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THE NORTH–SOUTH SUDAN CONFLICT 2012

HEARING

BEFORE THE

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS

OF THE

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THE NORTH–SOUTH SUDAN CONFLICT 2012

THURSDAY, APRIL 26, 2012

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

The subcommittee met, pursuant to notice, at 2:28 p.m., in room 2200 Rayburn House Office Building, Hon. Christopher H. Smith (chairman of the subcommittee) presiding.

Mr. SMITH. Good afternoon.

Let me first apologize for our lateness. We did have a series of votes on the House floor. So, ½ hour later, again, I do apologize for not convening on time.

Before we begin today's hearing, I would like to acknowledge the tremendous verdict rendered earlier today by the Special Court for Sierra Leone in The Hague. The court found former warlord—and we all know about him—Liberian President Charles Taylor guilty of 11 counts of war crimes and crimes against humanity, ranging from pillaging to murder, to rape, to enslavement. Taylor is scheduled to be sentenced by the court on May 30th.

As we all know, Taylor trained and armed the notorious Sierra Leonian rebel group known as the Revolutionary United Front, or RUF, which terrorized the country through acts of sexual violence, amputations, and forcible recruitment of child soldiers. RUF took control of Sierra Leone's diamond fields which provided revenue for their reign of terror and for Taylor, through funneling sales of Sierra Leone diamonds to the international market through Liberia.

This court set a number of precedents. It is the first hybrid tribunal created by agreement of the United Nations and the Government of Sierra Leone. It is the first modern international criminal tribunal to complete its mandate. Its decision today marks the first time a head of state was indicted, tried, and convicted by an international tribunal.

It now establishes the principle of accountability for leaders who violate international law. One hope is that those in Sudan who have been indicted by the International Criminal Court will one day meet the same fate as Charles Taylor.

I would just note, parenthetically, that David Crane, who was the prosecutor of numerous people in Sierra Leone, was a frequent visitor to this subcommittee and did an outstanding job in bringing so many others to justice who committed such heinous crimes during that reign of terror.

Today's hearing will examine the current conflict between the Republic of Sudan and the Republic of South Sudan, and the policy options for stalling a full-blown war that are available to the United States and the rest of the international community. As we meet here today, the two countries move ever closer to all out war, and some strategy to avert this eventuality must be devised soon, if it has not already been created. We hope to hear some insights on that. Our hearing should review what such a strategy should look like and, hopefully, will be implemented.

The United States is one of the guarantors of the peace process that ended the second North-South civil war in 2005, but it did not end our responsibility alone to prevent what everyone believes would be a disaster for the two nations, their populations, and, likely, for the welfare of their neighbors as well.

The U.N. and the African Union certainly bear some responsibility for working to restore peace. However, no lasting peace will be likely if other interested parties fail to play a positive role in this crisis.

The Khartoum government is now talking about "the spirit of jihad" rising in the north. Jihad is often interpreted as a call for all true believers to help in the fight against one's enemy, although there are other definitions of working to make oneself a better person, but certainly that is not the application here.

Sudan reportedly reached out to the Arab League to initiate discussions on the current crisis, and the Arab League might be able to convince Sudan's leaders to calm down their rhetoric and help them to see the negative end result of their warmongering. If Arab nations can support a workable plan to fulfill the provisions of the Comprehensive Peace Agreement that ended the second Sudan civil war, then they will have helped a nation, led by people who consider themselves Arabs, to create a sustainable future with peace and security.

China imports 5 percent of its oil from Sudan currently. According to the Chinese Academy of Social Sciences, that total could rise soon to 10 percent, due to regional tensions in the Persian Gulf. Oil shipments from Sudan depend on both the Southern supply and the northern pipelines. War between the two would have a significant impact on China's ability to continue importing Sudanese oil. As a result, Beijing has been trying to mediate the current dispute. South Sudan President Salva Kiir has been in Beijing this week for discussions on ending the dispute between the two countries.

While all nations must join in the effort to end the North-South Sudan conflict, the difficulty of achieving a lasting peace is evident from the long history of North-South animosity, mistrust, and war. During colonial times, the Northerners and Southerners were treated differently. When independence finally came in 1956, the continuing estrangement of Muslim Northerners and Christian and Animist Southerners was established.

The first civil war that began in 1955 was the result of an Arab-led government in Khartoum that broke promises of inclusion and marginalized some Southerners. The massacre of Northerners in the South only exacerbated the growing hatred between them. After 11 years of relative peace, the second civil war broke out in 1983, when the Sudan People's Liberation Army fought for inde-

pendence of the South. The CPA not only ended the second civil war, it set the South on the road to independence, which was finally achieved in 2011.

Unfortunately, although the peace agreement laid out the path to sustainable peace, but it was never fully implemented, as we all know. The genocide in Darfur distracted the international community from fulfilling the CPA, and nearly a year after South Sudan became a nation, there is no agreed upon border, the Abyei region remains in dispute, citizenship remains in dispute for those in border areas, and there is no agreement on how oil revenues are to be divided.

With all these unresolved issues, some form of conflict was inevitable perhaps, especially between antagonists with a long history of mistrust. The animosity between leaders for both sides does not bode well for peace talks or for peace accords that would be sustainable. Both sides have taken actions that have made the situation we now face more difficult to resolve. But I would respectfully submit that a false equivalency will not help us to achieve, and especially those who have suffered so much, a lasting peace.

Whatever the international community thinks of the South's capture of the oil junction town of Heglig, no nation will allow an antagonist to use a location as a staging ground for repeated attacks without retaliation. Sudan's Government has been brutally oppressing Darfur and, more recently, has been relentlessly attacking people in the Southern Kordofan and the Blue Nile States for months.

Our committee has held multiple hearings on this terrible, terrible development. To equate months of vicious attacks that have killed or displaced thousands with the short-term occupation of a strategic town will neither placate the North into ending its cruelty against its own citizens, nor shame the South into withdrawing from the staging ground for assaults against it.

I have met both Sudan President Omar Bashir and Southern Sudan President Salva Kiir. I found Bashir to be obstinate and uncaring about the destruction his armed forces have unleashed on his own citizens. President Kiir has been single minded in pursuing independence over Sudanese unity since he assumed the leadership of South Sudan in 2005.

There have been numerous ceasefires and peace accords between the North and South over the years, none of them enduring. If we cannot devise a means of achieving a lasting peace, we may gain a brief halt in the fighting, but the war will inevitably resume at some point.

We have today—and I will introduce them formally in a moment—very distinguished witnesses who are not just knowledgeable about the situation on the ground, but are playing a very constructive and a meaningful leadership part in trying to achieve peace in that region.

I will introduce them shortly, but now will yield to my good friend and colleague, Ms. Bass, the ranking member, for any opening comments.

Ms. BASS. Well, once again, Mr. Chairman, thank you for holding this critical and urgent hearing on the security crisis and brink-

manship that appears to have brought Sudan and South Sudan to the verge of war.

I hope that in the course of today's hearing we gain new insight into how the alarming and dangerous course of events in recent days, and, indeed, over the last several months, can be reversed.

On July 9th, 2011, the world enthusiastically, yet cautiously, watched as South Sudan declared its independence. Less than 10 months later, a number of very contentious disputes have yet to be resolved. These include the North-South border demarcation, citizenship rights of those living in the North and South, and arrangements regarding oil and related financial issues. These differences and recent military and political provocations by the governments of both Sudan and South Sudan now imperil the fragile peace and nation building made possible by the 2005 Comprehensive Peace Agreement.

I am deeply concerned about what is already a crisis of immense and terrible proportions. Reports on recent events are horrific. In an Associated Press wire story, we learn, and I quote,

> "War planes bombed the market and an oil field in South Sudan, killing at least two people, after Sudanese ground forces reportedly crossed into South Sudan with tanks and artillery. The U.N. mission in South Sudan confirmed that at least 16 civilians were killed and 34 injured in bombings by Sudanese aircraft in Unity State."

Another AP story suggests that Sudan has initiated war on its southern neighbor. It states, and I quote,

> "South Sudan's President said its northern neighbor has declared war on the world's newest nation just hours after Sudanese jets dropped eight bombs on his country."

It is critical that both governments immediately stop all cross-border attacks and return to diplomatic talks. Both governments should immediately establish a demilitarized border zone and commence with the Joint Border Verification and Monitoring mechanism. Sudan, in particular, must halt its reported aerial bombardments, most importantly, because of the toll in innocent civilians.

Ambassador Lyman, I look forward to hearing you and your colleagues' interpretations as to whether these two nations are, in fact, at war. What constitutes a war?

In either event, the alarm bells are ringing very loud, and the threat of full-scale war is dangerously high. I hope that you will be able to suggest ways that we, as American policymakers, and the wider international community can show strong support to bring these nations back from the brink and prevent a catastrophic return to conflict and losses of life, resources, and the opportunities to build a lasting peace.

While we are trying to understand the specifics on what is taking place, I do know that it is imperative that all those with a vested interest in real genuine peace must show a strong unified front and speak with one voice, and demand an immediate, unconditional, and sustained end to attacks and acts of violence, as demanded by the U.N. Security Council in its statement on April 12th. I urge African leaders to forcibly make that demand as well. Strong inter-

national political will and pressure must support an immediate de-escalation of the current dangerous and lethal climate in order to facilitate renewed work toward forging a permanent peace.

We must also urge the parties to halt their use of incendiary and uncompromising language which only fuels what already are high levels of mistrust and animosity. I was appalled to read remarks attributed to Sudan's President Bashir who was quoted in press reports as saying of South Sudan that there is to be "no negotiation with these people," whom he earlier described as "insects that must be eliminated." Such disturbing and offensive language is both unacceptable and irresponsible.

Before I close, I would be remiss if I also didn't take a moment to speak about the mass atrocities in Darfur and today's conviction of Charles Taylor for war crimes and crimes against humanity involving Sierra Leone. There is tremendous need to ensure a comprehensive approach to the challenges facing the Sudans, and that includes addressing the continuing suffering in Darfur. This situation in Darfur is far from resolved, and we must remember that it is just as tied up in the conflict between North and South Sudan as the South Kordofan and Blue Nile States.

Today's conviction of Charles Taylor and his involvement in extraordinary acts of human cruelty in Sierra Leone sends a strong and unequivocal message: We will hold those who turn a blind eye to human rights and the sanctity of life accountable for their crimes.

Thank you very much.

Mr. SMITH. Ms. Bass, thank you very much.

Ms. Lee?

Ms. LEE. Thank you very much. First, thank you for giving myself the opportunity to sit in on this hearing, and thank you for your continued leadership on this and so many issues.

I had had the privilege to serve on this committee, this subcommittee, for many, many years. I witnessed and worked with you on so many issues around the CPA, on sanctions, on the genocide that was taking place in Darfur, and all of the issues that were so important. Yes, so it is good to be here with you today.

And I thank all the witnesses.

Let me congratulate just for a minute our ranking member, Congressman Bass, for your leadership and for your commitment and your astuteness in terms of really wanting to see, especially on this issue, it being a bipartisan solution as it relates to what Congress can do to really help pull back the war drums that we are hearing now being beaten, and, also, to ensure that the humanitarian assistance can get in, and, also, for all of the issues that you both laid out in your very excellent opening statements.

So, I will just stop and welcome the witnesses. I look forward to your testimony.

But I want to just thank you for giving me the privilege to sit in with you and, once again, congratulations.

Mr. SMITH. You are always welcome, Ms. Lee, and thank you for being here and for your work on behalf of these very vital issues.

Mr. Green?

Mr. GREEN. Thank you, Mr. Chairman. I thank the ranking member as well and congratulate her.

I, too—or perhaps I shouldn't say, "I, too"—I am an interloper, not having been a part of the committee. I think when I was last here we were talking about human trafficking and there are still great issues that have to be dealt with in the area of human trafficking.

I am honored to be here today to hear these outstanding witnesses give us some intelligence on not only the crisis as it relates to war, but the greater human tragedy that is already taking place. I assure you that my concern for people and their being cared for properly is one that is not second to the war. The war, I want to see it end. I don't want war of any kind. But even while people are at war, we can still have the decency to treat human beings as human beings.

So, Mr. Chairman, thank you so much, and I yield back any time that I have left.

Mr. SMITH. Thank you very much, Mr. Green.

But very briefly, Ambassador Lyman, Princeton Lyman, has served as the U.S. Special Envoy for Sudan since March of last year. Immediately prior to that, he served as U.S. Senior Advisor on North-South Negotiations, where he led the U.S. team, focused on supporting ongoing negotiations between the parties to the 2005 CPA. Ambassador Lyman has held a number of important positions in the NGO sector and academia, in addition to the multitude of diplomatic assignments throughout Africa spanning several decades.

Ambassador Lyman has recently returned from being on the ground in Khartoum and Juba, and we look forward to hearing his comments on the recent events in his second appearance before this subcommittee.

Then, we will hear from Nancy Lindborg, who is the Assistant Administrator for the Bureau of Democracy, Conflict, and Humanitarian Assistance at USAID. Ms. Lindborg spent 14 years as President of Mercy Corps, where she focused on international relief and development. During her time in Mercy Corps, she also served in a number of positions where she worked on issues related to foreign relations, foreign assistance, of course. No stranger to this committee, Ms. Lindborg testified last summer on a hearing on Somalia. We look forward and welcome her back.

And then, Anne Richard, recently sworn in earlier this month, as the new Assistant Secretary for Population, Refugees, and Migration Bureau. Ms. Richard's previous government service includes service in the State Department, the Peace Corps, the Office of Management and Budget. She also worked on the Council on Foreign Relations, the International Rescue Committee, and was part of the team that founded the International Crisis Group.

Ambassador Lyman, please proceed.

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

Ambassador LYMAN. Thank you very much. Thank you, Ranking Member.

Congresswoman Bass, it is wonderful that you have assumed this position.

Congresswoman Lee, it is so good for you to be here, and Congressman Green.

I was privileged yesterday to be invited to that magnificent ceremony yesterday to honor Donald Payne, who graced this committee for so many years and embodied so much the spirit that this committee, this subcommittee, has had of a bipartisan approach to dealing with the issues of Africa, America's interest. I know the chairman has worked very closely with him, and we miss him greatly, but it is wonderful to see this strong, continuing interest from this committee. So, thank you very much.

Mr. Chairman, I would ask that the full testimony be submitted for the record, if that is okay, and let me just try to summarize the situation and what we are doing now.

The tension along the border, frankly, has been great for almost a year now, since the conflict began in Southern Kordofan/Blue Nile. I will come back to that. But there have been brushes of conflict along the border off and on for some time.

That led South Sudan in early April, April 10th, to move forward and occupy the area of Heglig. Now the international reaction was immediate and unified, urging South Sudan to withdraw. The reason was that it raised the conflict to a new level. It is a disputed area, et cetera, but we knew that it would raise the level of conflict to a new level, and it did. South Sudan did agree to withdraw, but had to withdraw under pressure because of the counterattacks coming from the Government of Sudan.

Mr. Chairman, you put your finger on it when you talked about the security concerns because that is at the heart of it. Regardless of the disputed claims law of where the border lies, the fundamental concern for South Sudan is that that border has been used as a staging ground for attacks of militias into South Sudan. Having a secure border is in their interest, and therefore, it gives them an interest in seeing a resolution, and a fair resolution, of the conflict in Southern Kordofan and Blue Nile, as well as of the border.

On the side of the Government of Sudan, they also have major security concerns, but they mischaracterize, in our view, the nature of the problem. Because the problem derives not only from the uncertainty over where the border is and all of that, but the conflict in Southern Kordofan and Blue Nile they feel can be addressed if only the South would not lend any support to it, the border can be sealed off, and they can pursue a largely military approach to the resolution of that conflict.

That is wrong on several grounds. It won't be solved militarily. It is a political problem for the Government of Sudan to address with the people of the Nuba Mountains and the people of Blue Nile. And just trying to seal the border and go after the South for whatever support might be flowing North doesn't get at the problem. So, it doesn't solve their security interests, either. And that is how we have got to get back and dealing with the real one.

You asked a good question, Congresswoman Lee, about how you—I think it was you, Congresswoman Bass—about how you define whether they are at war or not. Actually, it was an issue when I got there because, you know, when two sides are shooting at each other, it looks like war.

