ago so unfortunately. But this issue seems to be on the sidelines. I am at a loss to know why.

Ms. Ratner.

Ms. RATNER. You know, it is interesting that—I have talked to some of my friends in the military, and one of the things they say is, look, whenever there is a war, there are prisoners of war taken. And even if you don't want to call it slavery, although it is clearly slavery, people are returned. So if this is a prisoner—if you want to call it prisoner of war, okay, you know, we can argue about words. Why not return these people? The war is done. It is now a separate country.

Mr. PRUNIER. Physically a lot of the people who have been reduced into slavery are in the area which is now part of the fighting. They don't go all the way north. They remain in the strip of that Sahelian, which is neither North nor South. And physically, you know, it is part of the war now.

Ms. RATNER. I totally disagree. I am not saying that there aren't a lot of people in that area, but the people I just talked to on Wednesday and Thursday a week ago were not from a war area. They were from a peaceful area where there has been no conflict for years, and they are just held.

Mr. SMITH. Mr. Prendergast.

Mr. PRENDERGAST. I think that, you know, this is a regime in Khartoum that has created an environment and uses starvation,

uses slave raiding, uses aerial bombing, uses ethnic conflict, all of these tools. These are the tools that it uses to fight war. Therefore, we need to highlight the individual abuses, the slave trade that it fostered during the 1980s and 1990s, the use of starvation as a weapon, all of the ethnic conflict that it will foster inevitably in South Sudan, the kind of tactics it is undertaking, and we need to highlight all of these. But we need to focus all of that attention then on what are we going to do about that regime that does all of these things.

And so there are important steps that need to be taken to demand and press for people to be able to return safely home to their home areas, and those need to continue. U.S., the United States, can back those more strongly. At the same time, though, we need to be more focused on ending the kind of government that allows for these kinds of things to be part and parcel of what goes on as normal in Sudan today. And that is just simply unacceptable morally.

Mr. SMITH. Ranking Member Payne.

Mr. PAYNE. Thank you. Thank you all very much. And thank you, Mr. Deng, for your testimony.

And on this whole question of, I think—I think Dr. Prunier gave a very interesting historical background on the problems, and I couldn't agree with you more, the whole question of the—I think, too, there is a psychological attitude that went into the Arabization of Sudan because it seems that it is a superiority feeling that wasn't helped with the Ottomans separating the country.

The British had two rules, one for the North, as you know, and another administration for the South. So when independence came in 1956, it was just a natural thing to follow the British model and—but the fact that—one of the things that was very surprising, which also points out—your point is that the Darfurians—throughout the history, of course, the poor people are usually in the military, and these were people who actually fought against SPLM, SPLA. You know, you are in the army, and the army fights, and poor people get in the army, and so when Darfur occurred, because they were Islamic, it kind of shocked people because of the fact that they were Islamic believers, as was the government in Khartoum, where the conflict had been argued for many years as it was the Islamic North, the Arabic North, against the animus or Christian South, so more of a religious conflict.

So that was very alarming and surprising to people that they went and bombed their own religious allies, which was shocking. And that was, of course, right after the CPA and the agreement between the North and the South occurred. So I think that it is much more of a superiority complex.

I agree with these three groups wholeheartedly, with what you say, but I don't necessarily agree that the—you know, I think that Bashir has used his cleverness more so with getting people to say that the indictment of the ICC is because we are in Africa that this is happening, and that it is unfair, and they wouldn't do it other places because, you know, you didn't get the outcry when Charles Taylor was indicted. He was the head of state, you know, and the DRC, one of the Vice Presidential candidates, Bemba, was indicted by the International Criminal Court. And when he was simply vis-

iting, I guess it was in France or somewhere, or Belgium, he was arrested, and we did not get the outcry.

I think that Bashir has used very cleverly and manipulatively himself to somehow influence some other leaders in Africa. I don't know whether they have special relationships, countries that might need oil. I don't know. But I don't think that the overall feeling in Africa is that you are going—because, like you said, Africans weren't killing white men, you know, they were killing Africans. And so I think that he used—one, he used religion to say, you are going after me because I am Islamic, because when I first got involved in the issue, when the whole question came up of slavery, there was—people said, well, there was opposition to raising the issue, and it was—religion was brought in, you are attacking us because of our religion. And, of course, I do think that the Islamic religion has been attacked, unfortunately, and put in a category of everyone being evil and wrong, which I think is wrong. So therefore, it does give the argument to Islamic leaders that they are doing this because of our religion. So I think that because of the longtime-held discrimination against Islam in general, some of these issues occur.

