

THE SITUATION IN SOUTH SUDAN

HEARING

BEFORE THE

COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

ONE HUNDRED THIRTEENTH CONGRESS

SECOND SESSION

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THE SITUATION IN SOUTH SUDAN

THURSDAY, JANUARY 9, 2014

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

The committee met, pursuant to notice, at 10:17 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Robert Menendez (chairman of the committee) presiding.

Present: Senators Menendez, Cardin, Shaheen, Coons, Murphy, Kaine, Markey, Corker, Rubio, and Flake.

OPENING STATEMENT OF HON. ROBERT MENENDEZ, U.S. SENATOR FROM NEW JERSEY

The CHAIRMAN. Good morning. This hearing will come to order. Let me welcome our panelists, all of whom are as deeply troubled as all of us are by the situation in South Sudan. The reason for this being the first hearing of this committee of the new year is the hope that our attention can send a message to all parties in South Sudan that a cease-fire, a continuing cease-fire, a political solution and reconciliation, is critical for U.S. long-term assistance, and in doing so hopefully we can save lives.

We have many questions about the direction in which this young nation is headed and the greater implications of the conflict, and I hope our panelists will provide us with deeper insights into the situation on the ground, which I might add, in a different context, underscores the importance of Congress moving quickly on embassy security with our Embassy in Juba operating at severely reduced capacity as a result of the violence.

Looking back, the United States Government and members of this committee were hopeful when we strongly supported South Sudan's independence in 2011. After decades of war with the Sudanese Government, the people of South Sudan voted in favor of self-determination and the chance to create an inclusive, democratic, prosperous society, and they were united toward that goal. Now that ideal is in jeopardy. Over a thousand people have been killed. More than 194,000 have been displaced, and humanitarian conditions will surely deteriorate as access to conflict areas diminishes.

I think we can all agree that it is absolutely necessary that to avoid a downward spiral into further ethnic violence and chaos, all armed elements must cease hostilities immediately. A continuation of violence will only jeopardize future U.S. engagement and further U.S. assistance.

Having said that, there is some sign for hope and reason for some optimism. I commend the Intergovernmental Authority for

Development and other African leaders for successfully arranging negotiations in Ethiopia, and I commend President Kiir and former Vice President Machar for sending delegations to talk in Addis Ababa. At the end of the day there's only one option—let me reiterate Secretary Kerry's remarks—that all parties must make serious efforts to seek an inclusive political solution.

Today's panelists are here to help us better understand the road to that political solution and the broader implications of the current crisis. We hope to gain insight into the nature of the rebellion—are the units cohesive? are they fragmented? how much does Machar—control does he have over rebel forces? I would hope our panelists can provide answers to the basic questions before us: What is the danger of the violence spiraling out of control? What are the underlying political and ethnic grievances that must be addressed? What are the most immediate humanitarian needs? What can the United States do to play a role toward the short-term and long-term reconciliation, and what should that reconciliation look like?

With that, let me turn to Senator Corker for his opening statement.

**OPENING STATEMENT OF HON. BOB CORKER,
U.S. SENATOR FROM TENNESSEE**

Senator CORKER. Thank you, Mr. Chairman, and thank both of you in the second panel for being here with us today. We thank you very much for that.

It is an understatement, I guess, to say that South Sudan is at a critical juncture today. Our Ambassador is there. We have beefed up security and not much in the way of other staff members. Thirty months ago, I guess there were real expectations about the future of South Sudan. We are seeing the difference between a rebel movement and a government, and I think we all understand it was that movement that united the country and now that that has been achieved things are deteriorating and, unfortunately, due to the lack of good leadership. But very quickly progress could dissipate along sectarian lines that could harden and make the conflict even more difficult to overcome.

Khartoum is obviously benefiting from this. Given our historical involvement, we are seen as the de facto backstop. We have got a long history there and people expect us to be that de facto backstop. And while Uganda, Ethiopia, and Kenya are playing important roles—and obviously South Sudan is very important to China—this is a place where obviously people expect us to make a difference.

So in addition to the conflict that we have there that is ongoing, that is causing murders and the kinds of things that we hate to see taking place in any country, we also realize that the institutional framework there is a morass and is going to take incredible effort over a longer period of time.

So I do look forward to hearing the administration's point of view on the situation there today and prospects for the future. I know they share the sense of urgency that we all have regarding this internal conflict ending and us moving on to another phase there,

and I do look forward to hearing your comments as to where we as a nation should go from here relative to South Sudan.

So thank you for being here, and thank you, Mr. Chairman, for having the hearing.

The CHAIRMAN. Thank you, Senator Corker.