But what I was struck by was neither side wanted us to characterize it as such. People on both sides, regardless of some of the rhetoric, said, "We don't want to go to full-scale war. We really don't. Please don't call it a war, because, yes, we are shooting at each other on the border, but we can't go back to full scale war." And that, I heard from people in Khartoum and in Juba.

The question is, how do you manage a situation like this without gravitating into war? That is why this situation was so dangerous in the conflict over Heglig.

Now the international reaction was sudden, quick, unified that the parties have to get back on either side of the border. I went right away to Juba and then to Khartoum. With a unified international community, we worked together on what would be the way out. And it is very much along the lines that the members of this subcommittee have mentioned.

What we have said is that you need immediately a ceasefire, immediately thereafter going to a process whereby the border can be demilitarized and monitored. The irony is the two sides had already agreed to a mechanism for doing that. They just never implemented it. It is called the Joint Border Verification and Monitoring Mission, which would have both sides monitoring a 20-kilometer-wide demilitarized zone, supported by the U.N. peacekeeping operation from Abyei, the force commander with some of his troops, to provide security and assistance.

What we said was you have got to get back and implement that program. There has to be a stop to the bombing. There has to be a stop to the conflict, and you have to get back to the negotiations.

We worked with a lot of people around the world, that that message would become loud and clear to both parties. And we were very pleased that the African Union Peace and Security Committee meeting on Tuesday didn't just settle for a general hortatory statement, "Oh, please come back and get back to peace talks."

They took a very concrete set of steps with very tight timelines and said to the parties, "This is what you've got to do." And it was a message that what is going on between those two countries affects the whole region. It affects all of East Africa and beyond. The African Union was sending that message in a very strong way.

They, then, asked the rest of the international community to back that up. We are doing that. We are calling on other partners. We are hoping the Arab League will back that same resolution up today. They are meeting today. And the U.N. is working on a resolution as well, to bring as much unified international pressure to bear on the parties, that this kind of way of going at it, this kind of back-and-forth conflict is not the way; they must get back to the negotiations.

After that resolution was passed, we are waiting today. Each government is supposed to make a statement on cessation of hostilities. We hope they will do so. The border has quieted down in the last 2 days. We hope they will both agree to that right away and that the specific talks on the border can start next week.

Now I want to also address—and the chairman has raised this, and you all have raised this—the situation in Southern Kordofan and Blue Nile. There will be no real security on the border until

that situation is addressed. It is both a political problem but it is also a tremendous humanitarian problem.

We have, since the middle of last year, been raising the issue of a looming humanitarian crisis in these areas. We have been urging the government to open up humanitarian access to them.

When the government objected to western NGOs, they said, "Oh, you're just going to come in; you are going to set up a new CPA. You are going to split that area off, like you did the South. We are not going to let it happen," then the U.N., the Arab League, and the African Union said, "Okay. We'll do it. No western NGOs. We are ready to do it." They didn't still approve that, and we have not stopped doing that.

But you will hear from Nancy how serious that situation is and what we are trying to do on that. We continue to press on that.

But it is more not only the humanitarian; what we had hoped was that, if we could get humanitarian access, it would almost de facto lead to a cessation of hostilities in that area and create a climate for political talks because there must be political talks.

We have talked to the SPLM-North, the people who are fighting in Southern Kordofan and Blue Nile. They say that, "If humanitarian access is announced by the Government of Sudan, we are prepared for cessation of hostilities and to cooperate in any way we can to let the food and the assistance come in." So, we have to get to that. The U.N., others, like Prime Minister Meles of Ethiopia, are working to encourage those political talks which must take place.

As we work with the parties, and we are working very closely now with all the international actors, particularly with the African Union and the African Union High-Level Panel, but also with others, like China—you mentioned China—and with all the P5. You mentioned, Mr. Chairman, and you are right, that the Chinese have stepped up more, and we welcome that. I have been in touch with my counterpart. They have an envoy for Sudan.

Secretary Clinton leads next week the Security and Economic Dialogue in Beijing with China that we have every year. Sudan will be high on the agenda. I will be accompanying her, and we will have at least two meetings on Sudan specifically during that time, and hope to strengthen our own cooperation between China on this.

The final thing I would like to mention is the seriousness. We have to look ahead. And Congressman Green put his finger on this. We get wrapped up in the conflict, of course, but there are some deep, long-term economic/humanitarian problems in both Sudan and South Sudan which the leadership of those two countries must, must address, and they must organize themselves, get their productive sectors, including the oil sectors, going again. So they can begin to address these. Because the long-term situation is not good, and Nancy will go into that in some detail.

The last thing, and it is a little out of my line to do this, but if I could make a suggestion to the committee, we are trying to get not only all the diplomatic and all the countries, but others to write letters to the leaders of the two countries. This committee has a long, very distinguished history of concern. We are happy to provide you whatever detailed information you might want. But I think hearing from Members of Congress about the very things

that you have said in your opening statements could actually be very helpful. It would reinforce the messages that we are trying to get from countries in the Middle East and countries in Africa, countries in Asia, to the parties, that they must move away from this kind of a conflict and to resolving it.

So, thank you, Mr. Chairman. I am happy to answer questions on this. But thank you very much.

[The prepared statement of Ambassador Lyman follows:]

Statement of Ambassador Princeton Lyman, U.S. Special Envoy for Sudan and South Sudan
U.S. House of Representatives Sub-Committee on Africa, Global Health, and Human Rights Hearing on "The North-South Sudan Conflict, 2012"

April 26, 2012

Introduction

Chairman Smith, Ranking Member Bass, 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 present state of relations between Sudan and South Sudan.

Defining the Problem

The state of that relationship is terribly strained. For some months there have been clashes along disputed sectors of the Sudan / South Sudan border. On April 10, South Sudan's army invaded Heglig, a region of Sudan responsible for roughly 12 percent of that country's oil production and 50 percent of its oil processing. South Sudan's actions significantly escalated tensions between the two countries. A previous flare up of border fighting—with South Sudanese troops entering Sudan and Sudan bombing South Sudan—had scuttled what appeared to be a promising new approach to negotiations over oil between the two countries. Our efforts are focused on bringing an end to this cycle of violence and retaliation, and getting both parties back to the table for serious negotiations on all of the issues that divide them.

Mr. Chairman, neither of these countries truly wants a full-scale war. They know that they cannot afford it, and that neither of them can win it. However, given the high emotional pitch of the last few weeks and continued fighting and tensions along the border there is a risk that they could gravitate toward it. We are deeply concerned by the sort of emotional rhetoric coming out of Khartoum, denouncing the South and disavowing a return to negotiations. That is a worrisome tendency, in so far as it actually constrains the Sudanese government's freedom of maneuver. Sudan has continued to bomb across the border even after the South Sudanese withdrew their forces last weekend, including aerial bombardments of civilian areas. The United States is strongly opposed to, and we continue to condemn, attacks across the border by either side.

Given these persistent tensions, the road back to negotiations will be a difficult and long one.

Mr. Chairman, both countries are arguing about security. South Sudan says their security has been violated over a long period of time, and that they have reacted accordingly and they want guarantees that, if they draw their forces back from the contested border, they will not be subject to future attacks by Sudan. The Government of Sudan says its security is at stake because of Southern support for rebel groups within Sudan who have publicly committed to overthrowing the government. The Sudanese believe that the Southern government is still a revolutionary movement committed to working with Sudanese rebel groups to achieve violent regime change. Such mutual suspicions, coupled with an un-demarcated border and a lack of effective mechanisms for communication between the two states have fueled these recent violent clashes. So, in spite of South Sudan's withdrawal from Heglig, the potential for conflict remains.

Finding a Solution

In my travel to the region last week, my message to President Kiir and to all his colleagues was that they should note the reaction of the international community to their attack on Heglig. That reaction was one of quick, unanimous condemnation. In the eyes of the world, South Sudan had taken a dangerous step and one that had to be reversed. Heglig may be a disputed area, but an invasion is not the means by which nations should handle such disputes. We commend South Sudan's April 20 decision to respond to the international community's united message and withdraw its forces from Heglig. Its focus now is less on pressing a territorial claim to Heglig than on obtaining security guarantees that will prevent future conflict along that border.

Mr. Chairman, the United States is not working alone to defuse this crisis. The African Union (AU) has a strong team led by former South African President Thabo Mbeki, former Burundian President Buyoya, and former Nigerian President Abubakar—the AU High level Implementation Panel (AUHIP)—to facilitate negotiations. In response to this crisis, we have encouraged the AU Peace and Security Council to support a specific action plan under the auspices of the AUHIP. Unified AU support for a roadmap to end the conflict and bring the parties back to the negotiating table is essential to support the process of talks.

We are working to mobilize a united and strong international effort behind the AU's action plan, and in support of its specific goals. Over the last week I and

many other senior officials of our government have been engaged with international stakeholders in Europe, Africa, East Asia, and the Middle East. The international community has spoken with considerable unity during this crisis and we will strive to maintain that unity in support of the AU's approach to the parties. We are working in particular with the UN Security Council and the Arab League to advance the AU's efforts.

The Security Council has been expressing its growing alarm for the past few months about the worsening situation in Sudan and South Sudan, and issued its most strongly-worded Statement from the President yet on April 12 following briefings from AU HIP Chair Mbeki and UN Special Envoy to Sudan Menkerios, unanimously demanding a "complete, unconditional and immediate end to all fighting; withdrawal of the SPLA from Heglig; end to SAF aerial bombardments; end to repeated incidents of cross-border violence between Sudan and South Sudan; and an end to support by both sides to proxies in the other country." We were encouraged that South Sudan responded to this call from the international community by announcing the withdrawal of its forces from Heglig. However, we remain very concerned that the aerial attacks from Sudan against South Sudan continue.

Just the day before yesterday, following three cross-border bombardments of oil fields, a bridge and a marketplace in Unity State by the Sudanese Air Force, the Security Council requested further updates from the Department of Peacekeeping Operations and both UN Special Envoys to Sudan and South Sudan to assess the constantly-changing situation on the ground and evaluate further actions. I wish to commend Ambassador Rice for her leadership on this issue during our Security Council Presidency, and recognize her ongoing commitment to working with her colleagues on the Council to bring peace to the area and support the co-existence of two viable states at peace internally and with each other. It is more critical than ever that the international community continue to speak with one voice on this issue.

We are also in very close touch with China—building on President Obama and Secretary Clinton's very positive discussions with the Chinese about coordination on Sudan and South Sudan policy. President Kiir is currently traveling in China, and we have had very good conversations with the Chinese about how that visit can help advance the peace process.

Two Areas Humanitarian Situation

Mr. Chairman, while the international community is rightly focused on helping the two nations to de-escalate tensions and avoid war, we have not forgotten the humanitarian needs stemming from the border conflicts in Southern Kordofan and Blue Nile states. More than 140,000 Sudanese refugees have been displaced from these two states since last June. We continue to be deeply concerned about the lack of humanitarian access to the civilian population in these two states, and about the conflict there. We stress the need for both parties to act in accordance with international humanitarian law and international human rights law. To this end, the United States has repeatedly called on the Government of Sudan to halt aerial bombardments targeting civilian areas in the Two Areas, as well as in South Sudan.

As long as the conflict in the Two Areas continues, neither country will enjoy a secure or peaceful border. Thus, political talks between the SPLM-N and the Government of Sudan must be part of the path to mutual security. While political talks ultimately represent the only way out of the conflict plaguing that region of Sudan, humanitarian access to the civilian population is an a-political issue. All parties must allow it and allow it at once.

Months ago, the UN, the Africa Union, and the Arab League offered a joint proposal for monitored international humanitarian access. The SPLM-N accepted the proposal. UN Special Envoy Menkerios has been engaging Sudan in support of it. In my meetings last week I pressed the Sudanese government yet again to approve this reasonable proposal, and approve it immediately, noting that the rainy season– which will make the delivery of humanitarian aid significantly more difficult, more dangerous, and more expensive– is nearly upon us. The Sudanese government has agreed to the proposal in principle, but they have questions about its implementation. I have urged them to move forward on this proposal right away; the implementation problems can be solved thereafter.

This is not only vital to the lives of civilians affected by conflict in the two states. I am also hopeful that the announcement of a coordinated, multilateral humanitarian assistance program would set the conditions for a cessation of hostilities in the two states, creating a more peaceful and stable border region for both countries.

Closing Remarks

Mr. Chairman and committee members, over the past year that I have spent working on Sudan issues, we have seen great achievements, but also terrible crises and missed opportunities on both sides. Yet, in spite of the conflicts and crises, I draw some confidence from the fact that peacemakers and pragmatists do exist on both sides of the border. They may be sidelined from time to time by hardliners, but they are always present, and I think their impulses better reflect the aspirations of their war-weary citizens. The United States remains committed to the growth and development of Sudan and South Sudan as two independent, viable states at peace internally and with one another. What is tragic in this latest conflict is the lost opportunity for economic progress for the people of Sudan and South Sudan. As President Obama said to the Sudanese and South Sudanese people in a message this week, "Conflict is not inevitable. … You still have a chance to avoid being dragged back in to war, which only leads to one place – more suffering, more refugees; more death; more lost dreams for you and your people. … Now is the time to choose peace."

Mr. Chairman, we will continue to work with the African Union, the United Nations, and all other international partners to advance a peaceful settlement to this conflict.

Thank you.

Mr. SMITH. Thank you very much, Ambassador Lyman, and we will follow up on that idea. It is a great one. I am sure many of our colleagues, both sides of the aisle, will be eager to sign on. So, thank you for that very good suggestion.

Assistant Administrator Lindborg?

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

Ms. LINDBORG. Thank you. Thank you, Chairman Smith, Ranking Member Bass, and Congresswoman Lee, and Congressman Green, as visitors to this committee. Thank you for the leadership and the concern that this committee continues to demonstrate.

Congratulations, Congresswoman Bass, on your leadership position.

I appreciate very much the opportunity to be here today to make some comments.

Just picking up on what Ambassador Lyman was saying, as you well know, these are two countries that have suffered from extraordinary humanitarian suffering for many decades. People throughout the region have been in a situation of need. The American people have long been a helping hand and a friend.

On the basis of last July's really joyful celebration, we were on a pathway to peace, a possibility of moving out of some of the worst suffering. We cannot afford that those fragile gains are imperiled by the possibility of moving into war once again.

Congresswoman Bass, as you noted, the actions and incendiary rhetoric really of both governments have got to be reined in. We have got to help pull them back from the brink.

My full testimony, which I ask be submitted to the record, which details some of the issues that present serious humanitarian concerns, from Darfur to the fighting that has continued in Jonglei. But I want to really focus on two areas today.

The first is what Ambassador Lyman noted is happening in the two areas of Southern Kordofan and Blue Nile. The fighting that erupted there last year has escalated into a full blown cross border conflict. It has already displaced, killed, and severely affected over 0.5 million people. It has disrupted harvests and services. It has derailed a lot of the critical work that was underway as a result of the 2005 CPA.

In both areas, the Government of Sudan continues to block the international community from reaching a population that is desperately in need of help. The sustained aerial bombardment that you all noted by the Sudan armed forces has terrorized communities, and it is keeping people from their fields and from food.

We are seeing just this last week a spike of very severely malnourished children arriving in South Sudan from Southern Kordofan. We very much fear that these children hint at some very tragic situations unfolding where we are unable to reach.

Our food security experts predict that between 200,000 to 250,000 people in Southern Kordofan are already facing a serious food emergency. That is just one step short of famine. In Blue Nile, households will be at that food emergency phase by August.

As Ambassador Lyman indicated, we are continuing to call on all parties to the conflict to allow immediate and full access, to agree to the tripartite U.N., African Union, and Arab League agreement. The solution that is necessary is full access and to enable humanitarian assistance to reach these people in need. With the rains approaching, time is not on our side.

I wanted, secondly, to underscore a very equally worrisome in a different way situation going on in South Sudan because of the heightened economic crisis. The decision to halt oil production will have critical impact on the people of South Sudan. That was 98 percent of the government revenues, and it has prompted an austerity budget. That means it will be impossible for South Sudan to fund some of its core operations, including to sustain some of the really important progress that has been made over the last 6 to 7 years in improving school attendance, access to clean water, health. We now have 68 percent of children in school. This is extraordinary.

The U.N. Food and Agricultural Organization, however, just reported a new study, that almost half of South Sudan, 4.7 million people, will be food insecure in 2012. That includes 2.7 million people who are already requiring food assistance to survive.

