

TWO NEW SUDANS: A ROADMAP FORWARD

HEARING

BEFORE THE

COMMITTEE ON FOREIGN RELATIONS

UNITED STATES SENATE

ONE HUNDRED TWELFTH CONGRESS

FIRST SESSION

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TWO NEW SUDANS: A ROADMAP FORWARD

THURSDAY, JULY 14, 2011

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

The committee met, pursuant to notice, at 10:35 a.m., in room SD-419, Dirksen Senate Office Building, Hon. John F. Kerry (chairman of the committee) presiding.

Present: Senators Kerry, Coons, Udall, Lugar, and Isakson.

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

The CHAIRMAN. The hearing will come to order. Thank you all very much for being here this morning.

Ambassador Lyman, it is a great privilege to welcome you back to the committee. We appreciate enormously the work that you are doing as the President's Special Envoy to Sudan, and I want to just thank you personally.

I've had a chance to see you working in many meetings that we have had together there in Sudan, and I have been extraordinarily impressed by your steady, calm, tireless commitment to working under difficult circumstances to make progress. It's the essence of good diplomacy, and I really congratulate you and thank you.

I thank the President and the NSC and all of the folks, including Secretary Clinton, who have been engaged in this effort. They have done a terrific job of laying out a roadmap, living up to it, nurturing the process, and staying committed, when a lot of people thought it might have been impossible.

And I know that 6 months, 9 months ago, even a year ago, when we were working with General Gration and yourself, there were a lot of doubters as to whether or not a referendum could ever take place. And I think that it was the good efforts of a lot of folks who came together and stayed steady, and our allies in that effort. The Norwegians, others, the British, have been particularly committed to this. And I think it shows what can happen when people stay focused and put their energy into things.

So we welcome you here this morning to discuss a remarkable and a rare event that took place last week, the birth of a new nation, the Republic of South Sudan.

Six months ago when the referendum that set this in motion I had the privilege of being in Juba with you, Ambassador, and others, and General Gration, and it was really impressive. It was a remarkable event. I had the privilege of speaking in the cathedral with President Kiir.

Millions of southern Sudanese stood in line for hours to cast their votes for independence. And I remember coming out of one of the voting places, and I had a sense of, gosh, some of these people are going to walk away, their lines are so long, and they can't wait that long to vote. So I went up to them, and I said, you know, I hope you will be patient and wait to vote. And so help me, two or three people in good English just turned around to me and said, "Senator, we have been waiting for 56 years. We can wait a few more hours." They didn't mind it.

And last Saturday, as a result, 5½ decades of waiting came to an end. And today, even as we are here now having this hearing, events are taking place in New York at the United Nations, and South Sudan becomes the 193rd member.

We should recognize, and I know you do, Mr. Ambassador, that while only one country is joining the community of nations, the reality is that two nations emerged on July 9—the newly independent South and the greatly changed North.

Both of these nations are fragile, and they will remain that way until they reach an agreement that allows them to live separately but work together.

Sudan and South Sudan share more than a poorly defined border and a bloody history. They share traditions of migration that must be respected. They share trade routes that need to be reopened. And they share a mutual interest in not merely avoiding a return to all-out war but in crafting a lasting and genuine peace.

Abyei is at the heart of this conflict and of any lasting resolution. Tomorrow, international peacekeepers will begin to arrive there, and I hope that they can pave the way for the return of the tens of thousands of displaced Ngok Dinka who call Abyei home, and for a resolution that addresses the needs of the Misseriya migrants as well.

Abyei is one crisis point. Southern Kordofan is another. And once again, we are hearing chilling reports of serious human rights abuses by government forces. There are new and serious allegations of mass graves, shells are falling in the Nuba Mountains, and people in need have been cut off from humanitarian relief.

Sudan must not go down this road again. Southern Kordofan needs the United Nations monitoring mission, and both sides need to agree and abide by a cease-fire. If atrocities are occurring, they must stop and there must be accountability.

Despite these grave worries, there are also positive signs. Sudan was the first country to recognize the South as an independent state. And it is worth pausing to acknowledge that fact, not just because it suggests hope for the relationship between North and South, but for the relationship between Sudan and the United States as well.

Because of the successful January referendum, President Obama initiated a review of Sudan's designation as a state sponsor of terrorism. Completion of that process rests on the review itself, as well as the resolution of all the major issues outstanding from the comprehensive peace agreement, including Abyei. And obviously, this process will not go forward if gross human rights violations are taking place.

Finally, the true transformation of the United States-Sudanese relationship runs through Darfur.

Khartoum needs to reject its recent return to old destructive patterns and recognize that reform can bring with it a new relationship with the international community, including the United States. I very much would like to see that happen, but wishful thinking will not bring it about. It is actions by the GOS that will make that happen.

We are also entering a new relationship with South Sudan. Along with President Salva Kiir, we hope that July 9 will mark, as he said, in his words, “a new beginning of tolerance, unity, and love,” in which cultural and ethnic diversity can be a source of pride and strength, not parochialism and conflict.

South Sudan bears the scars of wars in many forms, including roads, schools, and hospitals that were never built. They provide their own sense of permanent scarring.

It must also overcome internal corruption and internal rebellions. But as they have already showed the world, the people of South Sudan are capable of rising to the challenge.

America has stood with the peoples of Sudan throughout these struggles. We helped to broker the CPA. We have provided billions of dollars in humanitarian assistance. Our representatives, including Ambassador Lyman, are working tirelessly, as I said, to bring the parties together. And we must remain involved until there is a lasting peace in the region.

I would remind people that the war that took place there was the longest war in Africa’s history, and it cost over 2 million lives. The last thing that we want to do is go backward.

Senator Lugar.

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

Senator LUGAR. Thank you very much, Mr. Chairman.

I join you in welcoming back to the committee our distinguished witness, who has a long record of service to our country and an unsurpassed depth of experience in African affairs.

On July 9, 2011, the Republic of South Sudan was declared by its elected government to be independent of the Republic of Sudan. This is a rare modern milestone and one that follows decades of violent oppression and conflict. The people of South Sudan have realized their dream of independence and deserve recognition for the sacrifice and commitment they made to achieve it in the face of enormous odds.

The people of the United States, from Government officials to religious and academic communities, to young citizens, have had a profound impact in elevating the importance of resolving this deadly conflict. There is a prospect for new life and economic and social development in South Sudan.

Nonetheless, violence remains a real prospect for millions along the borders of these two newly defined countries. Each country’s respective security forces are continuing to engage in the three disputed areas along their common border, and there remains untold suffering, scarcity, and tension within both countries as well.

It falls to the leaders of each country to acknowledge the challenges and begin to respond fairly and clearly to the needs of the people and to build upon an inclusive vision of a stable and productive future.

The challenges are daunting. Both Sudan and South Sudan represent widely diverse populations with a history of often violent competition. Khartoum will continue to govern many regions in the north that bridle at the harsh yoke of the Omar al-Bashir government.

Darfur remains unresolved, a region with millions displaced as a result of genocide, and the eastern provinces continue to suffer atrocities. In South Sudan, the leaders in Juba must learn how to govern and empower a new country with few common ties other than a common enemy.

That enemy will remain a threat, as it was through proxy militias during the decades of war. The prospect of civil war across the south looms if the oil becomes a source of intertribal conflict rather than the means to build a better country.

Oil, the primary source of income for both countries, could also be a bitter disappointment if, as many experts believe, it is limited and diminishing. South Sudan will initially join Sudan near the top of the list of the world's failed states and both must cooperate if they are to realize the hope of leaving this ignominious listing.

While the Comprehensive Peace Agreement of 2005 achieved the independence celebrated last weekend in Juba, there has been little progress in concluding the essential agreements between the north and south also required by the CPA, such as wealth-sharing and border demarcation. The new country has limited governance capacity, weak and nonexistent government institutions, and heavy reliance on outside donors. High capital costs limit prospects for private investment.

These factors increase the likelihood of competition among ethnic tribes and diminish the odds for near-term stability and growth.

While the United States should maintain its critical interest in a stable and productive South Sudan as well as a more responsible and responsive Republic of Sudan, it is evident these countries must begin to deliver for themselves. The United States has played a prominent role so far, from Senator Danforth's efforts at concluding the CPA to Secretary Powell's efforts to stop the genocide in Darfur, to Secretary Clinton's recent direct engagement at the U.N. on an Abyei peacekeeper agreement.

Now the administration must clearly define and limit its responsibilities and expectations associated with a long-term relationship with this nascent nation. The heavy burdens that now fall upon the people of both Sudans should be tempered, when and where appropriate, by the international community.

Neighbors like Ethiopia, Kenya and Uganda must help integrate the new country into the region while balancing emergent threats such as the approaching famine in the Horn of Africa and the human calamity in Darfur, which still lacks a viable peace process.

I thank Ambassador Lyman for his decades of dedicated diplomacy. I look forward to hearing from him how the international community can assist in this effort across both Sudans and how the

United States roadmap has worked to date and prospects for its continuation.

I thank you very much, Mr. Chairman, for calling the hearing.

The CHAIRMAN. Thanks a lot, Senator Lugar.

Normally, we just have the openings of both the Chair and the ranking member, but today we are going to make an exception to that rule.

Senator Isakson has taken a great interest in this area, this region, as well as in this issue, and he has taken time to travel there.

And, therefore, it is my pleasure to recognize Senator Isakson for an opening.

**OPENING STATEMENT OF HON. JOHNNY ISAKSON,
U.S. SENATOR FROM GEORGIA**

Senator ISAKSON. Well, I thank the Chair.

And I want to do two things in particular. First, I want to thank Princeton Lyman for his dedicated service to this area and to this cause, and acknowledge that in the last 10 years, between the Bush administration and the Obama administration, there than five special envoys, beginning with Mr. Danforth. And their work really has brought about the comprehensive peace agreement, culminating in the peaceful election that took place to create the independent Nation of the South Sudan. And I thank you very much for your commitment to that.

The second thing I wanted to is really acknowledge what the chairman said in his remarks with regard to the admonition to the North regarding the removal of state-sponsor of terrorism status. That is a process that is predicated on good behavior, and it is predicated on us being sure that there is no more violence and continuing atrocities taking place in that part of the world. That is an important component part of the overall deal that we made to bring about a peaceful election, which took place.

So I thank the Chair very much for pointing that out. I thank Princeton Lyman for his service, and I look forward to his testimony today.

The CHAIRMAN. Thanks very much, Senator Isakson.

Mr. Ambassador, it is our pleasure to welcome you, and I look forward to your testimony.

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

Ambassador LYMAN. Thank you very much, Chairman Kerry, Ranking Member Senator Lugar, two giants of leadership. It is a very great privilege to be here.

Senator Isakson, who has taken such a great interest in Africa all the time you have been on this committee, it is really a privilege to be here. Thank you for the very kind words.

I have to say I have never worked on an issue in which there has been so much sustained support from the administration, from the President, the Vice President, the National Security Council, the Secretary, this committee, people in the House, people in the public. It makes an extraordinary amount of difference.

It's a high priority for the United States and the United States public and all branches of our Government, and that makes a tremendous difference in the work we try to do.

So thank you very, very much for all you are doing.

I would like to submit a full statement for the record, if that's all right?

The CHAIRMAN. Without objection, it will be placed in the record as if read in full.

Ambassador LYMAN. Thank you.

I agree that one of the first things to recognize is that one of the fundamental objectives of the comprehensive peace agreement was for the people of South Sudan to have a choice as to whether to stay within one state or separate. They were able to make that choice, as you pointed out, in January. And on July 9, they were able to achieve their independence.

And it was an extraordinary event, and it was a privilege for me to be there, a very happy event. There must have been over 100,000 people at that ceremony, and it was quite moving.

I think all who have been working on this for decades, Senator Isakson is quite correct, over many administrations, over many people in and out of government, they can take a great deal of satisfaction from what has happened in that regard.

Nevertheless, as you have all pointed out, the past few months have not been free of conflict and they haven't been free of tension. The parties failed to reach agreement before July 9 on some of the most important issues that they face to have a full and productive relationship. And then we had crises in the disputed area of Abyei, as you pointed out, and now an ongoing conflict causing many deaths and abuses and displacing over 70,000 people in Southern Kordofan.

We had to focus a lot of our efforts in the last few weeks on those two crises to keep them from derailing the entire peace process. So the entire relationship between the two countries after July 9 is going to be one that is not yet free of tension and not free from the threat of future conflict. The next few weeks will be very critical in this regard.