Let me introduce our panelists: Linda Thomas-Greenfield, who is the Assistant Secretary of State for African Affairs. We appreciate her work in her former role as well as now in this role and to be here today. And Nancy Lindborg, the Assistant Administrator for the Bureau of Democracy, Conflict, and Humanitarian Affairs at USAID.

Your full statements will be included in the record without objection. We would ask you to synthesize those in around 5 minutes or so so we could enter into a dialogue with you. With that, Madam Secretary, we will call upon you first.

STATEMENT OF HON. LINDA THOMAS-GREENFIELD, ASSISTANT SECRETARY, BUREAU OF AFRICAN AFFAIRS, U.S. DEPARTMENT OF STATE, WASHINGTON, DC

Ambassador THOMAS-GREENFIELD. Thank you. Chairman Menendez, Ranking Member Corker, members of the Senate Foreign Relations Committee, thank you for the opportunity to testify before you today. I know that the subject before us is one in which you and other Members of Congress are deeply concerned and that you deeply care about the situation in Sudan. I regret that Ambassador Booth, our Special Envoy, is unavailable to testify before you today, as we have him in Addis working to get the peace process under way.

Mr. Chairman, Ranking Member Corker, 3 years ago today—and it is really important that it was 3 years ago today; this is the anniversary of South Sudan's independence—on January 9, 2011, the people of South Sudan voted in overwhelming numbers for independence from the Republic of Sudan. After decades of war, they were peacefully and joyfully voting for separation and for a new future. Then-Senator Kerry, my new boss, was there to witness that historic moment. The United States played a critical role in getting the world's youngest nation on the map.

Today, tragically, the world's youngest country and undoubtedly one of the most fragile democracies is in danger of shattering. The United Nations has reported that more than 1,000 people have died, over 240,000 have fled their homes, including a number of refugees in neighboring countries. Political rivalries have taken on ethnic dimensions. Atrocities are being committed. Men, women, and children are caught in the crossfire. This is not the future for which the people of Sudan voted 3 years ago.

South Sudan's crisis began less than a month ago on December 15, with a political struggle that escalated into broader violence. However, as the fighting began, a few things became crystal clear. First, neither the United States nor the international community will countenance the armed overthrow of a democratically elected government.

Second, hostilities must stop. Any and all violence directed at civilian populations must end. Those responsible for perpetrating human rights abuses must be held accountable.

Third, this crisis will not be solved on the battlefield. We have made that point over and over again. Although fighting started less than 1 month ago, the roots of this conflict are much deeper, and resolution can only come through immediate dialogue between the two sides and a broader reconciliation.

Finally, all parties must permit immediate humanitarian access to those in need, to the tens of thousands of South Sudanese men, women, and children who are the real victims of this violence.

The United States has engaged in an all-out diplomatic effort to help bring an end to the fighting with engagement by Secretary Kerry, National Security Adviser Susan Rice, and other high-ranking officials with President Kiir and former Vice President Machar, as well as with the heads of state, foreign ministers in neighboring countries and around the world. We have galvanized support to end hostilities and open a broader dialogue between the two sides. We have called for accountability for atrocities and we have sought to secure the release of political detainees now being held in Juba.

But while we need a political settlement among the fighting parties, the immediate security situation remains critical, particularly for the thousands of internally displaced civilians who have sought protection in the U.N. compounds. This must be addressed. As the crisis began to unfold, we proposed, and the Security Council unanimously adopted, a resolution nearly doubling the authorized size of the UNMISS contingent. In turn, we are now actively encouraging member states to provide additional troops and police units to the U.N. mission, including through the transfer of contingents from other missions in the region.

As my colleague Assistant Administrator Lindborg will discuss, we have committed an additional \$50 million in emergency humanitarian assistance. The President's Special Envoy to Sudan and South Sudan, Ambassador Don Booth—who as I noted could not be here today to testify because he is in Ethiopia—Ambassador Booth has been in the region since December 22. He has been working around the clock. He has met repeatedly with President Kiir and other officials. He has had lengthy discussions with Riek Machar. He has secured the first official visit with the political detainees, and he has sat down with local religious leaders and civil society members to help find a solution.

This is an all-out effort on our part. Given our special history with South Sudan, we are working closely with South Sudan's neighbors through the East Africa Intergovernmental Authority on Development (IGAD), who are spearheading the mediation efforts. A special summit on South Sudan was held just 12 days after the conflict began. Ethiopian Minister Seyoum and Kenyan General Sumbeiywo are the two negotiators on the side of IGAD who are leading this effort. South Sudan's neighbors are also providing asylum to the new refugees.