I mean, all of these numbers are so enormous that it is difficult to keep in mind the people, the women, the children, who are behind those numbers. But it does help put down the magnitude of what we are talking about.

At the same time, we continue to have people returning from the North. There are some 400,000 who have already returned, coming from urban environments to live in largely rural areas.

A direct confrontation between the South and the North would absolutely further derail the ability to make progress on the humanitarian situation, whether in the South or in Darfur, in Jonglei, and in the three areas. Unfortunately, we are already seeing many donors having to shift their resources from a development agenda to a humanitarian agenda. So, we are at risk of losing a lot of that progress. On April 20th, in the South, in South Sudan, the U.N. has already gone into an emergency crisis footing, based on about 20 indicators. The continued escalation of the conflict will only exacerbate a very dire humanitarian situation, and it will be the women, the children, the very vulnerable and longtime marginalized communities who will be most affected.

I would just close by echoing the statement that President Obama made this weekend when he spoke directly to the people of both South Sudan and Sudan, saying that "the Presidents of both countries must have the courage to return to the table to negotiate and resolve these issues."

These are people who have withstood decades of hardship. They deserve a better way forward.

Thank you.

[The prepared statement of Ms. Lindborg follows:]

Testimony of Nancy E. Lindborg
Assistant Administrator
Bureau for Democracy, Conflict, and Humanitarian Assistance
U.S. Agency for International Development

Committee on Foreign Relations
Subcommittee on Africa, Global Health, and Human Rights
U.S. House of Representatives
April 26, 2012

The North-South Sudan Conflict, 2012

Chairman Smith, Ranking Member Bass, Members of the Committee, I appreciate your giving me the opportunity to speak before you today on the deepening humanitarian crises in Sudan and South Sudan.

Less than a year after celebrating the peaceful separation of South Sudan from Sudan as a sign of great hope, we now see these two countries directly reengaged in open conflict—and potentially, on the brink of all-out war. We are deeply concerned by the actions, including aerial bombardments and ground attacks, and incendiary rhetoric of both the Sudanese and South Sudanese governments and urge leaders on both sides to deescalate. The situation we face is indeed urgent. The potential for war threatens to exacerbate the two countries' already grave humanitarian needs and undermine nascent development gains in South Sudan.

As President Obama said in his video message to the people of Sudan and South Sudan last week, we fear that any progress made toward peace and prosperity for these long troubled nations is now "at risk of unraveling." As Ambassador Lyman has outlined, the Administration is vigorously urging both sides to resume negotiations and working with our international partners to bring them back to the table.

We know that lasting peace, stability and sustainable economic development will not be secured overnight as these two states emerge from more than half a century of war. However, in both countries, the cost of continued and escalating conflict will be directly borne by the women, children and most vulnerable communities in both countries. These are resilient people; they have endured through 50 years of war, but we are seeing significant increases in malnutrition, food insecurity and the distressed movement of people that signals increasing suffering and need.

Southern Kordofan and Blue Nile States

Fighting that erupted last year in Sudan's Southern Kordofan and Blue Nile has now escalated into cross-border conflict and displaced, killed and severely affected over half a million people.

In both states the conflict has disrupted harvests, commercial trade, and social services and significant humanitarian needs. It has derailed critical long-term development work and efforts to reach the milestones laid out by the 2005 Comprehensive Peace Agreement (CPA).

Without a cessation of hostilities, the urgent humanitarian needs present today will continue to increase. We are already seeing a marked increase in severely malnourished children arriving in South Sudan. We fear that these children only hint at the tragic situation now unfolding in areas humanitarians cannot reach. And with the imminent onset of the rainy season, time is not on our side.

For those who remain in areas controlled by the Sudan People's Liberation Movement-North (SPLM-N) of Sudan, the outlook is grim. While some trade and aid still flows to parts of Southern Kordofan and Blue Nile, barely a trickle of relief reaches areas controlled by SPLM-N. The Government of Sudan continues to block the international community from reaching those in need, and all local coping mechanisms will soon be exhausted. USAID food security experts expect that 200,000 to 250,000 people in Southern Kordofan are now facing a food emergency if the conflict and restrictions on humanitarian access continue. In Blue Nile, households could experience a food emergency by August.

We continue to call on all parties to the conflict to allow immediate and full access for international humanitarian aid and on the Government of Sudan to agree to a proposed tripartite UN-African Union-Arab League agreement to allow assessment, access and monitoring of humanitarian assistance to all civilians in Southern Kordofan and Blue Nile. U.S. government partners and the UN stand ready to immediately deliver food and humanitarian assistance, and we continue to explore options to provide aid to those in need.

Citizenship Status and Returns to South Sudan

Since October 2010, approximately 375,000 South Sudanese have returned from Sudan to their homeland and new country. Armed with hope and expectations for a new life in their homeland, many returnees arrived to discover limited basic services and other challenges.

However, between 300,000 and 700,000 South Sudanese remain in Sudan. The Governments of Sudan and South Sudan's April 8 deadline for South Sudanese living in Sudan and Sudanese living in South Sudan to regularize their residency status has now passed. Despite robust diplomatic efforts by the United States and others in the international community, the two parties neither reached a final agreement on their citizens, nor did they extend the deadline, leaving South Sudanese in Sudan with uncertain status. We hold Khartoum and Juba responsible for the safety and security of these people.

Recent violence carried out against South Sudanese nationals remaining in camps in East Darfur may be a dangerous foreboding of events to come. The Government of Sudan should refrain from all incendiary and heated rhetoric. The international community is poised to respond to immediate needs of vulnerable populations in Khartoum and other areas of Sudan should humanitarian needs increase.

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

Once returnees reach their final destinations, they face the challenge of reintegrating into host communities that rely primarily on agriculture to meet their basic needs. To jumpstart the lives of returnees in South Sudan, USAID programs are improving access to basic services such as clean water and health care, helping farmers improve their agriculture practices and enhancing families' food security and livelihood opportunities.

I recently returned from South Sudan's Northern Bahr el Ghazal state, where I saw firsthand the challenges faced by returnees who had become accustomed to living in one of Sudan's urban centers such as Khartoum. They are struggling to adjust to a rural setting with few to no services or opportunities for work and income.

Support to returnees is complicated by a growing range of humanitarian emergencies and restricted access due to conflict, weather, and poor infrastructure. Unfortunately, as humanitarian needs escalate throughout South Sudan, the critical resources needed to enable returnees to build a new life will grow increasingly constrained. Of great concern is the recent estimate by the UN Food and Agriculture Organization that 4.7 million South Sudanese – or over half the population of the fledgling country – will be food insecure in 2012.

South Sudan

The Government of South Sudan's decision in January to halt oil production—the source of 98 percent of government revenues—prompted it to announce the implementation of an austerity budget. In the absence of alternative sources of funding or resumption of oil production, it will be impossible for the government to pay for its current operations—including salaries for public employees, the military, and police; longer-term capital investment; and block grants to South Sudan's 10 states.

We are deeply concerned about the potential harmful effects of South Sudan's impending budget crisis on the people of South Sudan, and the potential loss of development gains achieved since the signing of the Comprehensive Peace Agreement—important improvements in child mortality rates, school attendance, access to clean water and so forth. The U.S. Government is working with other donors to assess how South Sudan's austerity budget—and potentially deeper spending cuts in the future if the oil shutdown continues without additional sources of revenue—will impact their current development programs. Many donors are already shifting their resources to humanitarian activities. This enormous fiscal gap and potential shift in donor resources to cover resulting humanitarian challenges could result in significant backsliding for this new and fragile state.

Moreover, a direct confrontation between the two countries would place greater demand on basic service delivery at the expense of the longer-term institution building that the U.S. Government and the international community has supported in South Sudan over the last seven years.

On April 20, the UN shifted into crisis response mode in preparation for their potential declaration of emergency status in South Sudan. Their decision was based on some 20 situational triggers, including the surge in fighting and conflict, attempts to invade oil fields, signs of coordinated action among militia groups, and the Governments of Sudan and South Sudan's decision not to extend the April 8 deadline to regularize residency. In an emergency mode scenario, the UN would prioritize the delivery of life-saving humanitarian assistance while ensuring the safety of remaining critical staff. Some U.S. Government partners have already had to temporarily suspend operations in northern border areas of South Sudan due to insecurity, particularly bombings. Meanwhile, the UN and NGO partners continue to pre-position food and relief supplies to ensure full flow of humanitarian assistance to increasing numbers of those in need.

Our ongoing emergency programs and flexible funding mechanisms are poised to meet the growing humanitarian needs across South Sudan, whether as a result of inter-ethnic conflict, militia violence, large-scale returns or other urgent humanitarian need.

Marginalized Populations

Recent violence in Jonglei State of South Sudan among the Lou Nuer, Murle, and Dinka ethnic groups has affected at least 140,000 people since late December 2011—a product of unresolved inter-ethnic and inter-communal issues that were sidelined in the quest for South Sudan's independence. This pattern of exclusion—in which certain populations do not benefit from development gains or have a political voice—permeates society in Sudan and South Sudan.

Exclusion and marginalization, whether pursued as policy or a result of weak governance institutions, can become powerful drivers of conflict, much like what we are seeing in Southern

Kordofan and Blue Nile State today, and in Eastern Sudan and Darfur in the recent past. In South Sudan, long-lived tribal animosities and an extreme lack of development and economic opportunity, combined with state failure to protect and provide an effective response to violent cattle raids, led to deadly cycles of attacks and counter-attacks between Murle and Lou Nuer communities last year.

In diverse countries like Sudan and South Sudan, it is essential that minority groups such as the Nubians, the Beja, the Darfurians, and the Nuba of Sudan, and all the minority tribes of South Sudan have voices in the institutions of their government. Members of these tribes' human rights must be protected, and their communities have a right to share in the benefits of development in their respective countries.

Instead, even as pockets of stability have developed in West Darfur, recent reports indicate a ratcheting up of conflict against Southern Sudanese living in Darfur, with two recent attacks on an internally displaced persons' camp populated by Dinka and an attack on Sharif Village, where Dinka were accused of celebrating the South Sudan military's capture of Heglig. This violence has potential to undermine these pockets of peace and security and threaten prospects for recovery in these areas. We are gravely concerned by these reports of violence and continue to work with international partners to call for calming messages and a reversal from the heated rhetoric.

The inclusion of all populations is a fundamental issue of good governance. When groups feel excluded, their grievances deepen, and they are more easily mobilized by actors that promote violence as a means for change. To assist in the integration of communities and to counter perceptions that government institutions are incapable of serving their communities, USAID is providing South Sudanese local and state authorities the equipment they need to communicate quickly and effectively with each other in remote areas, as well as infrastructure that raises their profile in their communities. At the same time, USAID seeks to reduce the pool of ready recruits for violence by engaging at-risk youth in productive, income-generating activities. For instance, high-frequency radios and other equipment USAID provided to local and state authorities have in some cases prevented violence when authorities were able to warn communities about planned revenge attacks.

Let me end with a note of hope, despite the formidable challenges. During my recent visit to South Sudan's Northern Bahr el Ghazal state, I met the Warawar Peace Committee, where villagers have been conducting peace dialogue with the nomadic tribes across the border. They have resolved many of the classic struggles between the herders and farmers, enabling both to live in peace and participate in a Peace Market that has thrived for several decades in this border region. They are determined to help their children have a better life and are proud of their ability to withstand what they see as politically motivated violence in neighboring areas.

Conclusion

Continued escalation of the conflict between Sudan and South Sudan will serve no purpose other than to further exacerbate an already dire humanitarian situation. As President Obama noted in his statement to the people of Sudan and South Sudan last Saturday, "The presidents of Sudan and South Sudan must have the courage to return to the table and negotiate and resolve these issues peacefully." The people of their countries already face too many hardships and have earned a chance at peace, stability, and enhanced livelihood; they deserve no less.

Thank you. I look forward to taking your questions.

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

Secretary Richard?

STATEMENT OF THE HONORABLE ANNE RICHARD, ASSISTANT SECRETARY, BUREAU FOR POPULATION, REFUGEES AND MIGRATION, U.S. DEPARTMENT OF STATE

Ms. RICHARD. Good afternoon, Chairman Smith, Ranking Member Bass, members of the committee, and visitors. Thank you for including a discussion of the complex situation for refugees in this hearing on the crisis in South Sudan and Sudan.

I am very pleased to be able to appear before the committee with my two colleagues. Even though I have been Assistant Secretary of State Department's Bureau of Population, Refugees, and Migration, or PRM, only since the beginning of April, I have worked very closely in the past with Nancy Lindborg and with Princeton Lyman. In fact, Ambassador Lyman once headed refugee programs at the State Department. I hope I can emulate the leadership he displayed in that era. More importantly, our three offices routinely work very closely together on these challenging humanitarian issues.

Sudan has both hosted and generated hundreds of thousands of refugees and internally displaced persons over the years. Today I would like to briefly comment on the newest Sudanese and South Sudanese refugees and on the situation of the South Sudanese who live in Sudan. And I would like to outline the multiple refugee movements in the region.

The newest refugees are those generated by conflict within Sudan along the disputed border, as you have heard the other witnesses discuss already. They have fled into South Sudan and Ethiopia, and they number some over 140,000. Some have fled even to Kenya, principally fleeing the fighting and aerial bombings in Southern Kordofan and Blue Nile States. Additionally, there are over 8,000 new South Sudanese refugees in Ethiopia and Kenya who are escaping the murderous cattle raiding and ethnic hostility between the Nuer and Morley peoples.

There are always refugee assistance challenges in an emergency. In this case, new camps have had to be built for the influx of Sudanese refugees in Ethiopia and South Sudan. Finding adequate clean water supplies for over 90,000 refugees in Upper Nile State has paradoxically been quite difficult in a country that is known for being widely flooded for much of the year.

Humanitarian agencies are racing against the clock with the rainy season beginning in earnest this month. We have so far put $34 million toward the emergency response in South Sudan and Ethiopia through the Office of the U.N. High Commissioner for Refugees, the International Organization for Migration, or IOM, and some nongovernmental organizations.

The greatest challenge, however, has been protecting refugees, maintaining the security and neutrality of refugee camps, ensuring that refugees are safely moved away from volatile borders and out of the potential line of fire, and that any combatants are disarmed and/or separated, and that women and girls are safe from sexual assault or other violence.

Nationality and citizenship were early issues in the Comprehensive Peace Agreement, or CPA, process. One concern was that some would be left stateless if Sudan became two countries. Regrettably, these issues remain part of the unfinished business of the CPA.

Before the latest round of fighting, both governments had agreed to the idea of a presidential summit that would have addressed many of these outstanding issues, including citizenship and residency. Unfortunately, that presidential summit has not yet occurred.

An unknown number of people of Southern heritage continue to live in Sudan. Estimates range between 300,000 and 700,000. This includes people who have never lived in or even been to South Sudan. Safe and orderly movement of those who either choose or might be forced to return to South Sudan is a high priority and a major preoccupation of two of our key partners, UNHCR and IOM. Reception and integration in South Sudan are also ongoing critical concerns. The most immediate concern is that these people not be victimized as the level of conflict and rhetoric between South Sudan and Sudan increases.

These two situations, new refugees and potential mass movements from Sudan to South Sudan, are part of a broad, interlocking set of humanitarian concerns and refugee movements in the region.

I sketch these out in my testimony. Mr. Chairman, I would like to request that the full testimony be submitted for the record.

Mr. SMITH. Without objection, yours and Ms. Lindborg's will be.

Ms. RICHARD. Notably, the testimony touches on South Sudan. South Sudan is also host to over 23,000 Congolese and Central African refugees who have fled attacks by the infamous Lord's Resistance Army. There are another 5,000 refugees from Ethiopia's Gambela region.

And then, in Sudan proper, Sudan itself, there are around 150,000 Eritrean refugees in 12 camps in the east and in cities. There are as many as 40,000 refugees from Chad living in Sudan.

And then, of course, several of you have mentioned already the situation in Darfur. As you know, there are some 280,000 Darfur refugees in Chad as well as over 1.5 million displaced people within Darfur itself.

Finally, as Ethiopia and Kenya are called upon to host new Sudanese and South Sudanese refugees, they are also facing continued inflows of Somali refugees fleeing famine and violence in Somali.