They must follow through, first of all, on the agreement you mentioned, Senator Kerry, on Abyei, an agreement that allows an enhanced peacekeeping force to come into Abyei, mainly of Ethiopian troops, and the withdrawal of Sudanese Armed Forces that took over Abyei a few weeks ago.

We can't have a political solution to Abyei while it's being occupied by one side militarily. That process is just getting underway, and it must be implemented.

They also have not resolved one of the most important economic issues between them, and that is the financial relationships related to the oil sector. And I fear that if they don't come to some resolution by the end of July, we could have a serious confrontation over that issue. Threats from each side to shut down the oil flow are not helpful, and they only raise the specter of confrontation.

Now this is a difficult issue for the South to deal with, because they see any final resolution of how to share the resources from oil as linked to the solution for Abyei and some of the other unresolved issues, and the timetables now are not in sync.

So what we are urging is that by the end of July, at least they reach an interim agreement to keep the oil relationships going and set up a very firm timetable on dealing with Abyei and the remaining issues, like disputed border areas.

They both face problems inside their countries, as you have indicated. We are very concerned about the situation in Southern Kordofan.

Fighting broke out there, and as you well know, Southern Kordofan is a state in the North. It was heavily involved in the civil war. People there fought on the side of the South but they're from Southern Kordofan. And there are elements of the SPLA, the Southern People's Liberation Army, which come from Southern Kordofan. And the CPA calls for a political process called popular consultations, in which their political rights would be addressed, and their grievances.

Now fighting broke out there June 5 between the Sudanese Armed Forces and these SPLA units. The issues are complex. They are political. They are security.

We're very concerned by very critical allegations of targeted and ethnic-based killings and other gross human rights abuses. As you said, Senator Kerry, these abuses must end, there must be an investigation, and perpetrators held accountable.

The two sides on June 28 signed a framework agreement covering both Southern Kordofan and Blue Nile. And it is a promising agreement in that it provides for talks on both the political and the security issues. But unfortunately, President Bashir has now raised objections to portions of that agreement, and that puts the negotiations at risk.

Without those talks, without parallel political as well as security talks, the chances of ending the hostilities and reaching the thousands of people in need are, frankly, slim. So we hope these talks will resume very shortly.

In the meanwhile, we call on the Government of Sudan, which so far has resisted in allowing for a U.N. presence to remain in Southern Kordofan and Blue Nile, because we need that presence not only to monitor what's happening but to help in humanitarian activities.

Now, the situation in Darfur, which you have all mentioned, remains a very serious problem as well. This week, in fact probably today, the Government and one of the armed groups, the Liberty and Justice Movement, the LJM, are expected to sign a peace agreement or a protocol around the peace agreement. But one other major group, JEM, Justice and Equality Movement, is at best on the fence, and most of the others did not take part in the Doha peace process at all.

What we have emphasized to the Government of Sudan is that signing an agreement with the LJM is a positive step, but it has to continue to negotiate and be ready to negotiate with the other armed movements. They can't say, well, now we've done it and the other armed movements either sign this or they're outside the process.

We're also concerned that several of the other armed groups are not very interested in Darfur so much as they are interested in broad change in Sudan, and are fighting on that basis, which

makes it almost impossible for them to come and be part of a Darfur-based political process. And we have urged them to come to the table and negotiate around the issues of Darfur.

Also, to look ahead, we need to engage the people of Darfur. They deserve as much of a right to participate much more greatly in determining not only the process of peace, but their future.

But the conditions aren't right yet for carrying out a Darfur-based political process. So we have set forth a list of conditions that we think are very important to create what we call an enabling environment, so that you can have a Darfur-based process. It means lifting the state of emergency; it means freeing political prisoners; it means allowing for freedom of movement and expression; better for rights for UNAMID, et cetera. And we hope to pursue those with the A.U., the U.N., and the Government of Sudan in order to make it possible to have such a Darfur-based process.

Now let me turn to the issue you also all raised, which is our relationships with the Government of Sudan in Khartoum. Sudan needs to end its isolation in the international community. It has to secure relief from an estimated \$38 billion of debt. It has to obtain access to the international financial institutions. It has to create an environment that will attract private investment.

None of those things can happen when it's engaged in constant conflict and under sanctions not only from us but from others.

We have told Khartoum, as you have pointed out, Senator Kerry, that we are prepared to help, and we've laid out a roadmap to normalize our bilateral relations. And the President followed through after the referendum on January 9 to open up some licenses and to initiate a process of reviewing Sudan's designation as a state sponsor of terrorism. And that review is continuing.

But we can't move forward, as all of you have pointed out, with improved bilateral relations, as we have said in the roadmap, if the Government of Sudan does not fulfill its obligations from the CPA.

And that isn't just the position of the United States. It's also the view of other members of the international community and of international creditors.

The negotiations, of course, require readiness on the part of both parties to take what are often very difficult political decisions. So we will be working with both the NCP and the SPLF to encourage a commitment to reaching agreement on all outstanding issues as soon as possible.

Now, South Sudan, again as you have all pointed out, faces enormous governance and development challenges. Antigovernment militia are causing havoc in parts of the country. And the Government needs to respond, both politically and militarily, to these challenges, so that legitimate local or ethnic grievances are not ignored.

There is also a staggering lack of infrastructure and educational levels on which to build development. The Government of South Sudan will depend heavily on international support as well as its own resources to address these challenges.

We have strong ties of South Sudan, and they go back many decades. And we are committed to continuing that partnership and helping them meet those challenges. But we are not going to be alone.

The U.N. is inaugurating a major program helping the Government in a variety of areas. Other donors are coming in, in various aspects of economic and security assistance.

But we've told the leaders in Juba that to succeed, they must work to build an effective democratic and inclusive government that embodies South Sudan's diversity, respects humans rights, and delivers services with transparency and accountability.

And I'm very pleased that President Kiir in his inaugural address spoke to those very same issues at the ceremony in Juba.

The challenges ahead are great, but the historic occasion last Saturday offers a new beginning for the people of both South Sudan and Sudan. And it's now up to the leaders and people of both to turn this moment of promise into lasting peace.

Over the coming months, the Obama administration's engagement will be unwavering, and we will be a steadfast partner to all those in Sudan and South Sudan who seek a better future of peace and prosperity.

Thank you, and I'm more than happy to answer questions. Thank you very much.

[The prepared statement of Ambassador Lyman follows:]

PREPARED STATEMENT OF AMBASSADOR PRINCETON LYMAN

Chairman Kerry, Ranking Member Lugar, Members of the Senate Foreign Relations Committee, thank you for the opportunity to be here to discuss the historic achievement symbolized by South Sudan's independence and the opportunities and challenges ahead as Sudan and South Sudan seek to define their future relationship with each other and the international community.

I will discuss below the many tasks and challenges that lie ahead. But first we should recall that a fundamental objective of the 2005 Comprehensive Peace Agreement was to provide the people of southern Sudan a choice whether to continue within one country or to separate. The people made that choice in January, voting for separation, and the independence of South Sudan was achieved July 9 without major conflict and with the recognition of the Government of Sudan. All those, in the Congress, among the many public organizations and advocates, the government entities and individuals over two administrations, all those who worked for this over many years should take pride and joy in this achievement.

I was in Juba last Saturday for South Sudan's independence ceremony. It was a very moving occasion. As President Obama said in his statement recognizing South Sudan, the day reminded us "that after the darkness of war, the light of a new dawn is possible." Tens of thousands of people endured sweltering heat for hours to celebrate the birth of their new nation. Sudan was the first country to recognize South Sudan's independence. This was a historic achievement that represents a new beginning for the people of South Sudan as well as those of Sudan.

Mr. Chairman, this achievement was far from inevitable. Just a year ago, the peace process between the Government of Sudan and the Sudan People's Liberation Movement was stalled. Many doubted whether it would be possible to have an on-time, peaceful referendum for Southern Sudan and whether the Government of Sudan would ever accept the results. A return to open conflict seemed very possible.

During that time, President Obama committed to reenergizing the peace effort, and since then, we have intensified our diplomatic engagement with the CPA parties as well as our partners in the African Union, IGAD, Europe and the United Nations. The President himself, the Vice President and his entire national security team have been involved in this effort around the clock. We are grateful for the support that this committee and you in particular, Mr. Chairman, have given to this effort. We also appreciate the efforts that so many Americans have made to keep a spotlight on the situation in Sudan.

Over the last year, the leaders of Sudan and South Sudan have demonstrated their capacity to work together on the major task of separation and to overcome great odds in their search for peaceful completion of the CPA. Nevertheless, this period has also been marked by armed clashes along the border, a crisis in Abyei, and fighting currently under way in the northern state of Southern Kordofan. Several critical issues regarding relations between the two states that were to be negotiated

by July 9 have not been resolved. Thus the situation remains fraught with serious threats to peace. The two states must work to rekindle the spirit of cooperation that was so evident after the referendum of January 9 and which was promised again by the two leaders in the ceremony of July 9.

The CPA parties have made some progress in their negotiations over the past few months, but as I indicated above some of the most important issues namely oil, Abyei and citizenship remain unresolved. How these outstanding issues are managed over the near term will define the future relationship between Sudan and South Sudan. At the IGAD summit on July 4, President Bashir and President Kiir committed to continue negotiations beyond July 9. We are urging the parties to quickly return to the negotiating table in the coming days and set a firm deadline for completing this unfinished business. The parties should work with the support of the African Union High-Level Implementation Panel (AUHIP) to finalize mutually beneficial arrangements, in particular, oil revenues, citizenship, Abyei, and their shared border. Allowing these issues to linger without resolution for too long could destabilize the future relationship between Sudan and South Sudan.

Of particular importance is the contentious issue of Abyei. After months of rising tensions and a buildup of forces by both sides, the Sudanese Armed Forces (SAF) forcefully took over the disputed area of Abyei in May. An estimated 100,000 people were forced to flee their homes. After weeks of intense negotiations, the parties signed an agreement on June 20 outlining temporary arrangements for Abyei, to include the establishment of a new U.N. peacekeeping force in Abyei and the redeployment of all Sudanese military forces from the area. Secretary of State Clinton met with the parties in Addis Ababa during these talks and played an important role in finalizing this deal. We then led efforts in the U.N. Security Council to quickly secure a resolution authorizing this new peacekeeping force, which will consist of up to 4,200 Ethiopian peacekeepers.

The violence that flared in Abyei cannot be allowed to return and jeopardize the larger peace. It is critical that the parties move forward with genuinely implementing this agreement over the coming weeks as they continue to work toward a final arrangement on Abyei. The Ethiopian peacekeepers have begun deploying to Abyei. The SAF and Sudan People's Liberation Army (SPLA) must follow through with their commitment to withdraw their forces. Conditions must be put in place to allow those displaced from Abyei to voluntarily return home in safety and dignity as soon as possible. Enormous damage was done to homes and other structures in Abyei and much was looted during the SAF takeover. Considerable assistance will therefore be needed for those returning home. We are working closely with the Ethiopian peacekeeping force, the United Nations humanitarian agencies, and our own USAID to arrange support for a safe, voluntary return. At the same time, as part of their negotiations, the parties need to resolve Abyei's final status. Negotiations on this matter were delayed by the SAF takeover of the area and the extensive negotiations for assuring the departure of military forces from there. This delay was costly. It will take weeks for the Ethiopian forces to be fully deployed and some time for the displaced to feel it safe to return.

Negotiations on the oil sector are equally important, but they must move on a quicker timetable. By the end of July, there has to be an understanding of how oil will be marketed and sold and to what extent the SPLM will provide some tapering off of reductions of income to the north. Agreement is made more difficult, however, because the SPLM does not want to make such a decision without final agreements on Abyei, the border, and perhaps some other issues. We are thus faced with conflicting timelines. In this situation, it is imperative that if there is no final resolution of oil revenue distribution, there must be an interim agreement by the end of July. Each side has claimed it is ready to shut down the oil flow if there is no agreement, positions that if acted upon would only hurt both sides and above all the people of all Sudan. Thus this issue demands action very soon.

Mr. Chairman, beyond their negotiations with each other, Sudan and South Sudan must also work to establish peace within their respective borders. Despite their separation, both countries have significant diversity and must decide how they will manage that diversity over the coming years.