These negotiations offer the best hope for South Sudan and the region. An agreement to end hostilities will provide much-needed time and space for dialogue to begin on the core political and governance issues that are the root of this crisis. Both sides must recognize that there can be no military solution. We have made clear to the rebels that we will not recognize a violent overthrow of a democratically elected government. At the same time, we have

made clear to the government that they must open political space to allow for greater inclusion.

The United States strongly believes that the political prisoners currently being held in Juba must be released, and each day that the conflict continues the risk of an all-out civil war grows as ethnic tensions and more civilians are killed, injured, are forced to flee, the humanitarian situation grows more dire, and those who have remained on the sidelines are pulled into the conflict.

Let me conclude by saying that I am greatly concerned that the crisis in South Sudan has the potential to escalate even further. While we do not know the scale of atrocities that have been committed thus far, there is clear evidence that there are targeted killings taking place. Dinkas are killing Nuer, Nuer are killing Dinkas. Countless civilians, women, and children have become victims of violence perpetrated by both the government and the rebel forces alike. Each violent act threatens to return South Sudan to the cycle of violence and destruction that South Sudanese of all ethnicities and backgrounds voted to end when they voted for independence in 2011.

In addition to calling for an end to the violence, humanitarian access, dialogue, and the release of political prisoners in Juba, the United States is exploring the possibility of appropriate pressures against individuals on both sides who interfere with peace and reconciliation in South Sudan and those who are responsible for committing serious human rights abuses.

Let me thank you again for giving us the opportunity to speak before you today. Let me thank you for your commitment to the people of Sudan and also your support for our efforts in the region. I look forward to your questions.

[The prepared statement of Ambassador Thomas-Greenfield follows:]

PREPARED STATEMENT OF AMBASSADOR LINDA THOMAS-GREENFIELD

INTRODUCTION

Chairman Menendez, Ranking Member Corker, Members of the Senate Foreign Relations Committee, thank you for the opportunity to testify before you today. I know that the subject before us is one about which you and other Members of Congress care deeply. I regret to inform you that Special Envoy Booth is unavailable to testify today as he is in Addis Ababa working to get the peace process underway.

SITUATION IN SOUTH SUDAN

Mr. Chairman, Ranking Member Corker, 3 years ago today, on January 9, 2011, the people of South Sudan voted in overwhelming numbers for independence from the Republic of Sudan. After decades of war, they were peacefully and joyfully voting for separation and for a new future. Then Senator Kerry was there to witness that historic moment. The United States played a critical role in getting the world's youngest country on the map.

Today, tragically, the world's youngest country and undoubtedly one of its most fragile democracies is in danger of shattering. The United Nations has reported more than a thousand people have died and over 240,000 have fled their homes including a number of refugees in neighboring countries. Political rivalries have taken on ethnic dimensions, atrocities are being committed, and men, women, and children are caught in the crossfire. This is not the future for which the people of South Sudan voted.

South Sudan's crisis began less than a month ago, on December 15, with a political struggle that escalated into broader violence. However the fighting began, a few things are crystal clear. First, neither the United States nor the international community will countenance the armed overthrow of the democratically elected govern-

ment. Second, hostilities must stop, any and all violence directed at civilian populations must end, and those responsible for perpetrating human rights abuses must be held accountable. Third, this crisis will not be solved on the battlefield. Although fighting started less than 1 month ago, the roots of this conflict are much deeper, and resolution can only come through immediate dialogue between the two sides and an inclusive reconciliation. Finally, all parties must permit immediate and unconditional humanitarian access to all in need, to tens of thousands of South Sudanese men, women, and children who are the real victims of this violence.

The United States has engaged in an all-out diplomatic effort to help bring an end to the fighting, with engagement by Secretary Kerry, National Security Advisor Susan Rice, and other high-ranking officials with President Kiir and former Vice President Machar as well as with the heads of state and foreign ministers in neighboring countries and around the world. We have galvanized support to end hostilities and open a broader dialogue between the two sides; called for accountability for atrocities; sought to secure the release of political detainees now being held in Juba.

But while we need a political settlement among the fighting parties, the immediate security situation remains critical—particularly for the thousands of internally displaced civilians who have sought the U.N.'s protection—and must be addressed as well. As the crisis began to unfold, we proposed and the Security Council unanimously adopted a resolution nearly doubling the authorized troop ceiling for UNMISS. In turn, we are now actively encouraging member states to provide additional troops and police units to the U.N. mission, including through the transfer of contingents from other missions in the region. As my colleague, Assistant Administrator Lindborg will discuss, we have just committed an additional \$50 million in emergency humanitarian assistance in response to pressing new needs arising from the crisis.