The point that my colleagues in the Population, Refugees, and Migration Bureau wanted me to be sure to make was, even as we analyze the recent arrivals across the border from Sudan into South Sudan, we must keep in mind the large number of refugees and displaced people who are being helped and in need of protection throughout the region.

In all of these cases, PRM's primary concerns are protection and achieving genuinely durable solutions for the displaced, a chance to go home again or restart their lives in a new home. Life-saving and life-sustaining assistance are means to these ends.

For example, the aid provided through PRM partners is used to transport vulnerable refugees away from a border, to clear land for

new camps as necessary, to register and document refugees, to drill for sufficient clean water, and to provide the basics of sanitation, adequate food, minimum healthcare, and shelter, as well as primary education and youth programs that will protect children from being recruited as soldiers.

Having visited this area in conjunction with my previous work, I am saddened by the continuing hostilities between and within these two nations, while I am also honored to be leading a bureau that provides much-needed assistance to the many affected people.

I am also grateful for the excellent collaboration with our Africa Bureau, Special Envoy, and USAID colleagues.

Thank you once again for the opportunity to highlight some of our work and concerns. I am very appreciative that you are holding this hearing.

I would be happy to answer any of your questions.

[The prepared statement of Ms. Richard follows:]

The North-South Sudan Conflict 2012

Testimony of Anne C. Richard
Assistant Secretary of State
Department of State
Bureau of Population, Refugees, and Migration

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

April 26, 2012

Good afternoon, Chairman Smith, Ranking Member Bass, and members of the committee. Thank you for including a discussion of the complex situation for refugees in this hearing on the crisis in South Sudan and Sudan. I am very pleased to be able to appear before the Committee with my two colleagues. Even though I have been Assistant Secretary of the State Department's Bureau of Population, Refugees, and Migration, or PRM, only since the beginning of April, I have worked very closely in the past with both Princeton Lyman and Nancy Lindborg. In fact, Ambassador Lyman once headed refugee programs at the State Department and I hope I can emulate the leadership he displayed in that era. More importantly, our three offices routinely work very closely on these challenging humanitarian issues.

Sudan has both hosted and generated hundreds of thousands of refugees and internally displaced persons (IDPs) over the years. Today I would like to briefly comment on the newest Sudanese and South Sudanese refugees and on the situation of South Sudanese who live in Sudan. And I would like to outline the multiple refugee movements in the Sudan region.

The newest refugees are those generated by conflict within Sudan along the disputed border and by ethnic conflict in South Sudan's Jonglei State. There are over 140,000 new Sudanese refugees who have fled to South Sudan and Ethiopia, and even to Kenya – principally fleeing the fighting and aerial bombings in Sudan's Southern Kordofan and Blue Nile states. Additionally, there are over

8,000 new South Sudanese refugees in Ethiopia and Kenya – most escaping the murderous cattle raiding and ethnic hostility between the Lou Nuer and Murle peoples.

There are always refugee assistance challenges in an emergency. In this case, new camps have had to be built for the influx of Sudanese refugees in Ethiopia and South Sudan. Finding adequate clean water supplies for over 90,000 refugees in South Sudan's Upper Nile State has paradoxically been quite difficult in a country that is known for being widely flooded for much of the year. Humanitarian agencies are racing against the clock with the rainy season beginning in earnest this month. We have so far put $34 million toward the emergency response in South Sudan and Ethiopia – through the Office of the UN High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM), and some non-governmental organizations. The greatest challenge, however, has been protecting refugees – maintaining the security and the neutrality of refugee camps, ensuring that refugees are safely moved away from volatile borders and out of the potential line of fire, that any combatants are disarmed and/or separated, and that women and girls are safe from sexual assault and other violence.

Nationality and citizenship were early issues in the Comprehensive Peace Agreement (CPA) process. One concern was that some would be left stateless if Sudan became two countries. Regrettably, these issues remain part of the unfinished business of the CPA. Before the latest round of fighting, both governments had agreed to the idea of a Presidential summit that would have addressed many of these outstanding issues, including citizenship and residency. With help from the African Union High Level Implementation Panel, the parties were working on practical arrangements on citizenship and residency, even though the nine-month post-independence grace period for southerners living in Sudan and northerners living in South Sudan to regularize their status and residency expired on April 8. Unfortunately, that Presidential summit has not yet occurred. An unknown number of people of southern heritage continue to live in Sudan; estimates range between 300,000 and 700,000. This includes people who have never lived in, or even been to, South Sudan. Safe and orderly movement of those who either choose or might be forced to return to South Sudan is a high priority and a major preoccupation of two of our key partners – UNHCR and IOM.

Reception and integration in South Sudan are also ongoing critical concerns. The most immediate concern is that these people not be victimized as the level of conflict and rhetoric between South Sudan and Sudan increases.

These two situations – new refugees and potential mass movements from Sudan to South Sudan – are part of a broad, interlocking set of humanitarian concerns and refugee movements in the region. Let me briefly outline for you some of these concerns and movements:

South Sudan: In addition to the new Sudanese refugees, South Sudan is also host to over 23,000 Congolese and Central African refugees who fled attacks by the infamous Lord's Resistance Army. The LRA has also attacked the refugees and their hosts inside South Sudan, creating displaced South Sudanese. There are 5,000 refugees from Ethiopia's Gambella region. Post-war returns of over 330,000 refugees to begin life again in South Sudan and a similar number who had been IDPs are part of the mosaic of movements, as are those more recently displaced internally by ethnic and militia group conflict. There are even some refugees from Darfur now living in South Sudan.

Sudan: There is a somewhat less confusing picture in Sudan which is hosting around 150,000 Eritrean refugees in twelve camps in the east and in cities. The movement of Eritreans through Sudan to Egypt and even to Israel, often in the hands of brutal smugglers whose abuses include demands for ransoms of thousands of dollars and physical mistreatment, is a great protection concern. There are as many as 40,000 Chadian refugees in Sudan, of whom about 7,500 are in two camps.

Chad and Darfur: As you know, there are some 280,000 Darfur refugees in Chad as well as over a million and a half displaced people within Darfur itself. The Doha Document for Peace in Darfur and a nascent tripartite agreement on voluntary repatriation are positive signs. Up to 30,000 Darfur refugees from the border areas of Chad – not from camps – have spontaneously returned to Sudan. Despite these events, we do not anticipate large-scale return of Darfur refugees -- or of IDPs -- in coming months.

Somali Refugees: As Ethiopia and Kenya are called upon to host new Sudanese and South Sudanese refugees, they are also facing continued inflows of Somali refugees fleeing famine and violence in Somalia.

In all of these cases, PRM's primary concerns are protection and achieving genuinely "durable solutions" for the displaced – a chance to go home again or restart their lives in a new home. Life-saving and life-sustaining assistance are means to these ends. For example, the aid provided through PRM partners is used to transport vulnerable refugees away from a border, to clear land for new camps as necessary, to register and document refugees, to drill for sufficient clean water, and to provide the basics of sanitation, adequate food, minimum health care, and shelter as well as primary education and youth programs that will protect children from being recruited as soldiers.

Having visited this area in conjunction with my previous work, I am saddened by the continued hostilities between and within these two new nations, while also honored to be leading a bureau that provides much needed assistance to these many affected populations. I am also grateful for the excellent collaboration with our Africa Bureau, Special Envoy, and USAID colleagues. Thank you once again for the opportunity to highlight some of PRM's work and concerns. I would be happy to answer any of your questions.

Mr. SMITH. Thank you very much, Secretary Richard.

Let me begin with Ambassador Lyman. In your testimony, you point out that the U.S. is not working alone to diffuse the crisis, and you point out that the AU High Implementation Panel, led by a strong team; it's led by three Presidents, including the Burundian, the South African, and the Nigerian former Presidents.

You were the ambassador to two of those countries, South Africa and Nigeria. I am wondering, perhaps more than anyone else, the insights you might be able to share with us about how well they are doing in terms of an action plan or a strategy, what the outlines of that plan might look like. Are they personally involved, and to what extent, in this effort, if you could, Mr. Ambassador?

Ambassador LYMAN. Thank you, Mr. Chairman.

The Panel has done extraordinary work keeping the parties at the table, helping with technical help, defining the issues very much, moving them toward agreement. I think it is the general belief of former South African President Thabo Mbeki that it is the responsibility of the leaders of these countries to reach the conclusions, make the tough compromises, and do it. They haven't been willing to do that on many of these issues, like Abyei or borders.

It is interesting that the African Union communiqué yesterday, Tuesday, said, at the end of 3 months, we are just going to have to put solutions on the table that the parties must accept.

The second thing for the Panel is to make sure the parties know that its work is backed up by a very strong international community. That hasn't been as clear to the parties as it is now. The U.N. Security Council is now more unified than it has been on Sudan. With the African Union communiqué, the Arab League coming in along the same lines, then the Security Council coming in along the same lines, we hope that will strengthen the Panel's political weight, if you will, as they bring these parties to the table.

Very specifically, they will start next week. I think next week they will start on this border, to set up this border demilitarization and verification system, and then set up a schedule for the parties to come back to prepare for a summit that would address how to negotiate the big issues like oil and other things.

We had a lot of progress before this latest crisis with the Panel—I was there with the parties, et cetera—on how to deal with the very difficult oil issue. They would get back to that. It is not impossible to solve that issue if they get back to a collaborative approach. The Panel helped bring them very close to an understanding of how to do that.

Mr. SMITH. Would you say their working point is in terms of trying to craft, first of all, an end of hostilities and then deal with some of the systemic issues?

Ambassador LYMAN. Yes, both parties, both countries have said that the AU Panel is the one they recognize as the one to facilitate the negotiations and bring people together.

I will tell you one of the things that bothers me about the situation between the two countries is that they don't have enough communication between themselves on a regular basis. If it weren't for the Panel, they might sometimes never get together. It is the Panel that convenes them.

But we have said over and over to people in the government, "That's fine. That's good. But you should be talking to your counterparts all the time." We did it all through the Cold War. And they need more of that. There is some of it going on. But now the Panel is the one that brings them together to put together these border agreements and things like that.

Mr. SMITH. What is the relationship of the AU HIP—is that the proper way of saying it, the Implementation Panel, the High-Level?—with the Chinese Government? Do the three Presidents have access to Beijing, and does Beijing respond?

Ambassador LYMAN. China hasn't played a major role with the Panel up until quite recently. The way the Panel was structured from the beginning, there are two observer missions. There is the U.N. and ourselves are official observers. Others have been invited in.

Thabo Mbeki has been now more in touch with the Chinese and I think would like them to play more of a role, to be present like some of us are when these negotiations take place. I am going to raise that next week when I am in Beijing.

Mr. SMITH. Can I just ask you, Ms. Lindborg, you mentioned the situation in Southern Kordofan and Blue Nile has severely affected over 0.5 million people. How does that break out in terms of how many people have actually lost their lives? How many have been displaced in terms of actual numbers? What are the specifics on that?

Ms. LINDBORG. Loss of life is always difficult to estimate, but we are seeing about 28,000 have come into the South. There has been another outflow North into Khartoum, around the 10,000 or so figure. We estimate that there are about 300,000 who have been affected who are still inside Southern Kordofan, and many of those are displaced. Of that number, the estimates are about 225,000 to 250,000 who are in this serious food emergency crisis phase. Those are the people that we are most concerned about now. That is where the malnourished children population is coming from.

Mr. SMITH. You talked about limited access. How would that break out? Are we talking about up to 250,000 people and a lack of ability to have access to them with humanitarian supplies and medicine and food?

Ms. LINDBORG. That is right. In both Southern Kordofan and in Blue Nile, there is some limited access to the areas that are controlled by the Government of Sudan.

Mr. SMITH. They are the ones that are restricting access?

Ms. LINDBORG. They have blocked all access of all international actors into the areas controlled by the SPLM-North in the two areas.

Mr. SMITH. So, that is what happened previously, too, because that is what it was?

Ms. LINDBORG. Correct.

Mr. SMITH. So, they are just continuing. But now the consequences are growing more severe with more people now being affected? Would that be correct?

Ms. LINDBORG. That is right, and as people's harvests continue to be disrupted and their access to food is interrupted.

Mr. SMITH. You brought up an interesting, disturbing, but interesting point from your recent return from one of the states in South Sudan, that people are having a hard time adjusting from the rural to the urban. Did I get that right? Yes, adjusting to the rural from the urban. Is that because they are not farmers and they just don't—could you elaborate on that?

Ms. LINDBORG. Yes. You know, there is a significant population of almost 400,000 who have now returned from Sudan to South Sudan. I was just, a few weeks ago, in Northern Bahr el Ghazal, which is one of the states bordering Sudan, and met with a number of people who they were not farmers. They did laundry. They did small trade. They did a variety of more urban-based livelihoods, and they are now in a position of being very rural.

So, a lot of the assistance that we have provided has been to help that reintegration and to work both with the families who have returned as well as the local governments on how to establish alternative livelihoods, how to allocate land, how to enable that return. All of this is imperiled, both by the shrinking budgets in South Sudan, because of the oil shutdown, and as more resources have to go toward those populations that are at risk through other conflicts. So, we have a squeeze going on, and a conflict escalation will just exacerbate a really dire set of humanitarian challenges.

Mr. SMITH. Ambassador Lyman, there are four current U.N. or peacekeeping deployments in South Sudan, Abyei, and Darfur. What role are they playing in mitigating this ever worsening crisis? And is there a need for additional deployments or for the U.N. and/or AU to reconfigure a new deployment?

Ambassador LYMAN. There are, as you say, four; there are three peacekeeping operations and one Special Envoy. The biggest two operations, one is UNAMID in Darfur, which just focused on Darfur, and, then, the new mission in South Sudan. They have done a lot of work on internal problems in South Sudan; for example, the fighting that broke out in Jonglei that pit two ethnic groups against each other, thousands of people involved, several hundred killed. They have been working very closely with the government to try to address that and similar problems inside South Sudan; also, to try to get verification of what is going on on the border. But they are not allowed to cross that border.

Then, there is a mission that was set up in Abyei itself. That, as you know, is a disputed area. It was occupied militarily last year by Sudan. To get them to withdraw, and they have almost but not entirely withdrawn, a new peacekeeping force was put in there, almost all Ethiopian troops. That peacekeeping force has done an exceptional job. They have kept the peace. For the first time in 3 years, there was a migration that the nomads could come in and leave. They have kept other entities from coming in just more recently. They patrol the whole area.

But what has not happened is that the 100,000 Ngok Dinka who were displaced last year have not yet been able to return. So, there is more work that needs to be done.

And then, there is a Special Envoy, Haile Menkarios.

Now what the South wanted was, as you said, a new peacekeeping entity along the border. We did not think it was practical

to try and have the U.N. patrol that entire border. It would have been huge.

However, the Abyei force commander does have a mandate to work with them on this verification process. He has got 300 troops designated to work with them on that.

The U.N. Security Council is reviewing that mandate this month, in May. If more is needed for his mandate, they will be looking at it. So, I don't think we want to start putting yet another peacekeeping force in separately, but we want to support that border monitoring process.

Mr. SMITH. Are there sufficient U.N. peacekeepers and AU——

Ambassador LYMAN. There are sufficient ones in the South, in UNAMID. The question is whether the original idea that they only needed 300 to be the support mechanism for this is sufficient. We have to see as they get back into the discussions. He had agreed, the force commander, that that was sufficient. Whether this latest conflict changes that is something we have to look at very closely.

Mr. SMITH. Just two final questions.

Secretary Richard, you talked about the $34 million that we are providing to you in ACR and to IOM and others. How much need is there, how much unmet need? I am sure UNHCR is gathering money, I know it is, from other donors. But are they meeting that call? Are people responding sufficiently? And what is the unmet need?

If you could speak to resources versus access, you know, maybe all of you would like to speak to that? Does stockpiling of foodstuffs that can't get to people because the workers, the humanitarian relief workers, are precluded entry, mean that that food spoils and people die?

Is $34 million enough? Is the EU coming forward with money?

Ms. RICHARD. Mr. Chairman, I think, as usual, the U.S. has taken the lead in providing that assistance, and that it is a good start in getting needed aid to the people who need it. But, as you have heard, more people are coming across the border. They are severely malnourished. The rains are anticipated to start. And then, there will be real serious problems of getting access as the roads are washed out. So, it is a situation that is going to bear a great deal of watching.