Most immediately, we remain deeply concerned about the situation in the northern border state of Southern Kordofan, an area that is home to tens of thousands of SPLA fighters. The people of Southern Kordofan and Blue Nile were promised in the CPA that their political interests would be addressed in a process of popular consultations. Unfortunately, those consultations have not occurred in Southern Kordofan. Tensions increased in Southern Kordofan following the state's heavily contested elections in May. The SPLM refused to accept the results of the election in which the sitting Governor was declared the winner. It was in this atmosphere that the Government of Sudan issued an order to the SAF to dissolve the Joint Inte-

grated Units and forcibly disarm SPLA units that remained in the state. On June 5, intense fighting broke out between the SAF and SPLA forces in the state. To date, the fighting has continued, with the SAF carrying out aerial bombardments of SPLA areas. We are extremely concerned by credible allegations of targeted and ethnic-based killings and other gross human rights abuses. These abuses must end, an investigation must be conducted, and perpetrators must be held accountable. The U.N. estimates that 73,000 people have been displaced by the fighting, and critical access and resupply routes for humanitarian agencies have been blocked.

Negotiations over Southern Kordofan began in Ethiopia in late June under the auspices of the AUHIP. The Government of Sudan and the SPLM-North signed a framework agreement on June 28 outlining new political and security arrangements for Southern Kordofan and Blue Nile states. This agreement has the advantage of calling for addressing political issues at the same time as security ones, which is indispensable for reaching an agreement to cease hostilities and lay the groundwork for a longer term settlement. Unfortunately, President Bashir has raised problems with the framework agreement, which puts negotiations at risk. We continue to call on the parties to return to the negotiating table, to recognize the need to address both political and security issues, and to agree on a cessation of hostilities which would allow unfettered humanitarian access. Despite the opposition of Khartoum, we also continue to call on the Government of Sudan to accept a continued U.N. presence in the two states of Southern Kordofan and Blue Nile to support a cessation of hostilities, humanitarian access, and the establishment of new security arrangements. We believe, and we know that much of the international community agrees, that it is in their interest to do so. The Security Council has expressed its readiness to authorize continued U.N. operations if Khartoum consents.

Within Sudan, we also remain deeply concerned about the security and humanitarian crisis in Darfur. Clashes continue to occur in North and South Darfur between the Government of Sudan and an alliance of Darfur rebel groups, notably the Sudanese Liberation Army and the Justice and Equality Movement. The SAF continues to use aerial bombardments as well as proxy militias as part of its military strategy against the movements, thereby resulting in civilian casualties. Conflict and widespread insecurity impact the humanitarian situation negatively and hamper humanitarian organizations from carrying out their activities in the deep field. The GOS continues to obstruct access of U.N.-African Union peacekeepers and humanitarian organizations struggle to obtain visas and travel permits from the GOS, which undermine the effectiveness and independence of humanitarian efforts. We have consistently pressed the Government of Sudan to provide full and unfettered access for aid workers and peacekeepers, in order to deliver humanitarian assistance across Darfur. Our own humanitarian staff is only able to access Darfur with high level visits. Otherwise, operational access is simply not possible. Although there has been some limited IDP resettlement in West Darfur and a significant increase in seasonal IDP returns for cultivation, around 2 million Darfuris overall remain in IDP camps. Approximately 70,000 additional persons have been displaced since December 2010.

We have invested considerable efforts in pushing the Government of Sudan and the armed movements to commit to serious negotiations in Doha. Two of Darfur's rebel groups, the Liberation and Justice Movement (LJM) and the Justice and Equality Movement (JEM) have participated in the Doha negotiations. The LJM may sign a peace agreement with the Government of Sudan this week; however LJM has little military strength on the ground. Negotiations between JEM and the Government of Sudan have been suspended since early May, and JEM is currently reconsidering its position on the results of the Doha process. We have emphasized to the Government of Sudan that an agreement with the LJM would be a positive step toward peace, but that it must continue to negotiate with the other armed movements. We also will be applying pressure on the nonnegotiating armed movements to return to peace talks.

The position of the armed movements is also of concern. Several of them insist that they do not wish to negotiate on Darfur so much as on changes to the regime in Khartoum, and in some cases are determined to pursue that objective through fighting in and beyond Darfur. This position does not permit realistically peace talks with the Government of Sudan. We will also continue to encourage the nonnegotiating armed movements to return to peace talks on Darfur. While the Doha process has now come to an end, other venues can be developed if talks are possible. In this regard, we are currently consulting with the AU, the U.N. and our international partners on a way forward after Doha that builds on progress achieved in Doha and leads to a more comprehensive settlement.

Any successful peace process must engage not only the armed movements, but also the people of Darfur. The U.N. and the AU have put forward the initiative of

a Darfur Political Process, through which Darfuris would express their views on the way forward for a political settlement. However, we feel strongly that the current security and political environment would not lend itself to a credible or legitimate peace process in Darfur. For this reason, we will be coordinating with the AU and the U.N. on the necessary enabling conditions that we believe must be in place before the United States will support a Darfur-based process.

Mr. Chairman, Sudan needs to end its isolation in the international community and secure a more prosperous future for its people. It has a historic opportunity to do so with the completion of the CPA. Sudan faces an uncertain economic future as it adjusts to a significant loss of oil revenue and continues to shoulder nearly \$38 billion of debt. Undoubtedly, Sudan is in need of debt relief, access to the resources of the International Financial Institutions, and a sustainable climate for private investment. Provided Sudan fulfills its obligations under the CPA, the United States is prepared to help.

We have laid out a roadmap to normalize our bilateral relations and taken initial steps in that direction. In February, following a successful referendum, the President began the process of reviewing Sudan's designation as a state sponsor of terrorism. Last month, the President dispatched Deputy National Security Advisor John Brennan to Khartoum to discuss this review and to demonstrate our commitment to this process. Additionally, we have been actively involved in the World Bank technical working group to review the process for Sudan's debt relief. We have also approved licenses for several American companies wishing to participate in agricultural development in the north.

However, we can only move forward with improved bilateral relations, as outlined in the roadmap, if the Government of Sudan fulfills its obligations under the CPA and demonstrates its commitment to peace within its borders and with its neighbors. A failure to reach a cessation of hostilities will negatively impact this process. U.S. Government action to lift remaining U.S. economic sanctions and to request legislative assistance with the removal of applicable foreign assistance restrictions also will be dependent on Sudanese actions in Darfur. We will expect to see concrete actions on humanitarian access, freedom of movement for UNAMID peacekeepers, engagement in peace talks, an end to the use of proxy militias and targeting of civilians, and an improvement in justice and accountability so the reign of impunity in Darfur does not continue. This is not just the position of the United States. It is also the view of other members of the international community and international creditors.

Mr. Chairman, the Government of South Sudan will also depend on international support as it seeks to address its many challenges. South Sudan has some of the lowest development indicators in the world, and its people have high expectations that their lives will improve with independence. Many of its people also remain vulnerable to the activity of armed militias in the border states of Unity, Jonglei, and Upper Nile to the North, and the Lord's Resistance Army (LRA) in the state of Equatoria regions to the south. The United States has provided significant support for South Sudan over the years, and we will remain a steadfast partner as South Sudan seeks to peacefully meet these challenges. The strong ties between our peoples go back many decades, and we want to continue to build on that partnership.

Over 15 countries have offered capacity building assistance to the GOSS. Following the Troika development ministers' visit in May, USAID is working closely with the AU, U.N., ADB, EU, India, China, South Africa, Uganda and others to ensure that the ROSS has a viable human capital plan in place to build capacity for key functions in Juba and state governments. This builds upon the work USAID has done over the last 7 years in the Ministry of Finance, the Central Bank of South Sudan, health, education, and agriculture. USAID is working with partners to scale up to ensure that stop gap measure along with medium to long term capacities are being addressed. The United States, the U.N., the U.K., and other donors will focus on building a human rights culture throughout the GOSS, including the SPLA. All the donors will help in economic development. The United States plans in particular to make a major effort in agricultural production, which can help the vast majority of South Sudanese and for which there is much promise.

To succeed and to sustain international support, the Government of South Sudan must demonstrate its commitment to building an effective, democratic and inclusive government that embodies South Sudan's diversity, respects human rights and delivers services with transparency and accountability. The eyes of the world will indeed be on South Sudan in the weeks and months ahead. The government must deliver on its commitment to a broad-based, inclusive process to write its permanent constitution. The government must also put in place safeguards to prevent corruption and avoid the pitfalls that have befallen many other oil-producing nations. President Kiir made a strong statement in his inaugural address on these very

issues. The United States will work with other international partners to provide advice and support for the government to help him implement those pledges.

Mr. Chairman and other members of the committee, the challenges ahead are great, but the historic occasion last Saturday offers a new beginning for the people of South Sudan and Sudan. Now it is up to the leaders and people of South Sudan and Sudan to turn this moment of promise into lasting peace. We will continue to assist them in this hard work. Over the coming months, the Obama administration's engagement will be unwavering, and we will be a steadfast partner to all those in Sudan and South Sudan who seek a better future of peace and prosperity.

The CHAIRMAN. Thank you very much, Mr. Ambassador. That was very helpful and very comprehensive. I appreciate it.

Let me begin by asking you on the Southern Kordofan issue, first of all, do you have any evidence at this point or hard information with respect to the scale of the abuses?

Ambassador LYMAN. I don't have hard information on the scale, but it's very credible allegations of very gross human rights abuses.

Let me say something more about this, because I have raised with the Sudan Government. They have a pattern of fighting their wars in a way that invites gross violations of human rights. We've seen this historically, and we saw it in Abyei, and we are now seeing it in Southern Kordofan. The army comes in and then is followed by and supports militias, the people's defense forces, the PDFs, and other groups, who come in and loot and kill, and do all of these things.

And I said to the Government of Sudan, this is not the way an army in the 21st century fights wars. There are human rights principles, and they don't follow them. And as long as they do that, they are always going to be subject to the harshest criticism and sanctions for what happens. This is not the way to fight a war, even when you're fighting a war.

Now what's happening in Southern Kordofan is that it has raised some very fundamental issues for both sides, fundamental political issues, because what the political issues in Southern Kordofan and Blue Nile raise, and in Darfur, is how is the Government of Sudan going to be structured and operated now with the secession of the South. Is it going to be a government that recognizes diversity, that decentralizes authority and opportunities for wealth, or is it going to be highly centralized and trying to force these issues? That is what is really issues raised in Southern Kordofan.

For the SPLM there, headed by the former deputy governor, Abdul Aziz, these are the fundamental issues they fought for during the civil war. They're not prepared to be disarmed or have their forces integrated into a single Sudanese Army until they know these political issues are being addressed.

The other side, the Government, says, wait a minute, we can't have two armies in one country, so we have to disarm you first. And that's not tenable in this situation.

That's why the agreement that they signed to deal with the political issues as well as the security issues was so critical. And we've got to get them back to that agreement, and to get those talks underway. Otherwise, we're not going to get either side to agree to a cessation of hostilities and be able to open up the door to humanitarian aid.

The CHAIRMAN. You're talking about the SPLM-North.
Ambassador LYMAN. Right.

The CHAIRMAN. The Kadugli agreement.

Well, Mr. Ambassador, to whatever degree that it is helpful, and since I have relationships with a lot of those folks built over these last few years, I hope you will convey—and I will be speaking, actually, with President Kiir later this morning. But I think it's important to log some calls to the North also, to emphasize that everything that was talked about in the roadmap and all of the transitional components that they are hopeful can be affected as we go forward, with respect to their economy and debt in the future, depend on, as you said and we said, but I want to reemphasize it, it depends on their behavior and what happens in these next weeks and months in terms of accountability.

And so I hope, to the degree they're listening to this hearing or to any of our other comments, it's not a matter of dictation; it's a matter of living up to international standards of behavior and their promises, their own promises.

So this is going to be a critical component of their own ability to succeed. I know there's a lot of turmoil in the NCP, a lot of questions about the future politics of the North, which is why I mention that they are also a new nation now. They're going to have to figure out a constitution and other components that meet with this new situation.

But we will back you up, and I want them to know that, to the nth degree in your efforts to create accountability here and to move us to a new standard. And I think that is absolutely critical.

Ambassador LYMAN. Thank you.

The CHAIRMAN. Do you have any sense of how rapidly or where we would stand with respect to getting a cease-fire, restoring a monitoring presence, or perhaps reestablishing humanitarian aid?

Ambassador LYMAN. I wish I could be more optimistic on this, Senator, quite frankly, because I have talked extensively to both sides on this. I've talked to Abdul Aziz. I've talked to Malik Agaar, the leader of the SPLM-North. I've talked with the Government about it.