The President's Special Envoy to Sudan and South Sudan, Ambassador Donald Booth—who, as I noted, could not be here to testify today because he is in Ethiopia—is actively trying to help resolve this crisis. Ambassador Booth has been in the region since December 22, working around the clock, as we all have in supporting his efforts. He has met repeatedly with President Kiir and other officials, had lengthy discussions with former Vice President Machar, secured the first official visit with the group of political detainees, and sat down with local religious leaders and civil society members to help find a way out of this crisis.

This is an all-out effort on our part, and given our special history in South Sudan, we are working closely with South Sudan's neighbors, through East Africa's Intergovernmental Authority on Development or IGAD, who are spearheading mediation efforts. A special summit on South Sudan was held at the head of state level just 12 days after the conflict began, and thanks to robust engagement, representatives of both parties arrived in Addis for negotiations just a few days later. We are encouraged by IGAD's leadership in convening the parties and strongly support the efforts of former Ethiopian Minister Seyoum Mesfin and Kenyan General Lazaro Sumbeiywo to find a peaceful solution through political dialogue. South Sudan's neighbors are also providing asylum for new South Sudanese refugees who may number in the hundreds of thousands if the fighting does not end soon.

These negotiations offer the best hope for South Sudan and the region. An agreement to end hostilities will provide much needed time and space for dialogue to begin on the core political and governance issues that are at the root of this crisis. Both sides must recognize that there can be no military solution. We have made clear to the rebels that we will not recognize a violent overthrow of a democratically elected government. At the same time, we are encouraging the government to open political space to allow for greater inclusion. The United States also strongly believes that the political prisoners currently being held in Juba must be released. These individuals should join discussions in Addis to enlarge the chorus of those seeking constructive solutions to resolve this growing catastrophe. Each day that the conflict continues, the risk of all-out civil war grows as ethnic tensions rise, more civilians are killed, injured, or forced to flee, the humanitarian situation grows more dire, and those who have remained on the sidelines are pulled into the conflict.

Let me conclude by saying that I am gravely concerned that the crisis in South Sudan has the potential to escalate even further. While we do not know the scale of atrocities that have been committed thus far, there is clear evidence that targeted killings have taken place, with Dinka killing Nuer, and Nuer killing Dinka. Countless civilians, particularly women and children, have become victims of violence perpetrated by both government and rebel forces alike. Each violent act threatens to return South Sudan to the cycle of violence and destruction that South Sudanese of all ethnicities and backgrounds voted to end when they voted for independence in 2011. Stopping the violence, and ensuring that Africa's newest nation continues

to move forward rather than backward, is of highest priority to the United States and the international community.

In addition to calling for an end to the violence, humanitarian access, dialogue, and the release of political prisoners in Juba, the United States is exploring the possibility of appropriate pressures against individuals on both sides who interfere with the peace and reconciliation process in South Sudan or are responsible for serious human rights abuses.

I want to thank you for your continued commitment to the people of South Sudan, and I look forward to your questions.

The CHAIRMAN. Thank you.
Administrator Lindborg.

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

Ms. LINDBORG. Thank you. Chairman Menendez, Ranking Member Corker, members of the Senate Foreign Relations Committee, thank you very much for holding the hearing today and inviting me to testify, and thank you also for your ongoing support for our work around the world, which continues to save millions and millions of lives.

The United States Government, including many of you, has been a strong supporter of the people of South Sudan for decades, through the civil war, through the comprehensive peace agreement, and since independence in 2011. And we are all deeply, deeply alarmed by the horrific violence that now threatens this hard-won struggle, especially today, as my colleague noted, the third anniversary of independence, in which 99 percent of the people voted to form the world's youngest nation.

The outbreak of hostilities on December 15 has since erupted into heavy fighting across seven of South Sudan's 10 states. The fighting is the result of longstanding, deeply rooted grievances in a fragile, new state that has nascent institutions that are not yet able to deliver justice or services to its people. Coupled with this unresolved power struggle, this has ignited tensions along ethnic lines, and we are now seeing a renewed and vicious cycle of killing.

As this new fighting creates urgent new sets of humanitarian needs, it also significantly complicates our ability to meet the extensive needs that already existed across South Sudan, one of the poorest nations on Earth. An estimated 40 percent of the country's 4.4 million people were already in need of humanitarian assistance before the recent violence. This is the result of two decades of civil war, communal violence, the recurring floods and droughts, plus the influx of over 2,000 refugees into South Sudan from Southern Kordofan and Blue Nile States since 2011.