I just came from a meeting with the High Commissioner for Refugees who is in town this week. He met a little while ago with Secretary Clinton. One of the things he raised was his concern that, with so many things going on—and this was one of the crises that he mentioned, but he also mentioned Syria, the Sahel, and other concerns—there was so much going on, he was very concerned about having sufficient funding to do a good job everywhere.

So, I would say at the moment we have made a good start, but certainly we have a lot of concerns that resources will continue to flow to this area.

Mr. SMITH. In terms of the refugee camps, when I visited Mukjar and Kalma Camp, I remember hearing multiple stories, and I have heard them here, obviously, from advocates, of security concerns, especially for women in terms of rape and abuse. The refugees that are flocking together in camps, who is providing security and how adequate is it?

Ms. RICHARD. I share your concern for the women. What I understand is that the camps in the area we are talking about today are overwhelmingly female. They are women and girls and, also, women and children. So, in those kinds of situations, we always see security issues.

I am so glad you raised this today. I met, last week or the week before, with a lot of our top partners in the non-governmental organizations to say we have to put a very big spotlight on this very issue. Because sometimes people say, "Well, it is an emergency. There is nothing we can do right now to worry about preventing or responding to gender-based violence." But I consider it something that is very much a lifesaving measure to which attention must be paid during the emergency situation.

In terms of who is providing security right now, I understand that there is a great deal of Southern Sudanese presence in both Unity State and Blue Nile. I mean, the local governments are involved, the state governments are involved, and there is a lot of movement. But in terms of who the vulnerable people are, I think they are overwhelmingly female and they are extremely vulnerable.

Mr. SMITH. One final question, and then I will yield to Ranking Member Bass.

Ambassador Lyman, have you perceived any change, real or perception-wise, with the emergence of the Muslim Brotherhood and the more extremist Islamist groups that have emerged in Egypt, because there is a direct connection, obviously, with Khartoum and Cairo? Do you perceive any change?

I mean, the calls for jihadists, we all know what the war in Southern Sudan was all about, the imposition of Sharia law, though it often gets forgotten. Now are we seeing a reemergence of that? And is that consolidation of radical belief in Cairo affecting Khartoum?

Ambassador LYMAN. Well, there are some extreme groups in Sudan. Some of them have been very critical of any movement on the peace process even or rights for Southerners in Sudan, you know, people who are still living there who have come from the South.

I don't think it is the mainstream in Sudan. It is not the mainstream of Islam in Sudan. But those groups are there.

As you said, the kind of rhetoric that President Bashir was using during this last crisis was very, very frightening and wrong. One of the things that the AU and others have said is rhetoric has to stop. Africa is very, very conscious of how much that kind of rhetoric contributed to the terrible events in Rwanda. So, there was an immediate gut reaction to that. I hope it doesn't inflame those kinds of radical elements you talked about.

But they are there, but at this point they are not the mainstream. We are hoping that the Government of Sudan is conscious——

Mr. SMITH. But, again, is Cairo having an influence? Mubarak was no prize, and many of us met with him every time he came here or in Cairo, but——

Ambassador LYMAN. You know, the relationship now between Khartoum and Egypt is kind of evolving with the new government. The foreign minister from Egypt actually visited both Khartoum

and Juba during this crisis to try to calm the situation down. But I really don't know about what might be going on between the parties.

Mr. SMITH. Could you ask around? And if you get the information, let us know?

Ambassador LYMAN. I can ask and let you know. Thanks.

Mr. SMITH. I do have one final question, if you don't mind, more of a statement, if you want to respond to it. I am concerned—and you may be, too—about the sense of equivalency between Salva Kiir and Bashir. One has been indicted by the ICC, as we all know; the other has not and is, I think, a very good man.

But it reminds me of what happened in the Balkans. I remember, after the invasion of Croatia, I went to Vukovar and all these places that are under siege by Slobodan Milosevic. When I talked to our interlocutors at the EU, they would say, "Oh, they are both at fault. They are both at fault." And there was a sense of one is aggressing and attacking, using MiGs and every other means of destruction; the other is trying to defend themselves.

At some point, a country responds, hopefully sooner rather than later, when its citizens and folks are being attacked and killed and maimed and the like. I just get a sense that that same thing is happening here. But maybe it is a diplomatic fiction, so that people can meet in rooms and hammer things out. But Bashir is clearly the perpetrator of these heinous crimes, not Salva Kiir.

Ambassador LYMAN. Mr. Chairman, you know, one of the things that I have said over and over again in Khartoum, because Khartoum says, you know, they are criticized more than the South or something like that. And I said, "The reason you are criticized is the way you fight wars. You fight wars with civilian casualties, with the use of militias who are not under the rules of war. You don't fight like armies do in the 21st century. You commit terrible human rights violations. And you will be condemned by the international community if that is the way you carry out what you think of as your security concerns." And there is no question that that is the case and has been the case historically.

Where we do call upon both parties in kind of an equivalent way is not to make the problem worse by the way they clash at the border or take risks with peace. For the South, I think it is a great challenge for them to come to an agreement with a government that they have many historical and current grievances with. We do encourage them to come to those agreements because, as Nancy has pointed out, with no revenue, South Sudan will be in a terrible situation. And so, in that sense, we call both parties to the table and want them to do so. But there is no equivalency in the human rights violations and the history of it between the two.

Mr. SMITH. All right. Thank you.

Ms. Bass?

Ms. BASS. Thank you, Mr. Chair.

I actually want to follow up. You were asking about Egypt. Since you asked about Egypt, it made me wonder about Libya, and just in terms of the flow of weapons. I don't know if that has been an issue in Northern Sudan. So, I don't know who I am directing that to, maybe the Ambassador, but I am not sure he heard my question.

Since my colleague was asking about Egypt, it made me think about Libya. I was just wondering if there is an issue with the flow of arms from Libya into Northern Sudan.

Ambassador LYMAN. The problem of the arms flowing in out of Libya, because several of the Darfur, two of the Darfur rebel groups fighting with the Government of Sudan fought on the side of Gaddafi, it is believed that they have come out of that situation with considerable arms, although it doesn't seem to have had as big an impact on the fighting as we thought.

The Government of Sudan, of course, then fought on the side of the rebels in Libya and was very concerned about that flow of arms. I don't think it has had as significant an impact on the situation in Sudan as it may have had elsewhere in the Sahel.

There has an uptick in fighting in Darfur, but we have a feeling that that reflects the fact that the arm movements have taken advantage of the fact that the Government of Sudan had to move more troops over to Southern Kordofan, and they took advantage of that situation. But I don't think it has had a major impact.

Ms. BASS. I see.

And then, several of you have talked about the U.N. peacekeepers that are there. I just wanted to ask you a question about whether or not they are having any challenges having the tools that they need to carry out their mandate safely and effectively. And specifically thinking about South Sudan, with just 68 miles of paved road, with a territory about the size of France, helicopters are essential to the effectiveness. And then, with Russia's decision last year to withdraw eight helicopters, it contributed to this already being a serious problem. So, I was just wondering what was the status of that. Has it gotten any better?

Ambassador LYMAN. Yes, you are absolutely right; without helicopters, they can't move rapidly at all. They have been able to replace most of the helicopters that the Russians withdrew.

But it did come at a time when there was a great deal of conflict in Jonglei. It really did slow UNMIS down. It is a very difficult area to get around, particularly rapidly.

Now what the UNMIS has done is that they have stationed their people out much more than traditionally is done. And so, they can respond faster. But it is going to get harder in the rainy season. So, the helicopters become essential. It is also true for the government forces to move around.

In Darfur, the main problem has been when the government denies access because they say security conditions are such. It doesn't happen often, but it happens whenever there is fighting, and it slows down UNAMID's ability to respond quickly. That has been raised with the government over and over again. I think that is the main problem they have had. They have had other logistic problems, but in Darfur that has been a problem.

Ms. BASS. So, you were referencing the access earlier. I think you said humanitarian access, if it was announced, the fighting will stop. Could you explain a little bit more about that? And I think it is connected to what you were just saying. I didn't understand what was blocking the access.

Ambassador LYMAN. In the two states of Southern Kordofan and Blue Nile, which are part of Sudan—they are not part of South

Sudan—fighting broke out there last June, I think it was, May or June, after an election that was contested. And the fighting has gone on ever since by what is called the SPLM-North. That is the people who come from Nuba Mountain and from Blue Nile, from the Southern part of Blue Nile, but fought on the side of the South during the civil war. But they are now part of Sudan.

That is the area where, as Nancy described, we see a major humanitarian crisis because the Government of Sudan, these are their own people, but they have not allowed international humanitarian access. We have talked to the SPLM-North. In fact, I talked to them quite recently. They said, "Please, you can say publicly that, if the government would announce that they are accepting this approach to humanitarian. . . ."——

Ms. BASS. I see.

Ambassador LYMAN. [continuing]. "We would agree to cessation of hostilities in order the food gets into people," et cetera. So, that was what I was referring to.

Ms. BASS. I see. Thank you.

And then, also, in terms of the international effort and support, you mentioned, Ms. Richard, I believe, that, of course, the United States is carrying the majority of the burden, but who are the other major players? And what is the relationship in terms of funding? Are we carrying 90 percent, 50, 60?

Ms. RICHARD. Yes, generally, in most refugee crises, the United States provides a quarter or more, depending on our interest level—and thank you all for having such a great interest level in this—of the international appeals that come out.

The other major donors are the same major donors that respond to most of the U.N.'s appeals. So, you are looking at Western Europe and the sort of G8 countries funding that.

What the High Commissioner is trying to do is reach out—and perhaps this gets back to your question, Chairman Smith—and find new donors, get more countries involved in this, get them engaged in this, getting them to be productive and make this more of an international effort. He said, or his Executive Committee, which are the member states that take a particular interest in UNHCR, the size of that has been growing, which is a good sign. But now we need to see that growing on the dollar side, too.

Maybe Nancy Lindborg can talk about some of the aid flows, and Ambassador Lyman can talk about the contributors of peacekeepers.

Ms. BASS. Thank you.

Ms. LINDBORG. Yes, there is a very engaged group of donors both for South Sudan and for Sudan. In South Sudan, there is what is called the troika of Norway, UK, and the U.S. That has been very involved with ensuring that there is the kind of funding that is needed to move toward peace.

Ms. BASS. African nations?

Ms. LINDBORG. Not so much on the donor side. Certainly involved with the larger efforts of——

Ms. BASS. Peacekeeping?

Ms. LINDBORG. Right, of peacekeeping, and hosting of the refugees.

I would say that the big frame to communicate is that this has been a multi-decade effort with many, many international providers of assistance, both regionally and from the donor community. There was a lot of enthusiasm for the pathway of peace that it opened up and great concern that, because of the escalated conflict, because of the cessation of the oil revenues, that we are moving seriously backwards.

Ms. BASS. My colleague mentioned China. I know President Kiir was just there and came home. I was really surprised he was there at all, I mean, you know, considering the fighting going on.

So, a couple of questions. What is China contributing toward this effort? I didn't hear you mention them. And then, also, I mean, I know one of the reasons why he was there is because they would like to have the oil not go to the North. They would like to develop the capacity for it to go South. What would be the timeframe in that? Do we know anything that resulted from his trip to China, even though it was aborted?

Ambassador LYMAN. Thank you.

Before that, just to mention on the peacekeeping forces, if you put all three of those peacekeeping operations together, you have about 50 countries contributing. African countries are very prominent in that regard: Nigeria, Rwanda, Ethiopia, et cetera.

Ms. BASS. Thank you.

Ambassador LYMAN. The force commander in UNAMID is a Rwandan general. The force commander in Abyei is the Ethiopian commander, and the UNMIS is a Nigerian commander. So, Africans play a very prominent role in the peacekeeping.

On China, I think they do have a small contingent in UNAMID, engineering I believe. But their real world is political and economic. They are roughly a 40 percent owner of the major oil industrial companies there, and particularly in the pipeline.

I am not sure that their interest is really in seeing an alternate pipeline to the South because most estimates that I have seen are that that is 3 to 5 years away. Meanwhile, they have got this huge investment.

Ms. BASS. Right.

Ambassador LYMAN. So, only by an agreement between the two countries to resume production and export through Sudan is China's interests served in the near future.

I don't have the results of the trip President Kiir took. So, I don't know what may have come out of that. But in our conversations with the Chinese, they definitely want peace and security in the area because, otherwise, the oil sector can't go back into production.

I think that has to mean that China has to, along with others, address some of these fundamental political issues which are the source of the insecurity and use their long relationship with Sudan and President Bashir in this regard, as well as the relationships they are developing with the South.

Ms. BASS. I think both the chair and I would like to hear from you when you come back from China as to what happened.

I have other questions. I don't want to take up any more time. So, let me just ask one final question.

What more do you think the United States should be doing? And that is for anybody. What more do you think the United States should be doing? Is there anything more we should be doing? Are we doing everything?

Ambassador LYMAN. First of all, my staff tells me it is 40 countries, not 50, contributing to the peacekeeping. So, I have got to get it straight.

Ms. BASS. Oh, thank you.

Ambassador LYMAN. But it is a question we ask ourselves all the time. I was just in a meeting yesterday of our senior deputies from all our agencies on Sudan, a Deputies' Committee meeting, and that was the question that we all looked at. What more can we do?

What we are trying now is to mobilize people from around the world to put pressure particularly on Sudan, but on South Sudan, to get back to the negotiations, to reach agreements. We are providing a lot of technical support to the actual facilitation/mediation by Kabul and Vecchi.

The aid agency is doing an extraordinary job of responding to the humanitarian situation, as much as we are able to do, and has been creative in doing so.

I would welcome ideas that we could do more. Because we don't have contact with President Bashir, we obviously are not in the position of being the mediator that brings the two together, but we do have contact with many senior people in Khartoum.

We look at that, and, Congresswoman, any suggestions from the committee would be welcome. We ask ourselves this literally all the time. I appreciate it.

Ms. BASS. Thank you very much.

Ms. LINDBORG. Congresswoman, I would just add that we have long been a leader in provision of assistance, thanks to the generosity of the American people and with your leadership. Last year, we put about $440 million into South Sudan and Sudan, primarily Darfur, and continue to work to mobilize response from our donor colleagues and to ensure that we are continuing to mobilize in the face of great need.

The sad sort of benefit of all of that is that, when these crises flare up, we do have a lot of capacity on the ground and the ability to move food or people to move quickly, when new fighting flares up, whether it is on the border in Abyei or in Jonglei. Even though it is an extraordinarily difficult operating environment with, as you noted, very few roads, we have the ability to meet immediate humanitarian needs. The concern is that they are growing.

Mr. SMITH. Mr. Royce?

Mr. ROYCE. Mr. Chairman, thank you very much.

Even after Southern Sudan has withdrawn its troops from some of the disputed areas, Khartoum has continued to send the Antonovs and rain the bombs down. This would include bombing civilian areas.

I had an opportunity some years ago in Darfur, Sudan, to visit Tine that had been bombed by Antonovs. I saw what that did. We talked to, by the way, survivors of various attacks by the government forces.

President Bashir is using the type of language again, talking about going after the "insects" in the South, as he calls the people

of the South, rallying his troops, clearly, doing what they know how to do in terms of genning people up to do what they used to do with the Janjaweed. So, this is an incredibly dangerous situation right now, from the activists that we talked to on the ground in South Sudan, relaying to us their concerns about how this plays out.

I wanted to ask you, Ambassador, the oil cutoff, the renewed operations down there have got to be weighing on Khartoum, given what we know about the machinations within that capital and the problems that beset that government. Some have speculated recently that that might trigger a change within Khartoum.

Do we have a window on what is taking place in that capital? Do we have any insights? And do we have any contingency planning for any scenario, should such an event occur?

Ambassador LYMAN. I am glad you raise this because we talk about the impact of the oil cutoff and crisis on South Sudan, but it is also very, very serious for the economy of Sudan. If you just look at the exchange rate, having gone from the official 2.9 or something to 7, you know that prices are going up; people are experiencing shortages, fuel shortages, basic commodities. They don't have the foreign exchange to import food. They usually import a lot of food.

The economic consequences in Sudan are very great. And you have to get outside of Khartoum to really appreciate it because there is kind of a surface normalcy in Khartoum, but if you go out to the rural areas or even talk to people who are struggling in Khartoum, you realize the economic problem is severe.