I think until we get those political talks going, it's going to be hard for them to agree on the security side.

Now, what we have pressed for——

The CHAIRMAN. Until you get?

Ambassador LYMAN. Until we get political talks or a process going, it's going to be very hard.

And they differ with how to deal even with a cease-fire or the security side.

What we have pressed hard for is, on the humanitarian front, that they have got to allow for more help for the people who are being killed, displaced, et cetera. And so one of the things we have proposed is how about a humanitarian pause, a 72-hour pause. That has happened in other conflict situations, where you can get in food, get in medicine. Both sides have said they are open to that. We are going to kind of press that, if they can't reach a broader cessation of hostility agreement.

But I'm hoping that the talks are going to start very soon, and that they clarify these objections to the framework agreement and get started. And we'll continue to press on that, and particularly

if we can't get a longer cessation of hostilities, try and get a period where we can get help to the people who need it.

The CHAIRMAN. Do you believe that among the leaders in the North, there may be any doubts or reservations about how the United States may behave here? Are our cards on the table sufficiently? Do they have confidence in the roadmap still, I guess as a way to say it?

Ambassador LYMAN. I think there are elements in the Government who do not have confidence in the roadmap. Every once in a while, we hear that publicly. I hear it a lot privately, because they think we've moved the goalposts or they accuse us of moving goalposts. And there's a coterie of people who continue to argue inside the Government that don't trust the United States, don't base your policies on that roadmap, et cetera.

But I think we have made some progress in that regard. And we have stuck to the roadmap, we have not added new conditions. You've made it very clear, as you said in your opening statement and subsequently, the conditions were the same ones that you talked to when you came out.

And we have done our part, and they've got to do theirs. So we keep making that point. I think more and more, there are people in the Government who do realize it. But it's still an argument inside the Government, "Oh, the U.S. will never do this." And it becomes an excuse, if you will, for them following other policies.

The CHAIRMAN. I think you made an important point that we need to think more about and perhaps examine more here, and that's the Doha process and the Darfur issue itself.

I gather that even this morning, it is possible that they may have signed that agreement in Doha. Do you know if they did?

Ambassador LYMAN. You know, I haven't had a report. It was supposed to be 4 o'clock their time.

The CHAIRMAN. Right.

Ambassador LYMAN. Forgive me, I was just told they didn't sign. I knew there were some outstanding issues still.

The CHAIRMAN. If they did sign it, or when they do sign, if they contemplate signing, it still leaves us with the same problem, and that's an important one, which is that JEM and two major factions of the SLA, the Abdul Wahid and the Minni Minawi factions, are not there. And as you appropriately stated, they have a different agenda. And I think we all are going to have to think carefully about how you measure it.

One of the things I heard repeatedly from people over there is, look, you can't hold us to the Darfur Accountability Act, which requires a complete settlement in Darfur before you do certain things with us, if the players in Darfur aren't choosing to be part of the process. And if their goal is our overthrow, that is different from the struggle that took place in terms of the genocide in the 2000s; 2004 and 2005.

And I think that's, frankly, a legitimate position. I think it is fair to say that if those groups have a different agenda, and they're behaving differently, and they're going to do their own thing, not to mention some of the other groups which are kind of criminal enterprises, to put it bluntly, I think we have to think very carefully about the makeup of those groups.

I wonder if you would comment on that.

Ambassador LYMAN. Senator, it is exactly as you say, and we have said to those groups very candidly that you can't expect the government to come to the table to talk about your overthrowing the regime. And we said something else. We said if you're interested in change in Sudan, why don't you demonstrate that by getting change in Darfur and becoming a political part of the process. And we've pressed them very hard on this.

I think they are also, some of them, watching as to what happens in Southern Kordofan, and between the North and the South as to whether there is going to be a great deal of instability, and how that affects their calculations.

So I think if we're successful in containing the situation in Southern Kordofan, improving the North-South relations, it may help change the calculations as to where they should go.

But we've been very clear on that. And you're right, the government has a legitimate complaint, if these groups are not prepared to talk about Darfur and engage in a peace process. So we will continue to press them on that, and your point is quite, quite valid.

The CHAIRMAN. Senator Lugar.

Senator LUGAR. Thank you, Mr. Chairman.

I want to ask you to discuss for just a moment the role of the United States as we go forward, not only in the Republic of South Sudan but also in the Republic of Sudan, including Darfur and the three contested areas, in this respect: Will the international community join us in large measure, or will the United States again be the default lead donor in stabilization and nation-building efforts?

Furthermore, if your response is that the international community will join, can you identify some of the players? Which countries are likely to be involved in joining with us or already have, for that matter?

This is of considerable interest, I think, to many Americans who take a look at the challenges ahead and understand our interests in a humanitarian way, but also ask who else in the world will provide assistance.

So, describe if you can, that context.

Ambassador LYMAN. Oh, I'm glad you raised that, Senator.

Up to now, we've had a large degree of international involvement. Other donors have contributed roughly \$700 million a year to Southern Sudan and humanitarian activities in Sudan. Of course, others carry three quarters of the peacekeeping budgets for UNAMID, for the new mission in the South, for the new mission in Abyei.

But I want to take it to another point that you mentioned, because I just met, before I left Khartoum, with the representatives of most of the European countries, and we were asking that very question. How should we organize ourselves now when the CPA is formally over even though the issues, several issues, remain? How should we organize ourselves now to continue to have a major role in bringing about peaceful resolution of these issues?

And we're talking about a number of ideas of how to create or re-create, if you will, this kind of group of international companies, all of which committed to this peace process.

We also have the African Union, of course. It has the mandate to oversee the negotiations on North-South, and we work very closely with Thabo Mbeki and his colleagues on that.

But we need to think now in this new situation exactly how to do that. And I'll come back to you, because we've agreed to think altogether about this, get together again in a couple of weeks, and think about exactly that: How do we keep up not just the donor program, all of which are very important, but politically, how do we act together in the consistent way on the issues we've been just talking about?

Senator LUGAR. It may be obvious to all of us listening today, but underline why it is important that indeed the international community, as opposed to just the United States, play a key role here. Additionally, please describe the feelings in the North, the South, and Darfur with regard to international participation.

Ambassador LYMAN. Well, it's very important, and others have special contributions to make that are extremely important.

The British have played a major role in security sector reform in the South. They have connections in the North that we don't have, that we can draw on. The Dutch are extremely knowledgeable about all the Arab tribes along the border. The Norwegians play a major role in sorting out the issues of oil and advising both sides how to treat the oil sector. The E.U. has its own set of sanctions, its own set of responsibilities.

And so working together, it reinforces the political impact that we can all have, and also, of course, sharing the burden of resources.

I want to mention two other countries that play a major role, and that's China and Russia. And I've been in touch with both of them about their role.

China, as you now, is a major investor in the oil sector in Sudan. And we have urged them to play a very important role on issues with President Bashir and others on Southern Kordofan, on resolving the issues on oil.

Now China understands that they have important investments in both the North and the South, because the oil industry in which they're heavily invested is in both the North and South.

So they are picking up rapidly their relations in the South, and stability becomes very important to them. So we look to them to play a very important role in this regard.

I met yesterday with the Deputy Foreign Minister from Russia, because although they are not as heavily invested, they're arms suppliers to Sudan. They're, of course, a member of the P5, and how they play their role with us in the Security Council is extremely important.

So getting them as well as our Western European friends on the same wavelength becomes very important, so that the messages that various parties are receiving in Khartoum are consistent.

Senator LUGAR. You specifically mentioned China. I would note that a good number of Americans have observed that throughout all the problems in Darfur, with the charge of genocide and crimes against humanity by the government of President al-Bashir duplicating their behavior in the south, China has certainly realized that some very bad things were happening, but obtaining oil from

Sudan remained its first priority. This priority was perceived as so dominant that, despite diplomatic overtures by the United States or others', the Chinese were not particularly forthcoming.

What is likely to change in the current situation?

Ambassador LYMAN. Well, I think two things: One, the emergence of South Sudan as independent country, which has 75 percent of the oil. So if oil is one of their interests, than having not only a positive relationship with South Sudan but also stability and no confrontations over oil, no turning off the pipeline or turning off the oil-pumping center, which each side would do, might do, in a confrontation.

And it also means they have to balance their relationships in Khartoum and Juba. They're not inclined to trade one for another, but they do realize that they need to have good relations with both. And that gives them a stake in seeing some of these conflicts resolved and not having instability or conflict between the two. And we talk about that a lot together.

Senator LUGAR. Last year the United States spent approximately \$1.5 billion, including \$½ billion for peacekeeping, in the Sudan. What is your estimate on whether there will be requests by the administration for more than \$1.5 billion in the coming year?

Can you give us any benchmarks? Our whole budgetary situation, as you recall, is tense elsewhere, but Sudan is important. What would you predict in this area?

Ambassador LYMAN. Well, I realize that we have one of the largest combination of peacekeeping operations in Sudan as anyplace in the world. We have the combined U.N.–EU force in Darfur, and we have a new mission in South Sudan, which is not so much peacekeeping. It's partly peacekeeping, but it's a lot of assistance to creating a viable government and system in the South. And now we have the special force an Abyei, without which we would not have been able to get the Sudanese Armed Forces to withdraw.

I don't see any major additional activities. The Government of Sudan has said we don't want a continuation of the U.N. in the North. But there is a role and not a heavy role in helping monitor the border that is under discussion. But it's not another big mission, et cetera.

So I don't see any major new mission requirements. But I can't say that the ones we have will diminish in the near future until some of these big issues are resolved.

Senator LUGAR. Thank you very much.

The CHAIRMAN. Thank you, Senator Lugar.

Senator Isakson.

Excuse me—Senator Isakson, and then we'll go to Senator Udall.

Senator ISAKSON. Thank you, Mr. Chairman. I'll be brief.

My impression when I was in Khartoum, as far as their view of Darfur, was they were pretty much content to fight a surrogate war in Darfur, because it was far enough removed from Khartoum where they didn't feel any real pressure to do so.

But you made an interesting comment a second ago, talking about how the JEM and the SLA are watching Southern Kordofan and what is happening there. Because of its proximity geographically, if the North continues the alleged or apparent atrocities that we have had some evidence of from satellites and others, that

changes that paradigm a lot and runs a greater risk of a new war in the North, does it not?

Ambassador LYMAN. That's exactly the risk, and it's exactly the one that the Government needs to avoid.

They don't want a war in the North. They complain about what they think is an attempt to create a new, as I say, a new CPA between the southern part of Sudan and the rest of it. But the fact is that if they don't address those basic political issues in Southern Kordofan and Blue Nile and Darfur, et cetera, they will have problems, serious problems in Southern Kordofan and Darfur, armed problems.

So, yes, these are linked. They are linked in the sense that the Government in Khartoum—and they've said as much—needs to think through what kind of a new constitution they need, what kind of a new political set of relationships they need. But they haven't indicated just exactly where they're coming out, and they're being challenged forcefully to make those decisions, and hopefully not make them with just a military response.

Senator ISAKSON. So the North, which is interested in self-preservation first and foremost, in terms of the Government, runs a risk if they continue in Southern Kordofan, first with the removal from state sponsor of terrorism, because if they continue, that will be a violation of that, plus they run a risk of an expansion of hostilities against them. Is that not correct?

Ambassador LYMAN. That is really a very major risk.

Senator ISAKSON. Hopefully that will be a motivating factor for them to improve.

Ambassador LYMAN. I hope so.

Senator ISAKSON. Have they done better with NGOs in Darfur? I know there was a lot of manipulation of visas and entrance in and out.

Ambassador LYMAN. It's very uneven. It's still not fully satisfactory. UNAMID has better access than it had before, but it's not perfect.

We still run into some problems with the NGOs, and it's one of those conditions, as we said, for having a Darfur-based political process, because it reflects a lack of openness and movement. So we continue to work on those all the time.

Senator ISAKSON. So the number you mentioned, the conditions aren't right yet for a Darfur agreement. The main condition is that Khartoum is not ready to be a player in doing that. Is that correct?

Ambassador LYMAN. I think Khartoum is not yet ready to create an atmosphere of real freedom inside Darfur, so you could have a real political process there.

We've had occasions in the past where people speak up and then they are arrested. They just released some political prisoners yesterday, but there are more.

So people have to feel that if they speak out in some kind of a domestic political process, they're not going to be harassed or jailed or something. And that's something you don't just do overnight. You prove it by creating an atmosphere that people can watch it and see it happen. But we don't have that yet. They have to lift the state of emergency. They said they will. We'll see.