So the lack of roads, the pervasive underdevelopment that already made South Sudan one of the most logistically difficult environments, further complicates our work today. There are seasonal rains that routinely cut off access to entire regions for months at a time.

So our challenge today is twofold, both respond to the immediate hostility-driven needs as well as find ways to continue our long-standing work that seeks to assist nearly half the population already in need. The United States remains deeply committed to the

people of Sudan and today just a few more words on what is a rapidly changing situation and our humanitarian response. In the few weeks since the fighting erupted, the violence has already claimed the lives of more than a thousand people, and as of today we have seen 270,000 people driven from their homes. Of those, 60,000 have been forced to seek protection in the eight peacekeeping bases of the local U.N. missions, or the UNMISS compounds, which are located in major towns around the country, and almost 39,000 have sought refuge in neighboring Uganda, Ethiopia, and Kenya, which are straining the reception capacities at key border crossings.

The town of Bor, which is just a few hours north of Juba, is a strategic gateway to South Sudan's capital. It is caught in a desperate tug of war between the fighting factions. It has borne the brunt of the violence and looting. We are hearing graphic reports of unburied bodies along the roads. More than 84,000 people have fled Bor to make a treacherous journey across the White Nile River to seek shelter in neighboring Awerial County, where relief agencies initially found people living under the hot sun with very short supplies of water, food, medical assistance. Parents are often making difficult choices of whether to separate from their children so that they can pay for their safe passage out of a dangerous area.

The new fighting is accelerating developments. Just yesterday we heard new reports of several thousand displaced people in numerous sites, including a newly discovered group of 30,000 displaced South Sudanese in Lankien, which is in Jonglei State. People continue to flee the shifting lines of control and the ongoing violence.

Our humanitarian response is immensely complicated by the difficult and very chaotic conditions. The Nile River, which is typically a major supply conduit, has been off limits for weeks because barges have been commandeered for hostile purposes.

We currently have ample stockpiles of key supplies that have previously been prepositioned around the country as a part of our normal response effort. It has the security conditions that are impeding the movement of those supplies and disrupting supply chains. USAID stood up a disaster assistance response team in Nairobi as well as a response management team in Washington shortly after the violence began, and since then we have been working closely with U.N. and humanitarian partners to support the urgent new programs, as well as seek to plan for the upcoming raining season.

The good news is that in the middle of this crisis there is deep humanitarian expertise. On January 3 we announced additional \$50 million that is in addition to our ongoing humanitarian commitment of \$318 million for 2013 and 2014. The new funding will help us do a multisector humanitarian response operation, support the displaced, family reunification, and most importantly, additional logistical capacity.

We have especially prioritized additional support for flights that enable the U.N. to regularly reach seven of the UNMISS compounds now with urgent food and supplies. We just received confirmation that three U.N. flights reached Bor as well, that previously we were not able to reach. To date the U.N. reports that relief agencies have reached about 167,000 people in the bases and in the new settlements with urgent relief.

Immediate, unconditional, and full access for humanitarian assistance throughout South Sudan is of urgent and utmost importance. Humanitarian workers, both international and South Sudanese, are currently working at great personal risk and they must have safe passage to reach those in need. We need to ensure not only that we reach those whose lives have just been upended by new violence, but also to begin to resupply in advance of the April rains or risk an even greater crisis with rising hunger through the country.

Pressing for humanitarian access is a key and urgent part of the ongoing negotiations for peace. The South Sudanese leaders have the ability to ease the suffering of their people. The United States remains steadfast in our decades-long commitment to the people of Sudan, and most of all we thank you for your ongoing support, your commitment, and your attention to this new crisis.

Thank you.

[The prepared statement of Ms. Lindborg follows:]

PREPARED STATEMENT OF NANCY E. LINDBORG

Chairman Menendez, Ranking Member Corker, and members of the committee, thank you for inviting me to testify on the U.S. humanitarian response to the crisis in South Sudan. Thank you also for your continued support for USAID's humanitarian programs around the world, which make a positive difference every day in the lives of millions.

INTRODUCTION

The U.S. Government, including many Members of Congress, has been a strong supporter of the welfare of the people of South Sudan for decades—throughout Sudan's civil war, the Comprehensive Peace Agreement period, and since independence in 2011. We are all deeply alarmed by the horrific violence now threatening their hard-won struggle for independence—especially today, which marks just the third anniversary of South Sudan's referendum, in which an overwhelming 99 percent of the South Sudanese people voted to form the world's youngest nation. The people of South Sudan have endured far too many years of conflict and bloodshed to see peace slip away.