But, you know, the whole question of what should be done—I agree—the question—and maybe, Mr. Prendergast, you could answer it. If we say we are not going to—we are going to insist that SPLA keep out of Southern Kordofan—and I, you know, also agree. I don't think that prolonged fighting is the answer. But if Bashir refuses to allow, one, humanitarian food coming in because there is already becoming a food shortage; and number two, if they continue to kill people without the SPLM North being able to defend themselves, I mean—and they won't let peacekeepers in, I don't know, maybe Dr. Prunier, John Prendergast, what is the solution? I mean—and secondly, would you clarify more the images that you say your satellite has possibly seen, that there may be mass graves in part of Southern Kordofan or Blue Nile?

Mr. PRENDERGAST. Our focus has to be front and center on protecting civilian populations. I think the opposition to taking any action is the sort of inertia, the status quo position, and it will always be that unless we politicize this issue.

So I would actually give a political answer to the policy question, that a group of Congresspeople led by you two and others, who—like Congressman Wolf, who have been on the front lines for so long, and get some Senators and begin to have meetings at the seniormost levels at the White House. If you can get the President, great, but Denis McDonough speaks for the President on foreign policy. He is the key person. He has led on this issue, and he was constructive once he turned and focused on this. He was very constructive on the referendum. Valerie Jarrett, Mike Strautmanis. Go for the politicos and demonstrate that there is wide and deep support and that—I mean, that is you guys leading and getting some of your colleagues to go.

I don't think that talking to—Princeton Lyman is one of the best Ambassadors we have, so it is not him that is the problem here. It is that it hasn't—there was a surge of interest around the North-South referendum. The President got directly involved. Bipartisan support for the President to do more. The administration was ex-

tremely successful in supporting that and helping to birth a new country, and then it turned away and stopped focusing at a higher level. So you are left with Ambassador Lyman, who has to sort of roll around at this level where nothing gets through the glass ceiling.

You guys have to break the glass ceiling like you have over and over again. I don't see another way to do it. The activists will be out there, too, hammering away, doing the ads, doing the call-ins, doing the email campaigns, the demonstrations, the protests and stuff. But we have got to make the issue of protecting civilian populations that you have championed so strongly a political issue somehow, just like it was politicized that we had to be supportive of the referendum, just like it was politicized in the last decade that we had to do something about Darfur. It is the only way we are going to get action on an issue like this.

So I would say it is incumbent on us as activists to figure out better ways of targeting President Obama for getting his attention and getting some action on these issues, because we already know—we feel we know what the solutions are. We have talked about them many times. We just have to recapture the imagination and the attention of the senior policy people.

So I think finding those folks at 1600 Pennsylvania and making them somewhat accountable to this wide and deep group of Americans who care about these people in Sudan and their well-being, which hasn't gone away. We still have the Darfur coalition, and the antigenocide coalition, and the folks that care about the North-South issues and want to protect them. They are all there. They are still doing their little things. We have got to, in fact, have that kind of leadership.

So I look at it as very much up to us here in Washington to press and pound the administration. When there is a lot of things going on, going into election season and saying, you know what, all of your pollsters and all of your political advisors are focusing so much on the youth vote, the youth vote is going to swing it this year in 2012. Well, there is a substantial portion of young people on campuses and high schools all across this country who care about this question, actually care about the fate of the people of Sudan, that care about the fate of the people of Darfur. They may not know all the ins and outs of the policy angles, but they care. This is a policy and political win if this administration, backed by bipartisan congressional support, takes a more supportive and aggressive action in support of human rights in Sudan.

Ms. RATNER. I just want to remind both Mr. Smith and Mr. Payne that, first of all, the people who retrieved the slaves are Arabs. And I asked, in fact, one of the retrievers, I said, "Why do you do this?" and he said, "Because in my religion, Allah tells me that this is the most important thing to do"; and that also there are these Arab Dinka slave committees that, you know, give the novidium and assess what it is going to cost to get people.

So there are, you know—anybody who wants to say it is all one way or the other, it is not. There are people who are Arabs who are very much trying to help out. And, in fact, Ker talked to one of them the other day, and he is going to try to get his mother.

And the second thing I want to say is that in 1994, I was one of the six journalists that went with President Clinton's hunger commission to the Horn of Africa. And we went to Eritrea, and Eritrea was touted as this new democracy. It had just won its independence, whatever, from Ethiopia in this war, and it was touted as AID was giving it money, and it was going to be this great free democracy, et cetera, and look what has happened.