But until you have that environment, it's hard to say you can have a really effective Darfur-based political process.

Senator ISAKSON. They are somewhat masters of their own destiny, if they just wake up and realize that.

Ambassador LYMAN. They are. They are. I mean, they have these armed movements who are fighting. But they have a lot of opportunity to create an environment that is very different in Darfur.

Senator ISAKSON. Well, as I said in my opening remarks, thank you very much for your service and thanks for being here today. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Isakson.

Senator Udall.

Senator UDALL. Thank you, Senator Kerry.

And I also want to thank you, Ambassador Lyman, for your service.

South Sudan, one of the critical issues is education. And as you're very, very aware, it's one of the least educated countries in the world, with one of the highest rates of illiteracy. I am wondering, are there any plans to increase the amount of U.S. volunteers to go to South Sudan? Would it help our relations and strengthen our relationship with them by encouraging young Americans to volunteer to help teach the next generation?

Ambassador LYMAN. Senator, I'm glad you raised that, because you're exactly right. It's one of the highest illiteracy rates, and it's going to be a major drag on development.

We do have a lot of NGOs and a lot of church-related activity, including Sudanese churches, which are providing the bulk of health and education services right now.

We have had some discussion of whether we can bring the Peace Corps to South Sudan. You have to be sure that the living conditions are possible and the other things there, so we'll look at that and other ways for NGOs and young people to volunteer, because I think there's a real opportunity.

One of the areas is that teachers who are coming back to South Sudan from the North have been teaching in Arabic. And so English language training is going to be very important, even for teachers who are trained as teachers, but need now to operate in the South where Arabic is not going to be the major language.

So there are a lot of opportunities of the kinds that you mentioned. And we'll pursue them, and I'll let you know what happens there.

Senator UDALL. You mentioned the Peace Corps. Are you doing an evaluation to see if the conditions are right to have the Peace Corps there?

Ambassador LYMAN. There've been some discussions of it, and I'll check with the Peace Corps what the next plan is. Of course, we had to wait until the South was independent.

But I'll check with the Peace Corps and see what their current thinking was. One of our Peace Corps officials, Dick Day, was in fact at the ceremony in Juba, so there's been some discussion back and forth, and I'll check on what the status is.

Senator UDALL. You mentioned the lack of education being a drag on development. One of the other issues is this issue of sus-

tainability and land use and those kinds of use of natural resources.

And I'm wondering what we're doing as a country to ensure that sustainable development practices are put in place, so that there will be cropland there viable for future generations.

Ambassador LYMAN. Well, we have been fortunate, and I appreciate the congressional support on this. We have been able to draw on the Bureau in the Department, the Conflict Reconstruction and Stability, the CRS Bureau, to provide a lot of the surge capacity for the African Bureau to deal with the Sudan.

And one of the things that they have been doing is providing expert teams that go out to all the states in the South and look at what are the issues out in those areas. Land is an important issue, land ownership, land management, et cetera, especially as hundreds of thousands of people who had left the South are coming back. Local corruption questions are important.

And that information is leading us and the U.N. to structure our programs to reach out to the state and county level, and urge the Government to deal with those issues out there because those could be sources not only of injustice but of instability.

So issues of land, issues of access, opportunities, et cetera, these are important issues. And we're getting a handle on them, and we're trying to build up the capacity of the Government to deal with it.

Senator UDALL. And then also, I think infrastructure is currently lacking in South Sudan. And if South Sudan is going to achieve some economic freedom, then it will need to be able to bring goods to market. What needs to be done to improve transportation and to create the infrastructure needed so that farmers can sell their crops outside the country?

Ambassador LYMAN. When you fly over South Sudan, you don't see hardly any roads. The USA is building a major road down to the Uganda border and a couple other roads. But we're hoping other donors are going to come in more heavily on infrastructure. We're going to do a lot on agriculture and health and education.

But we're hoping the World Bank will come in heavily, the Chinese, and others, because exactly right: We're going to do a lot in agriculture, but if there are no roads for people to market their commodities, it won't have the right result.

So we're going to look to other donors to do more in the infrastructure area.

Senator UDALL. Great. Thank you very much, and thank you for your service again.

And I see Senator Coons is here, so I will yield my time.

Senator COONS. Thank you, Senator Udall.

Senator Lugar, I'd also like to thank Chairman Kerry as well as Senator Lugar for their leadership.

And I join my colleagues in thanking Ambassador Lyman and all the dedicated people who have worked so hard to make South Sudan achieve independence.

Less than a year ago, it looked unlikely that independence day would ever come for South Sudan, and it not only came, it came on time, and through a peaceful and free and fair referendum.

And while we all celebrate the establishment of South Sudan as the 54th nation in Africa, I remain concerned, as I know many of my colleagues do, about the path forward, particularly the North-South border and in Darfur. And that's why Senators Isakson, Durbin, Wicker, and I will soon introduce a resolution welcoming independence and congratulating the people of South Sudan, and calling on the governments of both Sudan and South Sudan to peacefully resolve the many outstanding issues, including final status of Abyei, division of oil revenues, citizenship, and the current, as you detailed, very troubling conflict in South Kordofan.

The recent violence in Abyei and Southern Kordofan, and the displacement of many, many people, remind us of the very real human toll of conflict. And that's why both the international community and the United States, in my view, must continue their sustained efforts to urge peaceful resolution to the difficult, ongoing challenges that South Sudan will face in order to become a stable and peaceful nation.

I know, Ambassador, you already discussed the current situation in Abyei, but I'd be interested in what you believe to be the outlook for a final agreement or referendum, and I would be interested in what became of President Mbeki's plan.

He and I met, and we discussed this a number of months ago. What became of his proposal on Abyei that would, I had hoped, have the backing of the international community?

Ambassador LYMAN. Thank you, Senator.

What happened is that, as you know, Thabo Mbeki, as part of this A.U. high-level panel, was to develop a proposal back to the two Presidents on Abyei. And our timetable got derailed by the military takeover of Abyei. And even though the government said, "Well, we can have a political solution while we're occupying it," nobody felt that that was a situation that was tenable. So we were diverted, basically, and lost weeks in working through a way for the withdrawal of Sudanese troops and introducing peacekeepers.

The feeling now is we've got to get those peacekeepers there, the Sudanese troops out, and begin to get the displaced, which is about 100,000 people, back in. And then that will be a better atmosphere for bringing a final solution idea to the table.

And unfortunately, what that does is delay this for weeks and maybe a couple months. I'm very bothered by that, but I understand the logic of it. And it impacts on the other negotiations, resolving the oil issues, et cetera.

But the advice of most of the people working on this, people who are close to it, and I've talked to people on both sides and others involved, is we need to make sure that Abyei is demilitarized and that people feel safe, and then we can deal with this issue.

So it's been delayed, and I'm bothered by it. And that's why I said earlier I think we ought to have a very firm timetable for addressing it, because otherwise it just lingers as a source of conflict.

Senator COONS. You mentioned the peacekeeping mission. There's actually, if I understand correctly, three distinct peacekeeping missions across a very wide area.

Ambassador LYMAN. Right.

Senator COONS. And I'm concerned about coordination, sustainability, the quality of the troops in some of the peacekeeping missions.

What sort of work is being done to coordinate around supply lines, logistics, the quality and sustainability of the troops engaged? And for how long do you think they might continue operations or continue to be necessary?

Ambassador LYMAN. This is an issue where our colleagues in the U.S.-U.N. have been very concerned about as well. We have three different missions right now.

There is talk of creating a special envoy who will work on some of these issues from the U.N. It hasn't been finalized, but it's one way to try and have someone who is dealing with all of that. But I think right now we're going to have to rely on the leadership in the U.N. on the ground to do this.

The peacekeeping operation going into Abyei responds to a point you just made, that is the effectiveness of peacekeeping operations. The peacekeeping operation that was in Abyei was not effective. If it had been, we might not have had the crisis we had.

So we turn to a country we knew would put in peacekeepers who would carry out their mandate vigorously, and that's the Ethiopians. But it took us a long time to work that out.

And I think they're going to be there for at least months and maybe longer until we get a resolution.

The mission in the South is a big mission. It's going to be there for a while. UNAMID, if we can get Darfur settled, that will be wonderful, but that's going to take some time.

So I can't honestly put a timetable on when these missions will end. But I think this issue of coordination is very much on the mind of the U.N. and our U.S.-U.N. people. And as they work that through more, I will get back to you on some of their ideas on it.

Senator COONS. And last, I know you already addressed, in response to Senator Lugar, some concerns about China and their role. But I would be interested in whether you can elaborate on where you see the interests of the United States and China overlapping with regards to Sudan and South Sudan, and are there examples of China playing a constructive role?

What advice would you have for us? We're going to have a hearing on the role of China in Africa within the next few months, and I'm concerned about better understanding what constructive role they might be able to play or be asked to play in South Sudan.

Ambassador LYMAN. Well, I think China is already a vigorous player in Africa. They've got important commercial as well as political interests. Some of them correspond and overlap with ours. Sometimes we're in competition.

In Sudan, I think it took a long time before we got on the same page on Darfur; a long time. But now, as I mentioned earlier, now that South Sudan is independent, they have a stake in resolving the oil issues and stability, and having a good relationship with both.

I expect them to develop a fairly substantial presence in South Sudan. I'm hoping they will contribute to the infrastructure areas as well as other training. We look to them, and we've discussed this together with the Chinese, in their contacts with President Bashir

and others in the North to press hard for the points we were just discussing earlier about resolving issues like Southern Kordofan differently.

The Chinese and the Russians stood with us in the P5 and in the U.N. Security Council to urge the North to keep a U.N. presence in Southern Kordofan and Blue Nile.

So I think we're getting closer with them, in terms of shared interest there. And I think that's an opportunity for us to see them making an even bigger contribution.

Senator COONS. Thank you very much, Ambassador. Thank you for your service as well.

Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Ambassador, our relationship right now with the North, with Sudan, is both caught up and controlled by, as you know, a number of overlapping laws that have been passed over the course of about 10 years. But obviously, as of last Saturday, the map has been completely redrawn.

In looking at the map, I see that you are currently able to do certain kinds of work in Darfur, South Kordofan, and Blue Nile. But you're not allowed to do it along the rest of the border.

But obviously, the relations between Sudan and South Sudan aren't limited to those areas now. And particularly, there's this cuteness of delivery I think on our part, both to the South and the North, to South Sudan and the North.

So my question is, as you know, our staff has been working on trying to figure out how we might adjust some of these laws, which I think personally it is important to do for a lot of different reasons, not the least of which I think we're constrained in our ability to deliver to the North unless we do.

So would you comment on whether or not you think it would be helpful, for instance, for you to have the legal authority to work on a peace empowerment zone that stretches across the entire border, rather than have certain sections carved out the way it is now?

Ambassador LYMAN. There's a lot of attraction to that idea, Senator, because the border area is where a very large portion of the population on both sides live, and there are a number of flashpoints there. There are some disputed border areas. There is going to be questions of crossing borders of mutual development, et cetera.

And I think it's an area where we can make a significant contribution. If we had the ability to work wherever we thought, that would help alleviate both pressures and real humanitarian needs. I think it would be wise.

The CHAIRMAN. Can you share with us sort of a sense of the kind of projects that you think might facilitate a more lasting peace?

Ambassador LYMAN. I think, you know, part of the tension that arises is in the migration from North to South, access to water, access to pasturage, et cetera.

What we had talked about in some cases, can you get joint development zones that transit North and South that would make people comfortable that everybody is developing equally from that kind of development? You would also ease some of the migration pressures, if you could develop better some of the pasturage and water above the line. We see that in Abyei and Southern Kordofan.

So those things would help alleviate some of the tension but I think equally important build cooperation, because you really want on the border cooperation between the governors on each side. And a lot of the governors are very interested in this. And perhaps programs that facilitated that, as well as conflict resolution, could be useful.

The CHAIRMAN. What about legal authority to work in an area like food security or on democracy projects?

Ambassador LYMAN. Well, I think on food security, I think Sudan, the Government of Sudan, is going to face a lot of very difficult economic challenges. They're losing a lot of their oil income. But I think as somebody, maybe it was Senator Isakson, mentioned, or maybe it was you, Senator Lugar, that the oil doesn't last that long anyway. The Norwegians predict a sharp decline for both.

So the adjustment, the economic adjustments are going to be great. And food production is one of Sudan's great potentials, if they would invest in it.