The outbreak of hostilities on December 15 has since erupted into heavy fighting across 7 of South Sudan's 10 states. This fighting is the result of longstanding, deeply rooted grievances in a fragile new state with nascent institutions not yet able to deliver justice or services to its people. Coupled with an unresolved power struggle that has ignited tensions along ethnic lines, we are now seeing a vicious cycle of targeted killings.

As this new fighting creates a new, vast set of humanitarian needs, it also significantly complicates our ability to meet the extensive humanitarian needs that existed across South Sudan prior to December 15. Due to decades of civil war, sporadic communal violence, and the recurrent shocks of floods and drought, an estimated 40 percent of South Sudan's population—up to 4.4 million people—were already in need of humanitarian assistance. Even before the current crisis, the lack of roads and pervasive underdevelopment made South Sudan one of the most difficult environments to work in worldwide.

Meanwhile, South Sudan has welcomed some 230,000 refugees from neighboring countries, including the more than 200,000 refugees who have fled the fighting in Sudan's Southern Kordofan and Blue Nile States since June 2011, adding to an already vast array of needs in a country where more than half the population lives below the poverty line, and human development indicators are among the lowest in the world.

The humanitarian challenge today then is twofold: to respond to the immediate needs as well as find ways to continue our longstanding, lifesaving work targeting nearly half the population already in need. In the face of these challenges, the United States remains committed to working with the international community to respond to urgent needs of the people of South Sudan.

Today, I'd like to talk about two key areas: first, an overview of the current humanitarian conditions; and second, an update on our response efforts and critical next steps.

CURRENT SITUATION

In the few weeks since heavy fighting broke out in the towns of Bor, Malakal, and Bentiu, the spreading violence in South Sudan has claimed the lives of more than 1,000 people and driven more than 240,000 people from their homes. Until there is progress on the urgently convened peace negotiations and political dialogue, there is potential for additional clashes and displacement.

According to the United Nations (U.N.), approximately 60,000 people—or 30 percent of those internally displaced—have sought refuge in at least eight peacekeeping bases of the U.N. Mission in the Republic of South Sudan (UNMISS). The town of Bor—a strategic gateway to Juba—is caught in a desperate tug-of-war between fighting factions. Ongoing violence and looting have caused thousands to seek safety at one UNMISS base, where a lack of safe drinking water and poor sanitation risk the outbreak of disease. This is the same bleak reality being experienced in other South Sudanese towns, prompting desperate families to seek refuge at UNMISS bases in Malakal, Bentiu, Bor, Juba, Pariang, and Melu.

An additional 85,000 people have fled Bor to make the treacherous journey across the White Nile River to seek shelter in neighboring Aweril County, where relief agencies initially found many people living under the hot, unrelenting sun with a short supply of clean water, food, and shelter and inadequate sanitation.

Almost 39,000 displaced South Sudanese refugees are seeking safety in neighboring Uganda, Ethiopia, and Kenya. New refugees are beginning to strain reception capacity but all three governments are working closely with the U.N. High Commissioner for Refugees to address the inflows.

These new developments come on top of recurrent environmental hazards, violence, displacement, returnee and refugee inflows, and macroeconomic shocks over the last 2 years since South Sudan's independence. Nearly 160,000 individuals were displaced between January and September 2013. Nearly 75 percent of this displacement occurred in Jonglei State, where intercommunal violence and conflict between the Sudan People's Liberation Army (SPLA) and nonstate armed actors forced an estimated 100,000 civilians to flee to remote and difficult-to-access rural areas.

Challenges to Aid Delivery

Current hostilities and regularly changing lines of control make it difficult to reach both key areas newly affected by the recent violence and areas of longstanding need, with lifesaving humanitarian assistance. While ample stockpiles of supplies are prepositioned, security conditions on the ground are preventing international and nongovernmental agencies from accessing their own warehouses, disrupting supply chains, and impeding their access to needy populations. Caught up in the violence, some partner offices and warehouses have been looted and vehicles taken by the groups engaged in the violence. Commercial drivers carrying humanitarian supplies have been killed, while our partners are routinely denied access to roads by the SPLA and armed groups. The Nile River—typically a major conduit for the movement of supplies—has been off limits for weeks as barges are no longer available for humanitarian use.

U.S. GOVERNMENT RESPONSE

In the midst of these extensive constraints, the U.S. Government is working closely with the U.N. and with our partners to examine all possible ways to meet current, acute needs due to the worsening crisis, while also planning ahead for the upcoming rainy season. Moreover, we continue to work closely with the State Department to push for the humanitarian access and respect for humanitarian workers, which is so vital to providing urgently needed aid. The U.S. Government continues to insist that immediate, unconditional, and unfettered humanitarian access be allowed throughout South Sudan. Our partners have been blocked from the Nile and from flying into Bor from Juba. The U.N. must be given access via air, road, and river to deliver urgently needed humanitarian supplies and personnel and to reach all populations in need.