So I just want to say I think it is very important that we as Americans keep our finger on the pulse over there, because what happens in South Sudan and Sudan proper can affect all of us for many generations.

Mr. PAYNE. I think there is no question about it. I agree, I think you substantiate what I said, that people have broad-brushed Islam and Arab people as being all negative, especially since 9/11, things that are happening, just unbelievable, and I think that is unfortunate. And somehow we have got to really work out and say there are bad—everything—it was a Christian that bombed Oklahoma Oklahoma City Federal building. He was a church-going guy.

So, you know, we have this way of broad-brushing whole groups, and I think the quicker we can get out of that, the better.

And finally, I do think that we ought to really reach out. I have been to Eritrea, and I have tried to see if that government can do things in the right direction. I do think that they have made some—believe it or not, they made some overtures in the last several months asking to have discussions. So I think that we should have an open door to hear, well, what is it that you really want to talk about, and if there are some things that we can really do to change it. But they are getting ready to, you know, mold them almost to a step up with Iran and North Korea, State Sponsors of Terrorism, which I think is a little bit much.

Sudan isn't even close. And I do think that we need to have negotiations with people that we—we do it with everyone else now, North Korea, Iran. But we tend to have things shut off, and I do think we—an error was made when the border decision was made in Ethiopia. Our great military allies were found to be wrong in the Badme situation. But our policy, our Government did not push to enforce the decision, which, you know—I mean, that doesn't mean, therefore, you stay there for a decade.

But, you know, our policy is relatively inconsistent, and I think that if we could ever figure out our policy under any administration, I would love to see that day. When we have a consistent policy where you have Assad shooting people down in the street, and know Ghadafi is hiding somewhere, and no one is saying too much about Assad, it baffles me. But I really appreciate all of the great work that each and every one of you are doing.

And, Ker, what do you want to be when you get big?

Mr. DENG. Say again.

Mr. PAYNE. What do you want to be when you get big?

Mr. DENG. I want to help people.

Mr. PAYNE. Well, you can't have a better want than that. So congratulations. And I hope you—and I know you will be able to do that when you get grown.

Thank you.

Mr. SMITH. Thank you very much, Mr. Payne. I want to thank the panel.

I do have one final question with regards to an issue that I think is extremely important, and it often gets underfocused upon, and that is the issue of forced Islamization. I recently chaired a hearing as chairman of the Helsinki Commission on a very disturbing and absolutely underfocused upon issue in Egypt. We heard—as some of you may know, I have worked on human trafficking for the last 15 years, actually wrote the Trafficking Victims Protection Act. And a woman, who was a lead investigator at ODIHR as part of the OSCE on trafficking—she is now a professor or serving as a professor right here in town—testified and had huge amounts of corroborating evidence that in Egypt young Coptic Christian girls are being abducted at 12, 13 and 14 years of age not by the dozens, not by scores, but by the thousands, sold and forced into Islam. And then at age 18, after having been abused, are given to an Islamic man as his bride.

Our Government has said next to nothing. I brought it up with our Assistant Secretary for Democracy, Human Rights, and Labor and gave him the data. Michele Clark was the lead investigator. She was number 2 at the OSCE working on trafficking, and she did much of the investigations herself. But somehow it didn't play into the idea that you don't raise that issue. And many of the Coptic Christian leaders have been very quiet.

These women do not come back. They are shunned by many, unfortunately. And there have been other incidents of this forced Islamization. I say that having worked very closely with Ceric, the Grand Mufti of Bosnia, who takes a completely different view of respecting all faiths, Christian, Islam, Buddhist, whatever the faith might be, affording it full and complete respect.

I think it is important to point out in the United States that the FBI does track hate crimes, and Christians—hate crimes against Christians are under 10 percent. Hate crimes against followers of Islam are under 10 percent. But Jews, the smallest minority in the United States in terms of major religions, have over 70 percent of the hate crimes committed against them as recorded by the FBI, so a very serious disproportionality.

And I have always been concerned—and it is baffling, and, Doctor, you might want to speak to this, and maybe Mr. Payne was onto this with the superiority deal with the Arab Muslim versus the Black Muslim—but in the South it was clear that it was an effort for forced Islamization, the imposition of Sharia law on the South. Some may disagree with that, but there was ample evidence throughout the invasion of the South that this was the case.

So I would appreciate your thoughts, because very often the radicals, the Wahhabis and the others who are so radicalized, as opposed to mainstream Islam, which can and does coexist peacefully with other religions, which is the way it should be, obviously. So your thoughts on that, because I think, you know, the why of it always is a concern to all of us: Why are they attacking the South; why are they opposing Sharia law the way they are?