Now, I think that our readiness and willingness to do so should, however, reflect the political relationship and their fulfillment of major issues like CPA and Southern Kordofan. But I think opening that possibility up is important for the people in Sudan, and it will be important for everyone because of the trade.

The CHAIRMAN. Might we not provide you with some leverage in negotiation?

Ambassador LYMAN. I think it would be important in terms of demonstrating something we've tried to say over and over again, which is it's in the interest of the United States to see two viable, successful states. Without that, there's not going to be stability in either one. And that we don't want Sudan, northern Sudan, to be in deep economic trouble anymore than we want southern Sudan to be.

So, yes, I think it sends an important message to say that if you are moving in this direction, coming back into the international community, we're very serious about the people of your country not going into economic turmoil.

The CHAIRMAN. Well, let's assume that you get an agreement, ultimately a sort of grand bargain that addresses Abyei, the borders, the other critical issues, including the apportionment of debt, would you not need some kind of legal change here or redress, in order to be able to address the issue of debt relief?

Ambassador LYMAN. There are very clear restrictions, as you know, in the legislation on that. Debt relief is an extraordinarily important issue for the Government of Sudan, because under the agreement they have with the South, they have taken on the full burden of that \$38 billion of debt on the conditions that the international community will eventually afford them debt relief and the South will support them in that politically.

I think as we move forward, the President will need an understanding with Congress about those restrictions. Right now, it's in a technical mode. That is, the World Bank is doing what they have to do, which is to gather all the detailed knowledge of the loans and reconcile the records of the creditors and noncreditors. But after that, it will start to move into serious—

The CHAIRMAN. We need discussion. We need to address it, bottom line.

Ambassador LYMAN. I think it's going to be important.

The CHAIRMAN. OK.

Just a couple quick other questions. How would you say South Sudan Government is doing right now in terms of prioritizing its own governance agenda, its development agenda?

Ambassador LYMAN. I think it's really still in very early stages. The USA is going to sponsor a conference here in September in which they are—it's not a donors conference, it's not a pledging conference. It's a conference for them to come and present exactly that: What are their priorities in governance and development, and how can the private as well as public sector help?

But I think they're at early stages. They have really been focused so heavily on becoming independent. They are really moving from being a liberation army to being a government. And that transition isn't entirely complete.

They have to engage in a new constitution. They have an interim constitution. But they need to develop a constitution that brings much, much more popular participation into the process.

So I would say they're at early stages on a lot of those things and will need a lot of encouragement and help.

The CHAIRMAN. You mentioned the question of the army and its own transition. I guess they have a force of about 140,000 soldiers. But they've incorporated within those ranks a number of different armed groups. So my question is, I mean I don't think that's sustainable for the long term, both politically and otherwise, so what should their priority be for security reform? And how can we have an impact, or should we have an impact, with respect to that?

Ambassador LYMAN. One of the ways in which they deal with some of these militia is to bring them in and incorporate them into the army, which means the army gets bigger. And it's probably getting bigger before it gets smaller.

The CHAIRMAN. Buy them out, in colloquial terms.

Ambassador LYMAN. But also a great many members of the armed forces are illiterate and not trained for anything else. So just rushing into a demobilization process is not going to be good, because then these people will be out there with no way to make a living other than to join another militia.

So what the Government has talked about, and we think is the right way to go, is a program which develops a lot of the skills within this military, build a much more professional Ministry of Defense and oversight, and then engages in a program of reduction and demobilization, where people go out with skills to be able to make a living. And so we are now working with others on this issue of security sector reform. And this is exactly the questions we're working on them with.

The CHAIRMAN. Final question. Some people have—well, up until now, I think we've provided nonlethal support, some military assistance in support of the transformation of their security sector. There are some, I won't say it's a huge debate, but there is some suggestion that now that they're an independent nation, it may be time to consider the provision of lethal support, including air defense training, technology, et cetera.

Do you have any counsel to this committee with respect to that?
 Ambassador LYMAN. We have not made a decision to provide any lethal assistance. We are focused very heavily on the issues you first raised; that is, how do you develop this into a better organized, more professional national military force? So we have made no decisions on lethal assistance.

If we do so or are contemplating it, I want to come back to the Congress and discuss that before we make a decision.

The CHAIRMAN. Well, we will welcome you back. We're going to stay actively engaged and try to provide some transparency to this transition process, and hopefully that can be helpful and assist you in the process. And we'll do it, obviously, in consultation with you, Ambassador.

So again, I just want to thank you personally. I need to run to another thing.

Senator Lugar, do you have more?

Senator LUGAR. Ambassador—

The CHAIRMAN. Let me just finish my thought.

I just want to thank you again for the tremendous work and for working so closely with the committee, and we look forward to continuing that. Thank you.

Ambassador LYMAN. Thank you, Senator. We are very grateful for the interest you have taken on this.

Senator LUGAR. Let me just carry forward a question many of us have raised about the lack of a South Sudanese constitution, as you try to fill in some of the absence of our understanding.

Barring a constitution, there is at least a military force there. And it's expanding as you have suggested.

The ordinary observer of this would say essentially that the Government right now is the army or the military force. Is this true in the sense that there are generals who are leading the country? In other words, when trying to describe the executive authority in the country, do we simply look at it in terms of a military hierarchy at this point?

Ambassador LYMAN. Well, they do have an interim constitution, which President Kiir signed during the independence day ceremony. It's supposed to be an interim constitution. It's supposed to last—it doesn't have a terminal date, which is one of the sources of great controversy.

But the pledge is to have a much more broad-based process for developing a permanent constitution. This constitution that they've just signed centralizes power quite a bit in the Presidency. This is one of the sources of controversy when it was developed.

Many of the leaders in the government are former generals who led the liberation struggle, including Salva Kiir himself, the President, and a number of the others, and they have a long history of having fought. But there are others who are what we would call technocrats, people who come with skills in those areas.

But I think this is the transition from drawing heavily, as they understandably have, on their military leaders to fill these positions, and some of them are extraordinarily good, to building a broader-based government that makes a clear separation between the government and the military. And that's going to be part of what security sector reform and constitutional reform should do.

Senator LUGAR. Is there a basis that, as we witness this process unfolding, we could observe 3 or 4 years from now that essentially this Government looks much like those governments involved in the so-called Arab Spring? And by that, I mean the presence of a strong man or woman, as the case may be, who is not prepared to give up authority, and is surrounded by a subservient military. And if so, what will be the debate in our country as to what we have supported or helped produce, in this case?

Ambassador LYMAN. I think the challenge—I think we have to really stay very close to these issues with the Government in South Sudan, because it's very tempting, when you're the overwhelming political as well as military force in the country, to just run it as a quasi one-party state, and see any challenges to you as something to push back on. And that's a challenge.

And we have NDI there and other organizations that we want to work with them closely to not let them go down that path. They talk about it. They're very conscious of it. They're aware that this is going to be a big challenge for them.

But I think we have to keep those issues in our dialogue. It's political openness. It's fairness to allowing new political forces to develop. It's human rights culture. And I think that has to be on our agenda all the time.

Senator LUGAR. Now we just touched upon oil and agriculture, but let me carry this a little bit further. One of the points often made about the recent Egyptian experience was not just simply the young people in Tahrir Square, but the fact that there were millions of people throughout the country who very much lacked food this year. With the price of wheat having doubled, and Egypt dependent upon us, the United States, for 52 percent or 55 percent of their wheat, the amount of so-called subsidies, money disbursed out into the countryside, was inadequate. And, therefore, a lot of the revolt really came from people who were hungry.

Now here we're dealing with a South Sudan that we hope will develop an agricultural base. That can be true in the North and the South, for that matter, Darfur aside. But there's only limited evidence of this at least thus far. And furthermore, as the Norwegians have suggested, you mentioned this, the oil may run out. So a crucial question for South Sudan, even if they get it right constitutionally, is how are people going to make a living there? Are projects focused entirely on agriculture development? Or is there any potential industry of any sort?

Ambassador LYMAN. The food problem is true of both the North and the South. Food prices have been rising. There's been a weakening of the currency, the Sudanese pound, which has raised the price of imported food. The South, which is dependent on the food coming from the North, as well from the South, is also faced with very high prices on food. This is, in my view, a very situation that both countries really have to deal with.

And the investments in Sudan, the northern part, have not kept pace in food and should have.

In the South, you just don't have a lot of organized production, because of the displacement in the war. When you fly over it, again, you look for farms. You don't see very many.

Agriculture should absorb opportunities for most people. But there are mining opportunities. There are even some tourism opportunities, because they discovered a huge amount of wildlife along the Nile in the South. It's that potential, but you have to develop all the infrastructure for it.

But I think in the South, agriculture is going to be very critical, and it's going to make people more self-sufficient and reliable. It's going to cut down the need for food imports, which they now rely on heavily. And then there are, as I say, mineral, other mining and other opportunities. Industry, maybe, if the infrastructure improves.

If they join the East African Union, which they're talking about, or COMESA, it does open up the opportunity for a bigger trading area. But I think their ability to profit from that is going to depend on developing more infrastructure and capacity.

Senator LUGAR. Now, maybe this is for another hearing at some point, but on the—

The CHAIRMAN. Let me just say thank you very much.

Ambassador LYMAN. Oh, thank you very much, Senator.

The CHAIRMAN. And I'll see you on the trail.

Ambassador LYMAN. OK, thanks.

Senator LUGAR [presiding]. I'll conclude in just a moment.

Ambassador LYMAN. Oh, sure, any time.

Senator LUGAR. Essentially, one of the dilemmas in the development of agriculture in many African countries, leaving Sudan out of it altogether, has been this disagreement between the United States and our European friends on so-called genetically modified seed or procedures. And there still is a debate in Brussels.

The Gates Foundation and the Department of Agriculture have pointed out that if one is looking for the kinds of yield increases that have made agriculture a very different situation in the United States, so-called genetically modified seed and procedures present a very viable option. I've seen the results of this on our own farm, my dad getting 40 or 50 bushels to the acre of corn, whereas we're now getting 170.

And this is why, as we take a look at the international involvement in Sudan, I'm hopeful that somehow a humane streak will come over all of us, Europeans as well as the United States, because otherwise the possibility of getting the kinds of yields that are going to be required to support that population are pretty distant.

Now leaving aside all the other reasons for conflict, the most essential reason people may fight is a lack of food and the threat of widespread starvation. So I'm not putting too grim a note on my final question, and I'm hopeful that in our delegation to South Sudan, there are people who will be able to convince our partners of our position on this matter. This is important with regard to not only South Sudan, but really all of the assistance we're giving to all African countries presently.

Ambassador LYMAN. Well, you touched on an issue on which I have rather strong feeling, but I don't know what the U.S. Government position is. But frankly, I think that debate has not been fair to Africa. And Paul Collier, the author of "The Bottom Billion," wrote an article in Foreign Affairs not long ago making the same

point that you did and which I agree with, is that there are opportunities in this technology for Africa that may be vital and essential, and they ought to have the opportunity to develop those.

So I happen to feel that way, too. I'll have to check with others to see where the U.S. Government is.

But Raj Shah, our USAID administrator, told me that in his visit to southern Sudan, the technology that we could introduce today would have a dramatic effect on the yields in southern Sudan. He's very optimistic that we can do that, and he's very focused on it. I hope you get a chance to talk to him, because he came back enthusiastic.

Also the Minister of Agriculture, Anne Itto, in South Sudan is terrific. And she's heavily focused on these opportunities.

Senator LUGAR. This is great news. Both Raj Shah and the new secretary of agriculture in South Sudan appear to be on the right track when it comes to benefiting of the people of the country as well as formenting some degree of peace.

Well, I join the chairman once again in thanking you so much for your coming today. This has been a very important hearing, and you've given very important and encouraging testimony to us.

Ambassador LYMAN. Well, thank you. It's a great privilege always to be before you, Senator Lugar.

Senator LUGAR. And I will conclude by saying the hearing is adjourned.

[Whereupon, at 12:06 p.m., the hearing was adjourned.]

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

PREPARED STATEMENT OF BISHOP ANDUDU ADAM ELNAIL, EPISCOPAL BISHOP OF THE DIOCESE OF KADUGLI, SUDAN

It is devastating and saddening, as a church and community leader, to know that my people of Southern Kordofan—friends, brothers and sisters, children, my flock—have been killed mercilessly and are lying now in mass graves in Kadugli. To me, these people are not numbers and statistics but people I interact with in the market, in the church pews, in schools and villages.