Immediately after the violence began on December 15, USAID stood up an eight-member Disaster Assistance Response Team (DART) of experienced humanitarian staff based in Nairobi, Kenya, as well as a Response Management Team (RMT) in Washington to monitor mounting needs and work with international partners to respond to the growing numbers of displaced persons. Despite a still highly volatile and uncertain environment, the U.N. and some NGOs have chosen to keep staff in-country to implement the response.

With continued support from the U.S. Government since South Sudan's birth in 2011 and decades of work in the region, our U.N. and NGO partners have honed the logistical and technical expertise essential to operate in the challenging South

Sudan environment to help those most in need—where roads routinely close during the rainy season and communities are effectively cut off for months. To date, the U.N. reports that relief agencies have reached an estimated 167,000 newly displaced people with humanitarian assistance, primarily those people at UNMISS bases or in neighboring counties where security and access have permitted the delivery of aid.

In response to the new violence, we have strategically funded the U.N. and NGOs in support of an efficient and nimble platform, which allows agencies to respond to increased need on the ground. Despite access challenges posed by armed groups, humanitarian organizations are working to overcome hurdles and optimize all means possible—including road, air, and barge transport—to deliver life-saving assistance. On January 3, the Department of State and USAID announced an additional nearly \$50 million in humanitarian assistance for South Sudan, bringing the total U.S. commitment to more than \$318 million for fiscal years 2013 and 2014. This new funding supports a multisector humanitarian response operation, including the provision of food, safe drinking water, emergency health care, vaccinations, improved sanitation, and shelter as well as the protection of civilians and support for survivors of violence. This new funding will also help manage sites for the displaced, support reunification of families separated by the fighting, and fund programs to help ensure the protection of the most vulnerable populations, including women and children. This work will be carried out by the International Committee of the Red Cross (ICRC) and U.N. agencies including the U.N. High Commissioner for Refugees (UNHCR), UNICEF, the World Health Organization (WHO), the World Food Programme (WFP), the Food and Agriculture Organization (FAO), and the U.N. Office for the Coordination of Humanitarian Affairs (OCHA).

Importantly, this new funding also helps support additional logistical capacity including to the U.N. Humanitarian Air Service (UNHAS), currently ferrying aid workers and supplies to seven UNMISS camps housing 51,000 internally displaced persons. The eighth camp in Bor just yesterday received three flights but these are not yet sustained and reliable.

In addition to new funds, we are using the full flexibility of our larger humanitarian portfolio, allowing our partners to redirect or reprogram funds to meet rapidly changing needs in a volatile environment—and to change course to meet the most urgent needs while still planning longer term. We know that in complex environments like South Sudan, partners need the flexibility to redirect resources and assess how their own programs can best adapt.

In response to a continually changing environment, in 2010 USAID stood up a Rapid Response Fund (RRF) that allows us to quickly route funding to international and national NGOs working on the ground as part of our ongoing humanitarian assistance efforts for the people of South Sudan. Since the recent crisis began, USAID has awarded nearly \$1.5 million in grants for six emergency projects through the RRF to make an immediate difference. At the UNMISS base in Juba where tight living conditions could risk disease outbreaks, USAID is funding two South Sudanese NGOs through the RRF to provide emergency health care, clean water, and improved sanitation and hygiene to internally displaced persons. Outside Bor, in rural areas of Awerial County where tens of thousands have sought refuge from the violence, another USAID-funded South Sudanese NGO called AWODA is digging emergency latrines, constructing hand-washing facilities and bathing shelters, and distributing hygiene kits—all to prevent the spread of disease.

We are currently at the outset of the dry season, ordinarily a time when our partners would begin to use this 5-month window of dry weather to replenish and preposition relief supplies before roads become impassable with the start of seasonal rains in June. The response to this current crisis has benefited from the existing stockpile of warehoused supplies. Looking ahead, if the violence persists, USAID will work with partners to seek all means of identifying ways to restock and resupply critical supply chains, both to address the current violence as well as address the ongoing critical needs of communities throughout one of the poorest nations on earth.

CONCLUSION

As USAID works to meet urgent humanitarian needs in light of recent events, we are also reviewing our portfolio of development activities—and we look forward to staying in close contact with Congress as we undertake this deliberative process to determine the best way forward.