There are people in Khartoum and Sudan who understand that they face a major economic crisis. The loss of revenue and the failure now to have a functioning collaboration with oil is just making the foreign exchange situation even worse.

In our view, for a government to continue to fight in Darfur, in South Kordofan, in Blue Nile, et cetera, when their economic situation is so severe, is a dangerous and bad policy for their own people.

Mr. ROYCE. Right, right.

Ambassador LYMAN. I can't tell you what it may do politically in Khartoum. I don't have that kind of inside understanding. But I do know from people that have spoken out publicly, that have talked publicly, that there are people who think this set of policies is not the right direction for Sudan.

Mr. ROYCE. Right.

Ambassador LYMAN. Now whether that translates into changes of the policy, I can't tell you.

Mr. ROYCE. Well, we don't know, but the point you make is that pragmatists are being sidelined on both sides of the border. The point I would make is you want to permanently sideline the hardliners that are sidelining the pragmatists. To do that is going to take a more proactive communication campaign into Khartoum, broadcasting into Khartoum, as we used to do in Poland or in Russia, you know, in East Germany, where you take advantage of the situation on the ground.

You give people information about the situation on the ground. You talk about the crisis that is being created by bad governance.

You give them an alternative. You suggest that alternative. You have got to be more proactive on that. It is a non-confrontational way, if you are proactive, to offer out a different scenario.

The last question I wanted to ask is, in your testimony you talk about everybody speaking with one voice on the issue. I was going to ask you, have the Arab states or the OIC, are they on that page? Have they spoken on those issues?

Ambassador LYMAN. We did a major outreach to all the members of the Arab League just in the last 24 hours, 48 hours. They are meeting right now in closed session.

What we have urged them to do is to be in total synch with the African Union's approach to this that they enunciated the other day. I have not seen the communiqué coming out of that. I hope it will be as close to the African Union approach as possible, so that we get their collaboration and speaking, as I say, together. And then, we want the same from the U.N. Security Council.

So, I will let you know once I get a sense of what has come out of the Arab League meeting.

Mr. ROYCE. Thank you, Ambassador Lyman. I appreciate it.

Thank you, Panel.

Mr. SMITH. Thank you, Mr. Royce.

Congresswoman Lee?

Ms. LEE. Thank you very much.

Let me just follow up on a couple of questions that were asked earlier in terms of what else the United States could do. I know for many, many years many of us have been concerned that we could not do as much—and I am not talking about the humanitarian front right now because we recognize and appreciate the level of humanitarian intervention and contributions this country is making. But we haven't been able to figure out, given our relationship with the Sudanese Government as it relates to cooperation on matters of terrorism, because we are in contact with—it may not be Bashir, but it is his government. How does that hamper or hinder what we are trying to do now and what they are trying to do in terms of this new escalation of war? So, that is the first question.

Then, secondly, China, for many, many years we have been encouraging our Government to use more leverage with China, so they could use more leverage with the Government of Sudan in how they are moving forward, not only with the implementation of the CPA, but the new war that has taken place. And I think it is a war. I think that we haven't been as assertive as we should have been and as we should be. I am pleased to know that the administration and you are going to be talking with the Chinese at the meeting that is coming up.

We actually had 68 Members of Congress sign a letter asking the President to engage in discussions around this new eruption. And so, we are very pleased to have that.

Mr. Chairman, I don't know if it is appropriate, but I would like to have that letter inserted into the record.

[The letter referred follows:]

Congress of the United States

Washington, DC 20515

March 30, 2012

The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

CC:
Secretary of State Hillary Clinton
Ambassador to the United Nations Susan Rice

Dear President Obama:

We write to express our serious concern for the ongoing human calamity in the Sudanese border areas of South Kordofan, Blue Nile, Abyei, and Darfur, and in Yida and other refugee camps in South Sudan. The Sudanese government continues to target civilian populations through the use of indiscriminate bombing and the denial of humanitarian aid. These actions have left nearly half a million people at risk of starvation in the coming weeks and months. Sudan's impending rainy season, and resulting poor road conditions, will soon make the delivery of any aid extremely difficult, if not impossible.

We applaud your recent actions demonstrating your firm commitment to ending the humanitarian crisis in South Korfodan and the border areas. There are two upcoming opportunities for the United States to further support a humanitarian agenda emphasizing aid delivery and access to these border areas. First, the United States will assume the rotating presidency of the United Nations Security Council in April and secondly, the United States will host the G8 summit at Camp David in May.

We hope that the United States will take advantage of both platforms by demanding full and unimpeded access for international humanitarian organizations to the border regions, while calling on Khartoum to agree to a concrete timeline to implement the United Nations-African Union-League of Arab States Tripartite Proposal. Specifically, we request that the United States ensure that Sudan and South Sudan are placed as a priority on the U.N. Security Council agenda during the U.S. presidency. These efforts will complement and further advance the message on Sudan you delivered this week to Chinese President Hu Jintao during your bilateral meeting in Seoul.

Khartoum's notorious ability to delay and its failure to honor agreements suggest that a more robust, consistent and coordinated approach is needed to protect the lives of vulnerable populations. We have seen such sustained international coordination led by the United States in both negotiating the Comprehensive Peace Agreement signed in 2005, and in helping to implement the successful South Sudan referendum in 2011.

Now is the time to act. Affected areas of South Kordofan and Blue Nile reached emergency levels of food insecurity in March, and the situation has continued to deteriorate. This is one level short of famine. The remaining areas within South Kordofan, as well as much of Blue Nile state, are facing crisis levels of food insecurity.

Recognizing the concrete steps your Administration has taken to spare the lives of vulnerable populations and prevent further conflict, we ask that you use the upcoming opportunities at the United Nations Security Council and the G8 summit in May to leverage multilateral pressure on the Government of Sudan and its supporters. We appreciate your ongoing commitment to that goal.

Respectfully Yours,

BARBARA LEE
Member of Congress

JAMES P. MCGOVERN
Member of Congress

MICHAEL E. CAPUANO
Member of Congress

AL GREEN
Member of Congress

KAREN BASS
Member of Congress

HOWARD L. BERMAN
Member of Congress

G.K. BUTTERFIELD
Member of Congress

ANDRE CARSON
Member of Congress

JUDY CHU
Member of Congress

YVETTE D. CLARKE
Member of Congress

WM. LACY CLAY
Member of Congress

EMANUEL CLEAVER
Member of Congress

JAMES E. CLYBURN
Member of Congress

ELIJAH E. CUMMINGS
Member of Congress

KEITH ELLISON
Member of Congress

CHAKA FATTAH
Member of Congress

BOB FILNER
Member of Congress

MARCIA L. FUDGE
Member of Congress

RAUL M. GRIJALVA
Member of Congress

MICHAEL M. HONDA
Member of Congress

SHEILA JACKSON LEE
Member of Congress

HANK JOHNSON
Member of Congress

RICK LARSEN
Member of Congress

JOHN LEWIS
Member of Congress

JOHN W. OLVER
Member of Congress

CEDRIC L. RICHMOND
Member of Congress

LUCILLE ROYBAL-ALLARD
Member of Congress

GREGORIO SABLAN
Member of Congress

ROBERT C. SCOTT
Member of Congress

DAVID SCOTT
Member of Congress

TERRI A. SEWELL
Member of Congress

BENNIE G. THOMPSON
Member of Congress

EDOLPHUS TOWNS
Member of Congress

MELVIN L. WATT
Member of Congress

FREDERICA S. WILSON
Member of Congress

DYNN C. WOOLSEY
Member of Congress

JOHN CONYERS JR.
Member of Congress

DONNA M. CHRISTENSEN
Member of Congress

LAURA RICHARDSON
Member of Congress

ALCEE L. HASTINGS
Member of Congress

CORRINE BROWN
Member of Congress

MAXINE WATERS
Member of Congress

JACKIE SPEIER
Member of Congress

PETE STARK
Member of Congress

PETER A. DEFAZIO
Member of Congress

CAROLYN B. MALONEY
Member of Congress

AARON SCHOCK
Member of Congress

MADELEINE Z. BORDALLO
Member of Congress

DONNA F. EDWARDS
Member of Congress

STEPHEN F. LYNCH
Member of Congress

MAURICE D. HINCHEY
Member of Congress

SANFORD D. BISHOP JR.
Member of Congress

RUSS CARNAHAN
Member of Congress

BRAD SHERMAN
Member of Congress

ZOE LOFGREN
Member of Congress

SAM FARR
Member of Congress

LOIS CAPPS
Member of Congress

JESSE L. JACKSON JR.
Member of Congress

MICHAEL H. MICHAUD
Member of Congress

DANNY K. DAVIS
Member of Congress

STEVE COHEN
Member of Congress

CHARLES RANGEL
Member of Congress

JAN SCHAKOWSKY
Member of Congress

MARCY KAPTUR
Member of Congress

CHRIS VAN HOLLEN
Member of Congress

JAMES P. MORAN
Member of Congress

JERROLD NADLER
Member of Congress

STEVE ISRAEL
Member of Congress

Ms. LEE. And finally, let me just ask, in terms of the political obstacles that are preventing the humanitarian assistance and intervention, what are those political obstacles as you see them? I know oil is one in Heglig. I mean, we know that. But what are some more obstacles that we see that need to be removed?

Ambassador LYMAN. Thank you so much.

On the first question, there is a degree of cooperation on terrorism because the Government of Sudan finds that in their interest as well. But the big types of cooperation that might be possible between our two countries cannot take place while they remain on the list of state sponsors of terrorism, and they remain on that list. They have not met the conditions that we feel are needed to do so.

They would like more cooperation in that area. It would serve our interests if we could do it. But, until we can get satisfied that the conditions are right to do that, we can't go forward with that.

It doesn't impact, quite frankly, because I work on this every day, it doesn't change our way that we approach the issues of North-South issues, of Southern Kordofan and Blue Nile; it really doesn't.

The point is that their continuing to be on the list of state sponsors of terrorism is something that we say to them, if you want to come back into the international community in good graces, dealing with issues like Southern Kordofan and Blue Nile on a political basis, allowing humanitarian access, not doing, as Congressman Royce mentioned, the constant use of bombing on civilian targets, then the full ranges of cooperation not only in security matters, but in economic matters, could take place. But we can't do it under these circumstances. We have had very candid conversations with them on that.

On China—and the letter was a valuable letter—when Vice President Xi came here from China just a couple of months ago, the President and Secretary of State said, "We need to cooperate on Sudan. We need to join together on this."

And then, President Obama talked to President Hu when they were at the meeting in Seoul on nuclear issues and agreed that this had to be a priority.

As I have mentioned, I have been in regular contact with my counterpart there, the Special Envoy. But, also, when I travel in the region, I always stop to see the Chinese Ambassadors in Khartoum, in Juba, in Addis Ababa.

Next week, when the Secretary goes to China, this will be high on our agenda as well.

So, I think the cooperation with China is picking up very rapidly. I think their reluctance traditionally to get involved in political matters in countries in which they are doing business, here they recognize that they can't serve their own interests as well as everybody's if they don't. I think that cooperation is building up.

On the political obstacles to humanitarian access, what the government of Khartoum claims and argues is, if the food goes into those areas, it will prolong the fighting because part of it will get to the military, no matter what, and will strengthen their desire to keep fighting.

Second, they have this memory in their view that, once the humanitarian community enters in, then comes the U.N. peace-

keepers. Then, they lose their sovereignty. Their view is that this was part of an attempt to carve off more of their country or at least reduce their control over it.

We have tried to deal with that in many ways, like I said, this tripartite proposal which has the League of Arab States and the African Union and the World Food Programme. I think Congressman Royce said that there are hardliners sort of driving policy right now in Khartoum. In spite of all of the efforts to convince them on this, they still have not allowed that. I think those are the reasons driving them in that regard, but I think they are wrong.

Ms. LEE. But in terms of international, bringing more attention to the world as to what is taking place now, we remember what happened with Darfur. It took a while for the world to really recognize that genocide was taking place. And many of us have visited Darfur many times and have been in the refugee camps, but you don't see the visual. You don't see the suffering, and you don't see the starving and what is taking place.

I am wondering if there has been a problem with media access, and if, in fact, the Bashir government, because of what happened around Darfur and the world came together, are they using different tactics now in terms of media access and preventing the rest of the world from really understanding what is coming, what is getting ready to come down if we don't take some action very quickly?

Ambassador LYMAN. You know, it is exactly right. There is no free media access. Some journalists have gone in on their own. Nicholas Kristof went. Alan Boswell has gone, some others, and they have written about it.

There has been more interviewing of refugees to get a better sense, and you will see various reports have come from George Clooney, from Human Rights Watch, from others, particularly interviewing refugees and illustrating these kinds of problems.

I do think—and we have worked very hard on it over the last 6 months—we have generated a great deal of unified international opinion on this. In almost every statement coming out of other countries now and out of the AU, it is to the government: You must allow humanitarian access to these areas. But you don't get all the pictures and attention that took place in Darfur, and partly because access is so difficult.

Ms. LEE. Thank you, Mr. Chairman.

Mr. SMITH. Ms. Jackson Lee?

Ms. JACKSON LEE. Thank you very much, Mr. Chairman. I want to thank you and Ranking Member Bass for this hearing and this oversight, which I think is crucial.

Just in memory of our fallen colleague, Congressman Payne, we are reminded of the great excitement of the inauguration of the new nation of the government, the new nation of Sudan, Southern Sudan.

Let me, just as a point of personal privilege, thank, Ambassador Lyman, yourself, and, of course, the representatives of USAID and the State Department, but also the journalists. I note that Ellen Ratner is in the room, who visits this region quite frequently. But the journalists have not, many of them have not persisted in the story.

Even, Ambassador Lyman, the good news and the bad news, but certainly to continue the thought, I will just say to you that I have had an experience—and I can say it now because I am back here in the United States—where I was refused entry into Khartoum, meaning that I was in Chad waiting and waiting and waiting for a visa, having been to at that time the refugee camps in Chad, which were, if you will, raw and extreme, if anything; women and children living in almost dust bowls. But we certainly appreciated the fact that there was a welcome mat somewhere for them.

And I had wanted to go into Khartoum, and it just shows, of course, there have been incidences when we have come. But say that this was the first time around, and just happened to slip across the border because we had waited. We had tea. We waited into the night for the visa to come. It was on its way; it was on its way. Just to at that time dialog with the African Union troops that were there.

Subsequently, I went into Darfur with all the necessary credentials on another occasion, but, then, sat down and saw or listened to stories, to recall our memory, Mr. Chairman, of the women who were brutalized as they left the camps to pick firewood. We seem like we overcame that, even though I don't think we fully resettled those individuals. And you were certainly right at the head of leadership.

Now we have Southern Sudan, and we now know that across that region there is disruption; there is difficulty. So, I know this may have been answered, but I want, if you will, a thorough approach to it in respect to the Heglig crisis and its aftermath. What accounts for the rapid escalation of that conflict between Sudan and Southern Sudan leading to South Sudan's occupation of Heglig? And please describe the military situation to Southern Sudan's withdrawal from Heglig? What is your assessment based on military operations and troop movements in the field, whether we are seeing indications of a return to full-scale war between the two governments?

In the midst of that is the unmerciful treatment of human beings. I will add a leverage. What is happening to the women? Are they still being raped? Are they still being abandoned because men have gone or men are victimized, so women are sent forward?

And do you take seriously and at face value the Sudanese Government's assertion that it is intent on ousting the Southern People's Liberation Movement that we have known for a long time? And to what extent are the conflicts in Southern Kordofan and the Blue Nile linked to or likely to shape the outcome of the military situation from the Heglig conflict, if you would? And I have a question for the other representatives.

But, Ambassador, thank you for your service. It has been a long time.

Ambassador LYMAN. Well, thank you. Thank you very much, and for your continued interest in this, as you have.

What sparked, I think, the occupation of Heglig by South Sudan was a frustration that really extended over a long period of time of clashes on the border and bombing across the border; that they felt they were being pushed, and when they exercised restraint, it didn't stop.

They went into Heglig earlier in March and then withdrew, and then the bombing continued and the fighting continued. And they just said it is enough, and they wanted to react much more strongly.