We know that there has been some very serious violence in Nigeria, and, again, there was a Catholic bishop and a major imam traveling throughout Nigeria preaching respect. But frankly, that

was not the case for others who were showing a profound lack of it. And then who can forget the Pakistani Minister Bhatti, who was very horrifically gunned down, executed by a radical Islamic group in Pakistan, and his message was one of respect for all religions, including the Christian religion in Pakistan.

So I would just appreciate maybe final thoughts, if you would, or if you just want to leave it at that, we will just conclude.

Ms. RATNER. Well, you know, I think that at least the people we talk to as they are coming back—and I interview by myself, you know, 15 or 20 people—everytime I go. There is a lot of forced religion. As I say, I call it like I see it. There are a lot of wackos out there. And it is not just there. There are people in other parts of the world that want people to be their religion.

And so I think that at least a lot of the people we see—we saw a guy with a cell phone, and I have never seen a returnee slave with a cell phone. Well, his job was to try to convert other Dinkas, and then his master would call him and take them to the mosque.

I mean, there are people who have their points of view, and they are going to make people in their view, and unfortunately we see a lot of that.

Mr. SMITH. But there is a big difference between proselytizing and coercion.

Ms. RATNER. No, our people are forced with a stick to convert. And women—I mean, the women and the being—you know, we talk and—were you forced, we ask the women, to be an Arab woman; in other words, a female circumcision. And I have got to tell you, it is off the charts. And I won't even describe in the committee how they do it.

Mr. PRUNIER. Perhaps I have a slightly different point of view, because it is not religious, it is social. And it is really seen almost in terms of an army, how many men do we have on our side, men, women and children; how many do they have on the other side.

The notion of religion, most of the people who try to push people into conversion into Islam are so ignorant of Islam themselves, it is appalling. These are not doctors of theology that do that at all. And there is a kind of—which is totally betrayed by the reality on the ground, because the evolution in mentalities—if you go to Darfur now, if you were in Darfur 30 years ago, it is completely different. The notion that I am a Muslim, therefore I have to be with the people in Khartoum, this is dead. It is completely dead. Thirty years ago it was true. So people who are still acting that way, like toward the Dinka and themselves, belong to another era. They don't realize it themselves, but they are sort of like walking ghosts. They express the position of a society which has died in Sudan.

Ms. RATNER. But there are a lot of them, and then they take people and they are hurting them physically and mentally.

Mr. PRUNIER. That is not because something is dead that it doesn't have supporters. There are plenty of neo-Nazis in Europe. I doubt very much that they ever come back to power.

The question is not one of religion, because when you are in America, you tend to think of religion as a spiritual thing, as a personal one. There it is really a social process which is—they try to impose on people, and it doesn't work. If it worked, we wouldn't have the war now that we have in Southern Kordofan, that we

have in Blue Nile, because the people who are fighting there are Muslims.

Mr. SMITH. Okay.

Mr. PRENDERGAST. I think we can't forget that the biggest Jihadist recruitment drives, the biggest forced conversion campaigns during the 1990s were—at the height of sort of the regime's—the National Congress Party's, then the National Islamic Front's—sort of ideological period were focused in the Nuba Mountains and other border areas as pushing into those areas where they could target often minority, non-Muslim populations. But the reason why both are right is they did it as a political tool, not because of pure ideological—purely ideologically, you know, creating enemies to develop solidarity in the North.

And I think as the Government of Sudan and the regime in Khartoum becomes more and more inward looking now and paranoid, and as Bashir, as clearly evidence would indicate, is reaching out more and more to radicalized elements that are inside Sudan and in Iran, we need to be very focused on this issue as sort of one of the crucial potential human rights issues in Sudan, the abuse and politicization of religion to suppress human rights, and I think that is what it is about, and that is why both of them are correct, I think.

Mr. SMITH. Thank you so much for your leadership. I really appreciate your time today, and we look forward to working with you going forward. The hearing is adjourned.

[Whereupon, at 4:56 p.m., the subcommittee was adjourned.]

APPENDIX

Material Submitted for the Hearing Record

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

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

September 27, 2011

You are respectfully requested to attend an OPEN hearing of the Subcommittee on Africa, Global Health, and Human Rights, to be held in **Room 2200 of the Rayburn House Office Building (and available live, via the WEBCAST link on the Committee website at http://www.hcfa.house.gov):**

DATE: Tuesday, October 4, 2011

TIME: 2:00 p.m.