I ask the world, Open your eyes and your heart for the suffering of the people of South Kordofan, not only Christians, but my Muslim brothers and sisters who are facing the same.

My sincere request to the United States and to the larger international community is to:

Protect the Nuba people and stop the Sudan Armed Forces planes that are bombing the civilians.

Send an effective peacekeeping force to monitor the situation, as serious new negotiations have to start to bring freedom and lasting peace for all marginalized people in Sudan.

Send humanitarian organizations to bring food, medicine, and aid to the tens of thousands of displaced civilians.

I hope that the sources of the evidence, the eyewitnesses, will be protected, and the evidence of mass graves preserved and fully investigated to seek justice for the slaughter of an untold number of civilians.

At this the time, I call all marginalized people to unite for peace and reconciliation, to stop this state-sponsored ethnic cleansing campaign, and to show the strength and unity that comes from a respect for our diversity.

PREPARED STATEMENT OF THE ENOUGH PROJECT

Thank you Chairman Kerry and Ranking Member Lugar for holding today's hearing at this critical moment for the two Sudans and allowing the Enough Project to submit this statement for the record. Through policy recommendations to the U.S.

Government and the building of a permanent constituency concerned with genocide and crimes against humanity, the Enough Project hopes to play a role in the international effort toward securing peace in both Sudans. This statement for the record urges Members of Congress to recognize the insecurity that prevails in Sudan after secession and that a change in current U.S. policy is needed to bring lasting peace. The U.S.'s current strategy incorrectly treats Sudan's multiple conflicts as disparate crises and must shift to a more comprehensive approach that recognizes these conflicts as symptoms of the same crisis of governance in Sudan today.

SUMMARY

Two new states—not one—joined the ranks of the international community on July 9, 2011, the day that marked the official independence of South Sudan from the remaining northern two-thirds of the country. Much attention has been focused on the obstacles that the new South Sudan will face. Less has been said of the fragility and potential for mass conflict that exists in what will be left of Sudan itself, and the policy changes needed to address this reality.

Since its independence, Sudan has experienced more years of violence than peace. Decades of misguided government policies under multiple regimes have economically and politically favored the Arab Riverine people while trying to impose a singular Arab-Islamic identity over what is an ethnically, religiously, and culturally diverse population. In the process, many communities have been left aggrieved and disenfranchised, which on numerous occasions has triggered violent rebellion, particularly on Sudan's peripheries. But instead of political reform or decentralization of power, Sudanese governments have consistently employed a strategy of divide and conquer, often accompanied by violent oppression. The consequences of these tactics were most vividly illustrated by the human devastation of the genocide in Darfur and the North-South civil war, and continue today in the Nuba Mountains. More generally, this strategy has resulted in a chronically unstable Sudanese state, a situation that secession does not change.

The international community's robust push for southern independence, while successful, has been the continuation of a longstanding piecemeal approach to Sudan that addresses the symptoms, rather than the root causes of the country's conflicts. Such an approach, marked by multiple peacekeeping missions and peace talks, has not achieved lasting or comprehensive peace throughout all of Sudan.

The international community must rethink its strategy vis-a-vis the North by pushing for a comprehensive approach that is inclusive of all of Sudan's regions and addresses the national issues that lie at the heart of all of Sudan's fissures. The fundamentally similar grievances that exist across Sudan's peripheries must be addressed on the national level, starting with an inclusive constitutional process that brings talks taking place between the government and these peripheral communities into a single conversation. Without this necessary shift in policy, sustained peace and stability in both Sudans and the larger region will be impossible.

Southern secession ushers in an opportunity to begin to do this. The confluence of heightened economic pressures and political energy represents a moment of political reconfiguration in Sudan which could force the ruling National Congress Party, or NCP, to rethink its strategy going forward. The international community should do the same.

POCKETS OF INSTABILITY AND HUMAN INSECURITY ACROSS SUDAN

Even with the secession of the South, Sudan continues to be plagued by multiple conflicts within its borders, as well as the potential for new conflicts to emerge. The most volatile of these in recent years have been the conflicts in the western region of Darfur, and in the Nuba Mountains region of South Kordofan state. The eastern and far northern areas of Sudan have previously organized formidable opposition movements to the regime, but these regions have remained relatively calm in recent years. Given the divisions that Khartoum has sowed among its population and its precarious economic situation, there is a chance that the number of conflicts within the North could increase.

Years after George W. Bush's administration first called the government-instigated violence in Darfur a genocide, this western region of Sudan continues to experience insecurity. Between December 2010 and March 2011 alone, the U.N. recorded over 70,000 Darfuris who were newly displaced, while over 80 government aerial attacks against civilian targets have already been documented so far this year. With the abandonment of the 2006 Darfur Peace Agreement, the continued failure of peace negotiations in Doha, and the further splintering and realignment of rebel groups, it does not appear that the violence suffered by civilians will end any time soon.

In June, fighting between government forces and northern fighters previously allied with the Sudan People's Liberation Army, or SPLA, erupted in the border state of South Kordofan, following disputed elections and attempts by the northern Sudanese army to forcibly disarm the aggrieved fighters. Fighting, marked by indiscriminate air attacks, has spread throughout the state, displacing a reported 73,000 people. Reports coming from the ground indicate that government forces are targeting civilians along ethnic and political lines, committing summary executions, and conducting house-to-house searches for opposition sympathizers. Humanitarian access to vulnerable populations remains limited.

Other budding flashpoints have the potential to erupt into new conflicts as fractures between communities historically aligned with Khartoum and the government have grown. For example, disillusion with the government has spread among the nomadic Misseriya, many of whom were employed by the Sudanese Government as militias during the North-South war. The signing of the Comprehensive Peace Agreement, or CPA, and the accompanying loss of government favor, left many Misseriya with a growing sense of abandonment and estrangement from the government. Recent reports of intense recruitment of Misseriya by the Justice and Equality Movement, or JEM, a Darfuri rebel group, signal the potential flashpoint that members of the Misseriya could pose should the perception of marginalization by the government prevail.

Economic pressures on the North may result in the unraveling of a NCP-headed patronage system that has helped the party maintain power in its own and select constituencies' hands. Cuts to the North's expenditures means that support for the NCP may falter in some quarters—especially among those constituencies in the peripheries that have been NCP allies despite the regime's treatment of their regions—and open up new sources of grievances to manage. Citing an incident in which a Darfur state governor threatened violence after the amount of federal money disbursed to his state had significantly been cut, the International Crisis Group offers this assessment: “[I]f the [NCP] loses the ability to provide benefits,” profiteers of the patronage system “could easily abandon it. (...) Disagreements over resource allocation of many kinds are becoming extremely divisive (...)” Other measures taken to soften the economic blow have also stirred up unrest. Austerity measures, such as cuts to key subsidies, led to scattered protests in early 2011. Khartoum's faulty efforts at reinvigorating its agricultural sector as a means of generating non-oil revenue has in some cases led to increased dissatisfaction among farmers.

SAME REGIME, SAME TACTICS

Sudan will continue to be governed under the same regime that views stoking the peripheral unrest as its preferred means of ensuring personal survival, and has overseen nearly perpetual violence against its own population. The actions and words of the Khartoum regime in recent months offer little indication that the leadership will move toward a more inclusive strategy that addresses current and future dissent with genuine engagement rather than oppression, violence, and co-optation.

An undemocratic vision of Sudan

In mid-December, President Bashir announced that if southern secession took place, Sharia would continue to be the source of law and that “there will be no time to speak of diversity of culture and ethnicity.” This vision of Sudan sits at odds with the patchwork of varying religions and tribes in the country and threatens the many minority communities who do not identify with or support Bashir's version of an Arab-Islamist state. Bashir's words suggest that the regime will continue to pursue policies that favor the NCP's interpretation of political Islam and concentrate political, economic, and military power among the northern Riverine elite, further fueling the roots of conflict in Sudan.

VIOLENT MANAGEMENT OF DISSENT

The Sudanese Government continues to silence political dissent using brutal tactics. Scattered protests since January across major cities in Sudan have been met with force by the regime's omnipresent and sophisticated security apparatus. Arbitrary arrests and beatings are consistently employed to put an end to demonstrations; detainees have come forward to describe the severe psychological and physical torture committed by members of the government security services, including harsh beatings, electric shocks, sexual assault, and threats of those violent acts. The NCP defends its actions by invoking the state of emergency law, which is still in place in Darfur, Kassala, and Red Sea states, as well as the National Security Act, which was put in place in 2009. The state of emergency has been repeatedly used by the government as a means to arbitrarily arrest and detain people incommunicado, as

well as to ban gatherings and peaceful demonstrations that may be political in nature. The National Security Act grants sweeping powers to the National Intelligence and Security Services, or NISS, including to arbitrarily arrest and detain, and to search and seize. Together, they allow the government to effectively intimidate or silence those who might speak against it.

Across Sudan's restive regions, the regime also uses military means to respond to what are fundamentally social and political problems—even while peace processes remain an option. Indiscriminant air attacks, targeting of civilians based on political sympathies and ethnic affiliations, manipulation and obstruction of international humanitarian assistance, and the use of proxy militias to sow divisions between long coexisting communities, continue to be committed by Khartoum's forces in Darfur and South Kordofan. In South Kordofan, serious allegations of a government policy of ethnic cleansing have emerged.

POLITICAL MACHINATIONS

Khartoum continues to disingenuously engage in peace processes related to Sudan's various conflicts, be it through the nonimplementation of agreements it has already signed or through the manner of its participation in currently ongoing talks, such as those regarding Abyei, post-referendum issues, Darfur, and the "Two Areas," South Kordofan and Blue Nile.

During the Darfur peace negotiations in Doha, Khartoum sent representatives lacking decisionmaking authority and put in place plans to domesticate the peace process, in order to manipulate the talks and undermine international involvement. At present, the NCP is pushing for the Liberty and Justice Movement, or LJM, to sign a draft document that has no hope of securing peace, but that will undoubtedly advance the government's plans to push the international community out of the process.

Despite ongoing negotiations to break the impasse on Abyei, the Sudanese regime forcibly occupied the region, strengthening its bargaining position vis-a-vis other post-referendum issues and creating an environment in which the holding of a referendum, or any other kind of negotiated resolution, would be impossible with the SPLM. Similarly, Khartoum allowed its military to engage in hostile actions against the northern sector of the Sudan People's Liberation Movement, or SPLM-N, even though the CPA provisions for South Kordofan and Blue Nile had not been fulfilled and the African Union, or A.U., was already in the midst of negotiating the status of those fighters after secession.

International mediators have often played into the hands of the NCP by allowing Khartoum to constantly change the rules of the game. In Darfur, for example, the government has been pushing for an internal "Darfur Political Process" as the only forum for talks despite the importance for negotiations to take place on neutral and secure ground. This idea has received support from some members of the international community, even though it remains incredibly impractical at this time. In talks on Abyei, the A.U. has consistently failed to press the NCP to make the necessary compromises, either on the definition of "Abyei resident" in order to hold the referendum, or when an exhaustive list of extra-CPA solutions were put on the table. Further, through its May invasion of the area, the government has successfully changed the conversation from the status of Abyei to the more immediate problem of securing SAF's retreat, thus delaying negotiations on the most crucial issues.

Khartoum's political machinations are also well-documented in its management of the April 2010 elections, and its questionable involvement in the South Kordofan elections in May. In Darfur, long before the April elections, for example, the NCP had changed the political reality on the ground in Darfur by manipulating the census and registration processes, and redrawing electoral districts in its favor.

A SITUATION IN FLUX

South Sudan's secession will produce two fragile states that demand the continued attention of the international community. In the North, a period of political maneuvering is taking place alongside a number of critical processes that will help shape the state that Sudan becomes after secession. The international community should seize upon this window of opportunity—as the Sudanese leadership recalculates its relationship to its constituencies, its allies, its opponents, and the international community—to encourage the regime to engage in genuine dialogue with its population and move toward more inclusive governance, for the sake of its own stability and its future relationships with other countries.

Post-secession economic woes and increasing political pressures have necessitated a rethink within the NCP. Economic pressures resulting from the loss of oil revenues associated with secession could lead Khartoum to greater engagement with the

West, resulting in greater international leverage over Khartoum's actions. At the same time, hardliners within the NCP have reportedly strengthened relations with Eritrean officials, cooperating in the trafficking of weapons through eastern Sudan for financial compensation. Some of those routes reportedly end in Gaza and begin in Tehran, adding Iran to the list of parties disinterested in the normalization of Sudan's relations with the larger international community, and especially the U.S. Politically, the NCP is also under pressure from some constituencies for its decision to let go of the South. A number of recent decisions made by the government—military invasion and occupation of Abyei, the sacking of former security advisor Salah Gosh, considered a moderate among Bashir's top associates, and attacks in South Kordofan—suggest that at the moment the NCP is intent on appeasing hardliners in the party and the military.