The problem was, as we and others told them, that by doing that, they had raised the conflict to a new level because they occupied an area of enormous strategic importance to Sudan and could have increased the kind of—you know, before then, neither had attacked the other's oil facilities. It could have gotten totally out of hand. They would have committed mutual economic suicide.

They did agree to withdraw, but the government pursued them in doing so, bombed across the border, and generated a situation which has calmed down. It has been much quieter on the border the last 2 days. Both sides are now getting ready to respond to the African Union's demand for cessation of hostilities. They gave them 48 hours to respond. They are supposed to respond today.

As I said earlier, I don't think—and I have talked to people in the governments in both places—that people really want or governments want to go to full-scale war. Neither one can afford it, can sustain it. That doesn't mean that they are not prepared to engage in conflict over what they see as their security conditions/issues on the border.

And those are related to the conflict in Southern Kordofan and Blue Nile, which the Government of Sudan continues to characterize only in military terms, not in political terms, and which the Government of South Sudan says, "We can't have a border which is used to send militias into South Sudan."

So, until they can get a handle on the security of that border, the danger of those clashes continues. Right now, I think the military on both sides, they have largely pulled back across the line that they both use. We are hoping that that, plus the rainy season, will lead to a lower level of conflict than we have seen and, hopefully, open the door, create a climate, if you will, for more political talks.

Ms. JACKSON LEE. This question is for everyone, starting with Ms. Richard. Is Khartoum the same old Khartoum? Both South Sudan and Khartoum indicate that one or the other is backing the rebels. Give us the true and honest level of the humanitarian crisis. What level of crisis do women and children find themselves in? If you are note-taking, is it time to—it looks as if Southern Sudan has gotten its muscle—but is this another moment of intervention, the African Union, peacekeepers? Are we letting this fester, so that we find ourselves in an enormously sad humanitarian crisis?

Ms. Richard?

Ms. RICHARD. Well, Congresswoman, I am going to defer to Ambassador Lyman to answer your question about Khartoum.

On your question about the scale of the crisis, I think that this hearing makes very clear that this region can be like a tinderbox. And so, smaller skirmishes have the risk of reigniting war.

We can see how many people currently, as we have talked about these different groups of people who have been displaced, you know, different people right now are suffering throughout this region.

I visited a year ago in the summer, right before the Independence Day. I was there a couple of weeks in advance in Juba talking

to colleagues and trying to get a fix on the prospects for peace in South Sudan. And it was such a hopeful time, you may recall——

Ms. JACKSON LEE. Yes.

Ms. RICHARD [continuing]. After so many years of war.

What really came through to me was the incredible needs of the people in South Sudan. There is a great deal of illiteracy. There are not sufficient educated people to run the government ministries, to provide the services that so many people need.

I saw people returning from the Khartoum area in very large boatloads coming down the Nile to start their lives over in the South. As we have heard today from my colleague, Nancy Lindborg, these people are trying to start over, trying to become farmers, trying to have livelihoods. The needs to educate their children, some of whom have never lived in the South before and were born in the North, were born in Sudan itself; the needs are very, very great.

So, to take the very tough prospects for achieving economic development, for achieving an educated and healthy citizenry, and then to toss all of that back into violence and conflict, that is just absolutely the wrong direction.

Ms. JACKSON LEE. Thank you.

Ms. Lindborg?

Ms. LINDBORG. I would echo much of what my colleague has just laid out. You know, these are people who have borne enormous hardship for decades. There was precarious peace going forward. We knew it would be difficult. We knew it would take a long time.

But there have been gains over this year since the CPA was put into place. What used to be 20 percent children in school is now 68 percent. Many more millions of people have achieved access to water, to health, to basic services. Much of that is in jeopardy right now because of the lack of oil revenue; 98 percent of South Sudan's budget stems from oil.

As the conflicts escalate, both the North and the South are putting their people in peril. We are losing what precious developmental gains were made in South Sudan. Between Darfur, Abyei, Southern Kordofan, Blue Nile, the intercommunal fighting in Jonglei, and the 4.7 million people, half the population of the South, of South Sudan, who are food-insecure, you have about 8 million people who need humanitarian assistance. That is a huge number of people.

As the conflict escalates, and there is no oil revenue to provide even basic services by the government, there will be the potential for adding to that 8 million because they are not otherwise able to move forward with their lives. They are not able to go to hospitals or go to schools that the government previously was supporting.

So, it is imperative that we pull back to peace and that we find a way forward because of the burden that is placing on the women and the children, and a history in that region of marginalizing vulnerable communities.

The challenge is enormous. The stakes are very high. The solutions will not be military.

Ms. JACKSON LEE. Thank you.

Ambassador Lyman was going to finish. Ambassador Lyman, could you just throw in—not to throw in—but the dysfunctionalism

of the energy industry, because many don't understand it is not functioning? And if you know anything about the burden on women and children?

Ambassador LYMAN. Well, as Nancy has said earlier, when you get into large scale food-insecure areas, women and children are often the ones who suffer first and foremost. We can see that in the refugees coming out, and many of them are women and children. In a war situation, clearly, they are very much in danger.

You asked about Khartoum; is it the same old Khartoum? Here is a situation where Khartoum had an opportunity to develop a productive and positive relationship with South Sudan. You will recall that President Bashir came to the independence ceremony and was well received and said all the right things.

But every time there is a sharp difference or a crisis, there is kind of a default back to let's use military power; let's use our bombing; let's use the gun, et cetera. And that brings out all the worst characteristics from that regime and makes it very hard to deal with these problems in the right way. It is almost like you have a Jekyll-and-Hyde situation sometimes.

So, what has to happen in Khartoum is—and Thabo Mbeki phrased this extremely well in a lecture he gave in Khartoum in November 2010. He said, even with the secession of the South, Sudan is a diverse country, and therefore, it has to be governed as a diverse country. That means there has to be political change in the way Sudan governs itself.

That is the fundamental issue. It is the issue that the Sudanese must address because, otherwise, there will always be trouble in the Darfurs and the Southern Kordofans and other places. And that hasn't taken place.

I think there are a lot of people who understand that in Khartoum, who know it has to take place. But that is really the challenge. Thabo Mbeki phased it very well and he has spoken out on that many times, as have others.

Ms. JACKSON LEE. Thank you, Mr. Chairman.

And my last word to you, Ambassador Lyman, we are not, the United States and its policy, going to abandon this region. We are going to stay engaged in the fight, if you will, a nonviolent fight on behalf of this region, this area.

Ambassador LYMAN. I can tell you that the White House is all over me every day.

Ms. JACKSON LEE. Excellent. [Laughter.]

Let me join in that, in a way of strengthening you.

Mr. Chairman and Ranking Member, thank you for your kindness.

Mr. SMITH. Thank you very much.

Mr. Green?

Mr. GREEN. Thank you, Mr. Chairman. I want to salute you, Mr. Chairman, and the ranking member as well, for hosting this important area. Mr. Chairman, I would also compliment you on some of the positions that you have taken. They have been very meaningful to me personally.

I did go to Darfur, and I saw the throngs of people living on the ground and off of the land. There is no substitute, I think, for seeing some of these things as they develop.

I want to compliment the witnesses here today for the intelligence that you have accorded us.

My friend, Congresswoman Jackson Lee, has served with this committee and has traveled to these places many more times than I, but I think that she never tires. My suspicion is that she will be back before I will. So, I want to compliment her as well.

I have just a very few questions. So, I will be as pithy and concise as possible, but I don't want to be so terse and laconic as not to make a point.

Let's start with the oil and how it flows. It is in the South, but it flows through the North. If there is a change in the direction, and if the South somehow manages to have access to another means of moving the oil, how will this impact, if you can prognosticate to this extent, or just the thought by the North of losing the opportunity to have the benefits that flow from the oil, how will this, if you can prognosticate, impact this concern that is already at a crisis level, as far as I can see?

Mr. Ambassador, would you care to give an answer first?

Ambassador LYMAN. Thank you.

For the South, if it had an alternative way, it would not feel that it had such a difficult situation with a regime that they often have great difficulty with, including on oil. But the prospects, the possibilities of doing that are not short term. People I have talked to, people who are oil experts, engineers, et cetera, looking at the types of soil that would be involved in Sudan or the mountains in Ethiopia, looking at alternate routes, estimate 3 to 5 years and a very expensive proposition. It doesn't mean that someday it can't be done, but it is not a short-term solution to the problems that Nancy outlined with the government that needs revenue.

It is in the interest of both countries to have this sector run. They both benefit. I think Sudan would lose a lot if South Sudan ended up unable to have a satisfactory and assured relationship with the Government of Sudan about the oil flow.

They get fees. They get processing fees. They get access to oil for the refinery. There is also in this negotiation a payment from the South to ease the loss of oil revenue that came from the CPA. All of that is in the very high priority interests of Khartoum.

I think there are a lot of people there who know it. But the negotiations which were very promising a few weeks ago have been set way back. So, I am hoping that kind of rationality on both sides says, "Look, we don't like each other very much, but we both are hurting our people and ourselves by not being able to function."

If the oil reserves are such in South Sudan that it would also justify an alternative, that is a possibility, but it is not a near-term one. For South Sudan to put all its chips on that means they would go years without any revenue. That, we think, is very dangerous.

Mr. GREEN. I see.

With reference to the humanitarian crisis, the prospect of food moving in over land is a good one. I like the idea, and I think this is the way most NGOs would like to move large amounts of food as well as other humanitarian substances. The question, however, is about airdrops. In a time of great crisis, I understand that you have others who will try to take the food. But if we can find out where people are, which can be difficult, airdrops of food into an

area where you have a humanitarian need has been used before. To what extent is this available to us, given the 200,000 people that may be near starvation?

Ms. LINDBORG. Well, you want to look at all of the options. One of the concerns with air operations is that, for those of you who remember Operation Lifeline Sudan, which was critical for many years, it did have agreement on both sides that it would operate. So, for those kinds of operations to really have the impact that we want and need them to have, you really need to have that sort of agreement to enable the airdrops to be effective, to reach those who need it the most.

Mr. GREEN. May I assume that we are seeking approval of both sides for airdrops? I know that there is some consternation about having NGOs, or especially Westerners, come into the country. With an airdrop, you don't have to touch the ground, but food gets to the people. Are we negotiating along these lines?

Ambassador LYMAN. We haven't emphasized the airdrops, Congressman, because if they would approve the proposal on the table, the World Food Programme group could bring in so much of the needed food. Airdrops would not be able to do nearly as much.

I think the government would have great objection to airdrops. I think it would be very hard to get their approval. They would consider it a hostile act. That doesn't mean they are right; don't get me wrong. But I think it would be a hard thing to get them to approve.

I just wish they would approve the most logical and most effective way, which does not involve western NGOs, which does not involve anyone but people they trust as doing it for humanitarian purposes. I think we have to keep pushing them on that. It is the most useful possible way to do it, as well as other things that one looks at.

Mr. GREEN. My final comment has to do with China. Countries do what they believe to be in their best interest. I am confident, Mr. Ambassador, that you are explaining that this is in the best interest of China, the world, but China benefits from oil. And they are getting an amount of oil from Sudan now.

So, we have had it requested of us—and I know that the request has been echoed to you, but I will just reiterate; sometimes things bear repeating—please take advantage of the opportunity when we have our high-level meetings to make the request in your way to make sure that China understands that we desire that they help us with this crisis that is looming in Sudan. And it is to their advantage to do so, I believe, but I hope that you will continue to exercise your good office's use of this type of diplomacy.

While we are thanking people, I do want to thank Mr. Clooney, who did go in at some considerable risk to bring back some empirical evidence of the atrocity that is taking place. I don't ever want to discount what good Samaritans do, and I consider him a good Samaritan for what he has done at some considerable risk.

So, thank you for what you are doing.

And thank you, Mr. Chairman, Madam Ranking Member.

I yield back any time that I may have.

Mr. SMITH. Thank you very much, Mr. Green.

Ambassador LYMAN. I would say one thing on the China thing. I assure you that the Secretary is leading our high-level dialog next week. Sudan remains very high on her agenda, and we will be making those points next week in Beijing.

So, thank you very much, Mr. Congressman.

Mr. SMITH. Thank you.

And just to reiterate or echo Mr. Green's comments on airdrops, I would agree that they are part of the solution, especially for the harder to reach when access is denied. I hope that will be robustly promoted.

I remember when the killing fields were occurring in South Sudan, remember the loss of 2 million people. We had UNICEF testifying in 2172 Rayburn, and many of us pressed very hard that the international community was doing far less than it could to get permission from the Khartoum government to allow those to go through. They had absolute veto power, and missions would be deployed or not based on their willingness to allow it to happen. And people would die when the airdrops didn't occur.

So, I know it is on the table. At least I hope it is. I hope it is even more so, because if you can't get a team in, you know, you can drop meals ready to eat and a whole lot of other things that in the short term could absolutely sustain life. And so, I do hope that is being looked at.

I would also like to ask if the faith community is being adequately included with the AU High Implementation Panel, the players themselves, whether or not the mullahs and the Catholic and Anglican bishops, who I know in terms of the provision of healthcare and ensuring that people get food to eat and medicines to help cure, are, if not our best, certainly are at the very top of people we need to be partnering with. I am wondering, are we working with them closely on the ground to make sure that the refugee camps as well as at other places, that money is going to faith-based NGOs that are doing this work, particularly indigenous faith-based NGOs?

But, Ambassador, if you could speak to whether or not the faith community is being pulled into this in a way that it is certainly capable of helping to bring about a more positive outcome?

Ambassador LYMAN. They have played a very significant role in the peace process within South Sudan. You know, this terrible conflict that took place between the Nuer and Morley.

And it is the religious community that is playing a major role in bringing the communities together. That is true in other parts of South Sudan as well. They also play—and Nancy can speak to that—they also play a major role in delivering services.

We are also reaching out now to the faith-based communities internationally, as I had requested of the Congress, to make their voices heard to the leadership about the need for peace.

But, yes, they are very active and extremely important in South Sudan particularly. But Nancy can——

Mr. SMITH. But, again, when the AU High Implementation Panel meets, do they incorporate and integrate——

Ambassador LYMAN. No. No, I can't say they do. You know, it is a negotiation sort of between parties. You don't see civil society

there. You don't see faith-based. I think that has been unfortunate in this whole process.

Mr. SMITH. But it would seem to me that special faith-based envoys could play a big role as well.

Ambassador LYMAN. I think it is a very good point.

Ms. LINDBORG. I would just note that we work very, very closely with a number of faith-based organizations throughout South Sudan, in Darfur as well, where they are absolutely critical to saving lives, to ensuring that needs are met. They work closely with the faith-based leaders throughout South Sudan.

We also just signed recently an MOU with the OIC's humanitarian arm. So, we can foster greater cooperation between the NGOs that USAID funds and the primarily Islamic groups that the OIC funds. It grew out of our experience of working side by side in Somalia, and we are looking to bring that globally.

So, I think your point is a very important one, that we pay a lot of attention to the role that those organizations can play.

Mr. SMITH. Before we conclude, any——

Ms. BASS. Yes, I would just like to thank you for all of your testimony and participating today. And again, Ambassador, we look forward to hearing from you when you come back from China.

And I want to thank you, Mr. Chair, and also the members that participated. As all of you know, I am new in Congress. This is just my second year. I recognize that there are many of my colleagues on both sides of the aisle who have been working on this issue for many years, which is why we had extra participation today. I really appreciate your input.

Thank you.

Mr. SMITH. Thank you, Ranking Member Bass, and thank you for your leadership. It is great to work with you.

I want to thank our very distinguished panelists for the extraordinary service you render and your leadership, and for taking the time this afternoon to share that with us, as we work together in partnership.

Pursuant to your recommendation, Ambassador Lyman, we will do that letter. I hope that has some impact.

And I look forward to working with you going forward and appreciate it.

The hearing is adjourned.

[Whereupon, at 4:34 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

April 19, 2012

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 Committee website at http://www.hcfa.house.gov):**

DATE: Thursday, April 26, 2012

TIME: 2:00 p.m.