SUBJECT: A Comprehensive Assessment of U.S. Policy Toward Sudan

WITNESSES:

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

Panel II
Mr. Ker Aleu Deng
Emancipated slave from the Republic of South Sudan

Gérard Prunier, Ph.D.
Nonresident Senior Fellow
Michael S. Ansari Africa Center
Atlantic Council

Mr. John Prendergast
Co-founder
The Enough Project

Ms. Ellen Ratner
Journalist

By Direction of the Chairman

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

COMMITTEE ON FOREIGN AFFAIRS

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

Day *Tuesday* **Date** *October 4, 2011* **Room** *2200 Rayburn*

Starting Time *2:22 p.m.* **Ending Time** *4:58 p.m.*

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

Presiding Member(s)

Rep. Chris Smith

Check all of the following that apply:

Open Session ☑
Executive (closed) Session ☐
Televised ☑
Electronically Recorded (taped) ☑
Stenographic Record ☑

TITLE OF HEARING:

A Comprehensive Assessment of U.S. Policy Toward Sudan

SUBCOMMITTEE MEMBERS PRESENT:

Rep. Chris Smith, Rep. Donald Payne, Rep. Ann Marie Buerkle

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

Rep. Frank Wolf*

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

addition: Ms. Ellen Ratner, Journalist

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

Prepared statement from Amb. Lyman
Prepared statement from Mr. Deng
Prepared statement from Dr. Prunier
Prepared statement from Prendergast
Prepared statement from Ms. Ratner
Prepared statement from Rep. Carnahan
Question for the record from Rep. Carnahan

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *4:58 p.m.*

Sheri Rickert
Subcommittee Staff Director

OPENING STATEMENT OF
THE HONORABLE RUSS CARNAHAN (MO-03)
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS

Hearing on
A Comprehensive Assessment of U.S. Policy toward Sudan
Thursday, October 4, 2011, 2:30 P.M.
2200 Rayburn House Office Building

Chairman Smith and Ranking Member Payne, thank you for holding this hearing on the U.S. policy towards Sudan. The litany of ongoing conflicts and severe human rights violations demands greater focus on appropriate policy options.

After decades of civil war, the world anticipated the independence of South Sudan with hope. Indeed, the people of South Sudan have a great opportunity to build a new, more peaceful future. Yet, many outstanding issues threaten to derail progress: from demarcation of the border and the fate of the Abyei region to citizenship and oil revenue sharing. Meanwhile, state sanctioned human rights abuses, ethnic violence, and the stalemate in Darfur continue.

Khartoum's attacks on Southern Kordofan and Blue Nile states are most concerning. To date, we've heard disturbing reports of aerial bombardment, house raids, extrajudicial killings, sexual and gender based violence, and ethnic cleansing resulting in hundreds of thousands of displaced people, untold number of deaths, and extensive suffering of those living in the border states, particularly the Nuba people.

With three separate peacekeeping operations—Darfur, South Sudan, and Abyei—the UN is on the ground throughout this conflict-torn region, working to consolidate security, stable governance, and access to critical humanitarian aid for vulnerable populations. UN assistance organizations like the World Food Program, the World Health Organization, the UN Refugee Agency, and the UN Food and Agriculture Organization continue providing relief in the face of insecurity and violence. I hope this critical work might serve as a catalyst to those lawmakers who would prefer the U.S. neglect its financial obligations to the UN and other multilateral organizations.

I look forward to hearing a comprehensive policy review from the Administration on U.S. posturing towards Khartoum and the region as a whole. I am also interested in the President's new directive on atrocities aimed at preventing mass killings and human rights violations throughout the world. I hope this initiative will strengthen the national security and foreign policy tools within the U.S. government to respond to underlying causes of atrocities, like those ongoing in Darfur and border regions of Sudan.

In closing, I thank the witnesses for their presence here today. I look forward to your testimony and expertise.

QUESTION FOR ADMINISTRATION
THE HONORABLE RUSS CARNAHAN (MO-03)
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS

Hearing on
A Comprehensive Assessment of U.S. Policy toward Sudan
Thursday, October 4, 2011, 2:30 P.M.
2200 Rayburn House Office Building

Panel One:

Ambassador Lyman: I would like to take this opportunity to pose a question that was sent to me from one of my constituents regarding U.S. policy toward Sudan. Could you please clarify the Administration's position on normalization in light of the recent escalation of violence against civilians? What can the U.S. do to prevent the situation from worsening further both bilaterally and through our partnerships with international and regional organizations?

No response received at time of printing.

○