The South's secession has also prompted political posturing by opposition parties in the North seeking to fill the open seats in government left by the SPLM. In early 2011, a number of mainstream opposition parties came together as the National Coalition Front, or NCF, and called for a constitutional conference and a number of reforms, threatening regime change if those demands were not met. Although the coalition has issued the occasional public statement together, it has largely fragmented. In particular, the mainline opposition parties the Umma and the Democratic Union Party, or DUP, have entered into separate bilateral talks at the invitation of the NCP, undercutting the leverage that opposition unity might have posed, to the ire of other members.

Dialogue between the Umma and the NCP appears to have yielded progress on a number of key issues. Despite this progress, however, it is unlikely that talks will result in any kind of dramatic reform or political transformation. The Umma and the DUP appear to be more interested in what share of the government they can acquire—which depends on cooperation with the NCP—than in any substantive changes to how Sudan is governed. The NCP's main concern appears to be accommodating these parties just enough to quell their dissent while maintaining its grip on power. More radical change is dependent on clear alternative political agendas, which the traditional opposition parties appear to lack, as well as the space for voicing differing perspectives, which the government prevents.

In January, it seemed that the revolutionary fervor that had hit Tunis and Cairo would spread to Khartoum. Sudanese youth led protests against the regime and opposition parties, in cities and universities across the North in a sign of growing frustration with the entire political status quo. Scattered protests against austerity measures instituted by the government, the conflict in Darfur, and government attempts to take land without compensation, have also taken place. Thus far, protests have had little traction, because government security forces have swiftly crushed the demonstrations.

The government is also faced with militant groups on the periphery, such as those in Darfur and South Kordofan, who recognize the links between violence in their regions and broader government policies and are therefore incorporating calls for national reforms into their negotiating positions. For instance, the JEM has called for "the effective participation of Darfur and all other Regions of Sudan in decision-making" on wealth-sharing. Similarly, one of the principles listed in the framework agreement outlining the path to peace for South Kordofan is "[a] commitment to balanced development in all parts of Sudan with special attention to Blue Nile, South Kordofan, and other less developed areas." This is followed by the assertion that the, "[p]arties shall work together toward an inclusive national process in the Republic of Sudan, aimed at constitutional reform."

RETHINKING SUDAN'S MULTIPLE PROCESSES

A number of political processes have been underway in recent years that have the potential to begin to address the root causes of Sudan's perennial instability. These processes—popular consultations in Blue Nile and South Kordofan, peace talks and civil society consultations for Darfur, and a constitutional review—are ideally forums in which the wider Sudanese public and the various levels of government can engage in a conversation on how the new Sudanese state should be run. Without international engagement, the likelihood that the government will participate in these processes genuinely or allow these processes to be inclusive and transparent, is slim.

THE "TWO AREAS": SOUTH KORDOFAN AND BLUE NILE

Popular consultations in Blue Nile and South Kordofan are exercises meant to ascertain whether the citizens of the two states are satisfied with their peace protocol in the CPA. The protocol lays out how these two areas, recognized as unique terri-

tories, should be administered—including, among other items, how power and wealth are shared between the federal government and the two states, and how land is managed. If the consultations ultimately demonstrate that residents are dissatisfied with the provisions in place, the states' legislative assemblies can renegotiate with the government the terms of the states' relationship with the center. Consultations have stalled in Blue Nile and been upended by the return to war in South Kordofan, but they should continue after July 9 according to the framework agreement signed between the NCP and SPLM–N on June 28.

Internationally supported negotiations at the political party level, between SPLM–N and the NCP, will also be ongoing. Aside from securing a cease-fire and political arrangements amenable to both parties in South Kordofan, talks will likely touch on the relationship between the two states and the center, and the role the SPLM–N is allowed to play in the constitutional review.

DARFUR

Negotiations in Doha between rebel groups and the government have been ongoing since February 2009. The content of the talks have included, among other things, the level of political power given to the region on the national stage, the distribution of wealth, issues of justice and reconciliation, and issues affecting the displaced, such as their return, land, and compensation. Currently, only two rebel groups, JEM and LJM, out of a number of other groups engaged in fighting, are participating in the talks. In April, international mediators put forward a draft agreement that some observers believe is a weak document whose provisions will be unenforceable. The NCP is encouraging LJM to sign the agreement, while JEM has put forward its own draft document in response, which has been rejected by the NCP.

At the same time, the Sudanese Government, the A.U., and the AU–U.N. Mission in Darfur, or UNAMID, are pushing for the continuation of the peace process inside Darfur, which would consist of consultations with Darfuri citizens without rebel representation. This comes in the wake of the All Darfur Stakeholders' Conference, which brought approximately 500 Darfuri leaders to Doha to express their views and concerns about the peace process, and to gain their buy-in for the draft peace document. Although the participants were allowed the unique opportunity to publicly vent their frustrations, the government's continuing control over stakeholder participation and its refusal to discuss Darfur in the context of wider Sudanese issues, suggest that the potential for the stakeholder conference to lead to significant change was limited from the outset and the potential for any internal process to bear fruit at this time is virtually negligible.

CONSTITUTIONAL REVIEW

The interim constitution that has governed Sudan since the signing of the CPA needs to be replaced with a permanent constitution. Under the CPA, the constitution should be the result of a review process that “provide[s] for political inclusiveness and public participation.” Among other key details, the language of the text should define the structure of the Sudanese Government, the source of legislation in the country (currently Sharia and customary law), citizenship, and the rights of the Sudanese population. The document should also touch deeply on those issues that have become important in discussions in the peripheries—including how to draw the administrative regions of Sudan (15 states or 6 regions), define the type of federalism or relationship that should be in place between states and the center, and lay out how wealth is distributed throughout the country.

The process of drafting and approving the document is as crucial as the text of the constitution itself. Civil society groups representing all 15 states in the North have come together to collectively call for a “participatory, inclusive, and transparent constitution-making process” and a “nationally owned nationally respected constitution that reflects the needs and aspiration of the people of Sudan.” The coalition also highlighted the need for wide civic education to be conducted in order for dialogue to be substantive and genuinely participatory. A transparent, participatory, and inclusive Sudan-wide dialogue on its future constitution should be viewed as an important means of empowering the Sudanese people to decide the future of their state.

In May, the government floated vague details of a constitutional review process during a U.N. meeting that appears to fall well short of the mark. During the meeting, government officials revealed that a “National Committee” for constitution-making would be created, consisting of 300 to 400 members nominated by the President. Political parties and civil society would be allowed to participate, though remarks by officials at the time suggest that the selection of who gets to participate

and with what degree of representation would be government-controlled. The committee would be charged with holding consultative meetings—likely only one per state—followed by a referendum on the final draft. Participants in the meeting predicted that the mandate of the committee would be very broad given officials' preliminary descriptions, and noted that officials voiced skepticism over wider consultations with the public because of the financial costs. Officials proposed a 4-month timeline, beginning after July 9, for the review.

Thus far, opposition parties have mistakenly only focused on the content of the future constitution, rather than engaging with the government on the review process itself. Some parties have demonstrated no clear vision on an ideal process, and have appeared disorganized and vague in their response to the government's proposed plans.

Talks in Doha have, to some extent, led to a larger conversation about the need for national reform. However, the government, in response, has expressed its unwillingness to address these nationwide issues through its Darfur negotiations. Instead, it has pushed for a Darfur-based process that, even in its most perfect form, would not even begin to address the broader policies of Khartoum that led to regional unrest in the first place.

The framework agreement signed between the NCP and the SPLM–N on June 28, stated that, "The Popular Consultations Process is a democratic right and mechanism to ascertain the views of the people of Southern Kordofan and Blue Nile and shall be complete and its outcomes fully implemented and fed into the constitutional reform." While undoubtedly an encouraging sign, the document itself is simply a "framework," not a binding agreement.

ONE PROCESS GOING FORWARD

The merits of holding separate tracks of negotiations on top of a national process, which in theory would address many of the same issues, should be reexamined. Fundamentally, grievances in Darfur, Blue Nile, and South Kordofan are based on questions of how power and wealth is distributed throughout Sudan, which in turn tie to questions of Sudanese identity and the relationship between the country's diverse communities. These questions are not exclusive to Darfur, South Kordofan, or Blue Nile; they are national issues that can only be genuinely addressed at the national level.

The plurality of processes, while seemingly all-encompassing, poses a challenge to the future of Sudan. The danger is that separate consultations will ultimately pit peripheries, all claiming pieces from the same pie, against each other. Additionally, discussing national issues with select regional actors has the potential to encourage other regions to agitate for their own unique relationship with the center. For example, discussions on wealth-sharing in South Kordofan and Blue Nile have reportedly piqued the interest of the state government in another northern state, Sennar, to negotiate a better wealth-sharing deal itself. This is especially threatening under the watch of a regime that has long mastered the art of sowing divisions between its various constituencies.

The recognition that a national dialogue is needed to address the root causes of Sudan's crises is not a new concept. In an effort to create a New Sudan, in 1986 a large number of Sudanese political parties and civil society representatives issued a declaration that proposed a National Constitutional Conference, which would discuss questions of Sudanese nationality, religion, human rights, system of rule, and culture. More contemporary models are also worth examining. For example, the popular consultations that have taken place in Blue Nile could be replicated on a wider scale as a means to engage with the Sudanese public on the draft of a constitution.

How talks in the peripheries can feed into, or are at least coordinated with a national process is a complicated task, one that will require the juggling of multiple agendas and personalities. On the one end, the processes in Darfur and the two areas could be completely scrapped in favor of a new, nationwide process that brings everyone to the table. On the other, the different tracks could continue to proceed in parallel, followed by last-minute efforts to reconcile and coordinate the resolutions of each. Another option that has also been proposed, is to continue the discussion on issues particular to the regions in regional talks, while separating out national questions for discussion at the national level.

RECOMMENDATIONS FOR INTERNATIONAL ENGAGEMENT

The international community must be smarter in its engagement with Khartoum after July 9, shifting its strategy to one that reframes the country's multiple conflicts as manifestations of the same disease: government policies that concentrate wealth and power at the center at the expense of the people on the peripheries.

While the United States has been a critical actor in the history of international diplomacy with Khartoum, Washington's hand will be constrained in pushing for a national reconciliation process. As a result of its own policy that was unveiled in November 2010, the U.S.'s biggest points of leverage are tied to the implementation of the CPA and a resolution to the conflict in Darfur. U.S. officials have also shown reluctance toward the inclusion of national issues in the Darfur talks, citing doubts over rebel movements' sincerity to push for a broader agenda, as well as the Sudanese government's own unwillingness to discuss national issues in that context.

Nevertheless, the U.S. can begin to engage in the peace processes for Darfur and the Two Areas as pieces of a necessary national process, rather than as end goals unto themselves. A strategic rethink beginning in the U.S. Special Envoy's office is necessary to examine some critical questions: How does the U.S. approach Sudan as a whole? And how can the separate processes be sequenced to feed into a national process?

In its public and private communications to Khartoum, as well as international actors with influence over the regime, it is important that the U.S. conveys its expectations of a participatory, inclusive, and transparent constitutional review process. Particular emphasis should be placed on the quality of the process, not just its outcome. Support for a constitutional review should be accompanied by U.S. and international pressure on Khartoum to create an environment conducive to genuine dialogue including greater respect for human rights. This pressure can and should be enhanced by U.S. support for and engagement with civil society and political parties, as well as its support for initiatives that foster independent media in Sudan, such as Radio Dabanga.

The U.S. must continue its diplomatic response to the ongoing crisis, which should be centered around pressure on Khartoum to protect its civilians, and a push for a cease-fire in South Kordofan. Consistent with stated Sudan policy, steps toward normalization should be suspended absent progress on the ground. The expansion of targeted sanctions and other unilateral and multilateral consequences for individuals responsible for fomenting war in Sudan can and should form an integral component of this effort. Going forward, however, the deployment of such pressures—or any other diplomatic tools—must secure more than just another regional peace agreement; it should be used to advance the greater goal of laying the foundation for sustainable peace throughout the whole of Sudan.