SUBJECT: The North-South Sudan Conflict 2012

WITNESSES: The Honorable Princeton Lyman
Special Envoy for Sudan
U.S. Department of State

The Honorable Nancy Lindborg
Assistant Administrator
Bureau for Democracy, Conflict and Humanitarian Assistance
U.S. Agency for International Development

The Honorable Anne Richard
Assistant Secretary
Bureau for Population, Refugees and Migration
U.S. Department of State

By Direction of the Chairman

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

COMMITTEE ON FOREIGN AFFAIRS

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

Day *Thursday* Date *April 26, 2012* Room *2200 Rayburn*

Starting Time *2:28 p.m.* Ending Time *4:34 p.m.*

Recesses [ ] (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:

The North-South Sudan Conflict 2012

SUBCOMMITTEE MEMBERS PRESENT:

Rep. Chris Smith, Rep. Karen Bass, Rep. Ann Marie Buerkle

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

Rep. Barbara Lee, Rep. Al Green*, Rep. Shelia Jackson Lee*, Rep. Ed Royce*

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

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

Letter from Members of Congress to Preisdent Obama on Sudan
Prepared statement from Rep. Buerkle
Questions for the record from Rep. Buerkle

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *4:34 p.m.*

Subcommittee Staff Director

Opening Statement of Rep. Ann Marie Buerkle

Thank you, Mr. Chairman. Thank you also to our panelists for appearing here today.

Over the course of the last two decades, the Sudan has experienced ongoing brutal, warlike conditions. While there is reason to be pleased that the South Sudanese gained independence, the reality is that the violence and outrageous human rights abuses have continued. The Sudanese military under the Bashir regime has persisted in terrorizing South Sudan, targeting especially women.

Beyond the ongoing horrors of violence and human rights abuses, the Sudan is also facing a severe famine, which has sadly been largely disregarded by the international community. This famine is not only deadly in itself, but it has led and will continue to lead to increased violence and potentially full-blown war between Sudan and South Sudan.

The Sudan and the South Sudan has constantly faced the challenge of international ignorance or disregard. A large part of the battle in bringing assistance to the region is raising awareness. I am grateful to Americans across the country and in New York's 25th Congressional District for working tirelessly to aid the long-suffering Sudanese. My District is proud to be the home to many, many "Lost Boys," who were fortunate enough to reach the United States, but continue to care deeply for their home land.

I would like to bring attention to one group in particular in my District, the HOPE for Ariang organization, which has teamed up with LeMoyne College to raise awareness about issues in Sudan and South Sudan. The organization has succeeded in building a school in Ariang and continues to be committed to bettering education and empowering women in the South Sudan. They have also focused on helping to meet the basic human needs of Sudanese, such as improving access to clean water.

It is essential that the United States develop a comprehensive strategy to end the decades-long cycle of violence and human rights abuses in order to bring lasting peace to Sudan and South Sudan. I look forward to hearing from our witnesses regarding the violence, human rights abuses, and famine going on and how the United States can work to prevent war and stabilize the region.

Thank you, Mr. Chairman. I yield back my time.

Questions for the Record Submitted for
Special Envoy for Sudan and South Sudan Amb. Princeton Lyman,
USAID Assistant Administrator for Democracy, Conflict,
and Humanitarian Assistance Nancy E. Lindborg and
Assistant Secretary of State Ann Richard by
Representative Ann Marie Buerkle (#1)
House Committee on Foreign Relations
April 26, 2012

Question:

I am distressed about the status of Panthou, also known as Heglig, which was reclaimed by South Sudan last week. It is my understanding that the Heglig territory has traditionally belonged to the South Sudan, contrary to what the international community seems to have assumed. It seems the United Nations in particular is misinformed regarding the status of Panthou, which was annexed by the North in the 1980s by Khartoum because of the discovery of oil in the region. The International community, including General Secretary Ban Ki-Moon, was quick to say that Heglig is part of Sudan, although there is no demarcation of border between the North and South. Would you please be willing to clarify the history of the Panthou, or Heglig, region, which is being heavily contested by Sudan and South Sudan? What steps can the United States take to ensure that possession of the area and its resources are divided fairly?

Answer:

Negotiations, and not military action, are the only means by which to ensure that the disposition of Heglig and its resources are appropriately and fairly adjudicated. South Sudan's military seizure of the Heglig area resulted in international condemnation because the Government of South Sudan attempted to settle a boundary dispute through military force and not through the internationally-accepted negotiations process that has been ongoing between Sudan and South Sudan. The United States continues to work in partnership with the new state of South Sudan, but expects that South Sudan will take its responsibilities and obligations to the international community and international norms seriously. There are internationally-accepted dispute resolution mechanisms available to both parties through which they might resolve disputes over Heglig (inter alia, the African Union-facilitated negotiations; the Joint Political and Security Mechanism; the Joint Border Verification and Monitoring Mechanism [JBVMM]; and, international legal arbitration)—but a military invasion of a disputed territory is not an acceptable method for addressing such disagreements.

On May 2, the United States led a united UN Security Council in passing Resolution 2046, which calls on Sudan and South Sudan to de-escalate tensions along their disputed border and quickly operationalize the JBVMM, which will help to investigate and contain military disputes in the border region. We continue to press the parties to implement the provisions of the Resolution, to follow the negotiations

"roadmap" laid out by the African Union on April 24, and to avoid fruitless and unsustainable military conflict in their border regions.

Both Sudan and South Sudan have made claims to the Heglig area, and it has often served as a political bargaining chip in negotiations between the two countries. There is a broad international consensus that the Heglig area falls north of the January 1, 1956, line that served as the administrative boundary between Sudan and South Sudan during the Comprehensive Peace Agreement (CPA) period. In the absence of a mutually agreed and demarcated border, Sudan and South Sudan have used the 1956 line as the basis for various agreements during their negotiations under the CPA and continue to use it in some post-CPA negotiations. There is some discussion that Heglig may have been in the Southern part of the country at some point in history but modern maps (post 1930s) put Heglig clearly in the north. Modern maps also note that the border remains undelineated, undemarcated, and undefined pending further negotiations.

While both countries have set a political precedent for use of the 1956 line, they have always cautioned that further negotiations would be necessary to resolve border demarcation and delineation issues. Indeed, the two countries have never agreed on where the 1956 line is located, nor have they finalized the number or size of disputed areas along that line. Following UNSCR 2046, the U.S. calls on both parties to make progress on security issues and continue border negotiations under the AUHIP. Given the profound ambiguity over the border line and the validity of Southern claims to Heglig, we continue to caution both parties to resolve Heglig's status through negotiations or international arbitration, not through military means.

Questions for the Record Submitted for
Special Envoy for Sudan and South Sudan Amb. Princeton Lyman,
USAID Assistant Administrator for Democracy, Conflict,
and Humanitarian Assistance Nancy E. Lindborg and
Assistant Secretary of State Ann Richard by
Representative Ann Marie Buerkle (#2)
House Committee on Foreign Relations
April 26, 2012

Question:

Recent reports indicate that overt and severe persecution of Christians has begun in Khartoum as the war-like conditions in the region escalate. The Sudan Presbyterian Evangelical Church has been one of the primary targets, as multiple sources, including church leaders in Khartoum, confirm. Could you please elaborate on the reports describing persecution of Christians in Khartoum? I believe it is important that this information, which is typically under-reported, be clarified for the public. Thank you.

Answer:

Our Embassy in Khartoum is closely following Muslim-Christian tensions in Sudan in general, and in particular, any repercussions felt by Christians during this time of heightened tensions. The separation of South Sudan, which was home to most of Greater Sudan's Christians, has resulted in some high-profile instances of social conflict between Sudanese and residents of South Sudanese origin. It is our view that the government does not have a policy targeting Christians. However, some government officials use Islamic rhetoric in support of government policies and talk about the Islamic nature of the country in spite of the presence of religious minorities. Societal abuses and discrimination based on religious affiliation, belief, or practice, and religious prejudices are also a continuing problem. Religious identity and politics in Sudan are extremely complex. Therefore it is difficult to categorize certain incidents precisely as instances of ethnic or religious intolerance.

As your question states, on April 21 rioters attacked and burned several buildings in a compound owned by the Sudan Presbyterian Evangelical Church in Khartoum. The root of the attack lay in a dispute over ownership of the Church's land during a period of public confusion about the legal status of Southerners and their property in Sudan. Government officials, including the Minister responsible for religious affairs, quickly condemned the act and the government has taken several steps to investigate the incident. We have also received recent reports that local community groups and minor government officials have threatened confiscation of property such as Catholic churches, schools, and other properties belonging to churches. Our Embassy will closely follow the

investigation into the Church attack as well as government actions in defense of other religious sites, and discuss any perceived shortcomings with the government.

Questions for the Record Submitted for
Special Envoy for Sudan and South Sudan Amb. Princeton Lyman,
USAID Assistant Administrator for Democracy, Conflict,
and Humanitarian Assistance Nancy E. Lindborg and
Assistant Secretary of State Ann Richard by
Representative Ann Marie Buerkle (#3)
House Committee on Foreign Relations
April 26, 2012

Question:

It is understandable that the United States, especially during these difficult economic times, is struggling to provide aid to all the poor and suffering around the globe. Surely the people of Sudan and South Sudan, however, are among those experiencing one of the most severe situations. There are not only widespread humanitarian abuses, including genocide-like operations in some areas, but there is also prevalent famine. The Obama administration has noted that lack of food has reached "emergency" levels, one step below "catastrophe," but has still not acted to adequately provide relief and protection to these endangered people. Still there is a notable lack of action. Has President Obama Administration's weak policy in the region resulted in both continued genocide and renewal of war?

Answer:

The U.S. Government is robustly engaged in Sudan and South Sudan to tackle diplomatic, humanitarian and political challenges. Our diplomatic efforts have drawn international attention to the humanitarian crisis in Southern Kordofan and Blue Nile states. Our efforts have built international pressure on the Sudanese government to allow international humanitarian access there, and on the South Sudanese government to seriously address the economic implications of its decision to cease oil production—a decision which has grievously hurt the Southern economy and increased the risk of food insecurity for its citizens. As Ambassador Lyman noted in his testimony, the African Union's April 24 roadmap, endorsed and supported by United Nations Security Council Resolution 2046, presents both Sudan and South Sudan with an internationally sanctioned way forward on addressing the conflicts between them. UNSCR 2046 also calls on Sudan to enter into a political process with SPLM-N fighters in Southern Kordofan and Blue Nile. The international position captured in these documents is one that we are advancing both bilaterally and multilaterally. African Union-facilitated negotiations between Sudan and South Sudan have restarted; the U.S. Government is supporting those talks with diplomatic support and technical expertise. The AUPSC roadmap and UNSCR 2046 reflect a new unanimity of opinion among international players on Sudan/South Sudan issues, and our actions are advancing these efforts. Combined international

pressure on the parties will help to move them away from conflict, with its disastrous humanitarian implications, and back toward the negotiating table.

Despite stringent access restrictions throughout Sudan and South Sudan, USAID provides fast and flexible humanitarian assistance to vulnerable populations, including those along the Sudan/South Sudan border region and those affected by conflict in Darfur; returnees in transit from Sudan to South Sudan; those affected by food insecurity; and those displaced by insecurity and inter-ethnic conflict in South Sudan. To date in FY 2012, the U.S. Government has provided $111,836,645 for humanitarian needs in South Sudan, and $77,693,051 in Sudan.

The U.N. estimates that approximately 350,000 people are currently displaced or severely affected within Southern Kordofan and Blue Nile states (known as "the Two Areas") due to ongoing fighting between the Sudanese Armed Forces (SAF) and the Sudan People's Liberation Movement-North (SPLM-N). USAID food security experts project that populations in areas of Southern Kordofan will face emergency levels of food insecurity between April and September. In addition, USAID food security experts predict crisis levels of food insecurity in SPLM-N-controlled areas of Blue Nile through September, due to similar—though less severe—restrictions on trade, movement, and assistance as in Southern Kordofan. Despite continued advocacy by the U.S. Government, the Government of Sudan (GoS) has yet to agree to a tripartite proposal put forth by the African Union, League of Arab States and the United Nations that would allow for unfettered humanitarian access to those in need throughout the Two Areas.

Access for humanitarian and development organizations throughout Southern Kordofan and Blue Nile states is highly restricted by the Government of Sudan. However, concerned about growing food insecurity in Southern Kordofan and anticipating increasing logistical challenges during the rainy season, the UN World Food Program (WFP) has modified its previous "all or nothing" position on providing food assistance in the state only if granted access to assess and respond in both Sudanese Armed Forces-held areas and SPLM-N-held areas. While WFP will continue to press the GoS for unfettered, state-wide access, it will now assist in any location where the GoS permits international WFP staff to participate in food security assessments, even if this means that WFP can only provide food aid in SAF-held areas.

In early May, following a WFP and GoS joint assessment in four SAF-controlled localities in Southern Kordofan, WFP distributed one-month rations to approximately 30,000 IDPs in these locations. Anecdotal reports suggest a significant increase in population movement from SPLM-N-held to SAF-held areas. However, WFP is not able to systematically collect data on population movements and is unable to provide accurate population figures or additional details.

USAID's humanitarian implementing partners are mostly limited to operating scaled-back programs run by national staff. The Sudanese Red Crescent Society (SRCS) operates in GoS-controlled areas. Through $1.2 million in funding to the International Federation of Red Cross and Red Crescent Societies, USAID supports SRCS to provide

humanitarian assistance—including food, relief items, basic health care services, and access to safe drinking water and sanitation facilities—to IDPs and other conflict-affected populations in GoS-controlled areas. SRCS is also conducting family tracing, mine risk education, and protection activities in child-friendly spaces, in collaboration with local staff of U.N. agencies. USAID also maintains a Rapid Response Fund, managed by UNICEF, which enables relief organizations to quickly access funding to meet emergency needs through both local and international partners.

Since the outbreak of conflict in Southern Kordofan in June 2011, international humanitarian organizations have not been permitted to resupply or deliver aid to newly vulnerable populations. The U.S. Government is doing all it can do to save lives within the tight confines of limited access due to the security environment. USAID is also closely coordinating with the U.S. Department of State's Bureau of Population, Refugees, and Migration, which is leading the response to the growing refugee population in South Sudan. We remain gravely concerned for the innocent civilians caught in the midst of the conflict. Therefore we continue to press for an end to the fighting and for GoS to sign the tripartite proposal for full and unfettered humanitarian access.

Questions for the Record Submitted for
Special Envoy for Sudan and South Sudan Amb. Princeton Lyman,
USAID Assistant Administrator for Democracy, Conflict,
and Humanitarian Assistance Nancy E. Lindborg and
Assistant Secretary of State Ann Richard by
Representative Ann Marie Buerkle (#4)
House Committee on Foreign Relations
April 26, 2012

Question:
I understand that the sentences for two accomplices of the murderers of State Department employees in Khartoum two years ago have been significantly reduced, almost as though in defiance of the United States and the Administration's lack of action. Could you please provide more information on this case?

Answer:
The reduction of the penalties is unrelated to the underlying sentences for the four convicted killers of USAID employees John Granville and Abdelrahman Abbas Rahman. The death penalty for the convicted killers remains in effect.

The sentences for the five individuals convicted of helping the convicted murderers escape has been reduced from five years to three years, and their fines have been reduced from approximately $3,727 (10,000 Sudanese Pounds) to $1,863 (5,000 Sudanese Pounds).

By way of background, in 2010, five men were convicted for their role in the murders of Foreign Service Officer John Granville and Foreign Service National Abdelrahman Abbas Rahama in Khartoum on January 1, 2008. Four received a death sentence. The fifth person was found guilty of aiding and abetting in the crime, sentenced to a prison term, and has since been released after serving his time.

In June 2010, the four men convicted and sentenced to death in the murder escaped prison with the assistance of five other individuals. Of the four convicted murderers, one was recaptured and is currently back in prison. A second reportedly died in Somalia, and the other two are currently fugitives from the law. The U.S. Embassy in Khartoum and the Legal Attaché based in Cairo closely follow the case and discuss the file with Sudanese authorities to emphasize the USG expectation of justice in this case.

USAID was deeply affected by these murders and has reached out to support both families throughout the years since this tragedy. In honor of the memory of John Granville and Abdelrahman Abbas Rahama, the Agency inscribed their names in permanent memorials at USAID and the U.S. Department of State, dedicated the Granville-Abbas Girls Secondary School in Blue Nile State, and launched the Granville – Rahama Staff Care Award to recognize positive contributions to staff well-being and

morale. USAID has also covered the costs of a lawyer to represent the families in court in Khartoum, and that legal representation continues to this day.

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