Looking ahead, increased access to those in need will be the key determinant of our success. The United States remains steadfast in our decades-long commitment to the South Sudanese people. As my colleague, Assistant Secretary Thomas-Greenfield, has noted, we are using our full diplomatic efforts to negotiate an end to the

violence as well as press all sides to respect the humanitarian supplies, personnel, and efforts essential to saving South Sudanese lives. The South Sudanese people deserve their rights to be protected and to live in communities free from harm.

As President Obama aptly stated, “too much blood has been spilled and too many lives have been lost to allow South Sudan’s moment of hope and opportunity to slip from its grasp.”

Thank you for your time today and for the vital congressional support that makes our life-saving work possible. I look forward to your questions.

The CHAIRMAN. Thank you.

Let me start off with you, Secretary Greenfield. What evidence is there to suggest there are underlying—and I want to talk about that following this first question—but what evidence is there to suggest that the event that triggered the crisis was a coup attempt by former Vice President Riek Machar?

Ambassador THOMAS-GREENFIELD. Senator, thank you for that question. I think we have looked at the situation that has been an ongoing political situation in South Sudan for almost a year. There were internal dynamics within the SPLM—I am sorry, the SPLA—that started with Riek Machar’s being voted out of his Vice Presidential position.

What we have heard through many sources, all public, was that there was a fight that occurred at the party convention that took place on the 15th of December and that that led to the ongoing conflict. We have not seen any evidence that this was a coup attempt, but it certainly was the result of a huge political riff between Riek Machar and the President.

The CHAIRMAN. So then how do you view Machar’s decision to take part in an armed rebellion against the Government of South Sudan?

Ambassador THOMAS-GREENFIELD. I think it is an armed rebellion against the Government of South Sudan and it started as a result of the political riff. We think they should resolve this through political talks, through negotiations, and not through war. What happened on December 15 was, we understand, an attack on Riek Machar’s home, that he then left Juba, and the armed conflict resulted after that.

The CHAIRMAN. Are we advocates of expanding the peace process? We are all focused, obviously, on the urgency of the moment and the attempt to create a cease-fire and save lives. But the long-term prospects here seem to me to, in part, fundamentally be a hope that by expanding the peace process and creating a more inclusive process. Otherwise, a quick, and what some might describe, quick and dirty resolution of power-sharing between the powers that exist is not going to bring the long-term stability that we seek.

Are we advocates of expanding the peace process and creating a more inclusive broad-range set of participants?

Ambassador THOMAS-GREENFIELD. Absolutely, sir. We do not believe this is going to end with the cessation of hostilities, that what must follow the end of the conflict is a very, very organized political dialogue that will lay out the grievances of the various parties so that those grievances can be taken into account and plans can be made for the next election.

We think it is absolutely important that the 11 detainees who are being held in Juba be released so that they can participate in that political dialogue and bring to the table issues that they have

that they did not—they are not part of the conflict, but they do have political grievances, and it is important that those grievances be addressed by the current government.

The CHAIRMAN. Are we collecting evidence of atrocities?

Ambassador THOMAS-GREENFIELD. Absolutely.

The CHAIRMAN. Because I hope not only are we vigorously collecting evidence of atrocities, but we send a very clear message that we will find ways to punish those who commit atrocities.

Ambassador THOMAS-GREENFIELD. Yes, sir. We have sent that message to all sides. I hinted at that message in my remarks today, but they have both heard it from Ambassador Booth and they are hearing it from others in the region. We were pleased to hear that the AU Peace and Security Commission has also looked at establishing a commission of inquiry and others in the region are as well. We are trying to bolster the U.N.'s human rights monitoring capabilities so that again we can collect the information we need.

But at the same time, we want to prevent atrocities, so part of our efforts to get the U.N.'s forces built up was to get enough troops on the ground so that they could provide protection for the population.

The CHAIRMAN. Well, that is my next question. The U.N. peacekeepers that are providing security to tens of thousands of South Sudanese in the UNMISS camps is incredibly important. What, if anything, are we doing to assist UNMISS efforts to protect these people, the vast majority who are women and children?

Ambassador THOMAS-GREENFIELD. We went immediately to the Security Council and supported the efforts of the Security Council to increase the UNMIL (United Nations Mission in Liberia) contingent by 5,500, and we have been working around the clock on the phone with leaders in the region, as well as outside of the region, to contribute to those numbers. Nepal has provided additional troops. Bangladesh has provided additional troops. We have a commitment from Ghana to redeploy some of their troops from UNOCI (United Nations Operation in Cote d'Ivoire) as well as to provide new contingents to bolster—

The CHAIRMAN. What do you assess the ability of UNMISS to meet its mission at this point, capability?

Ambassador THOMAS-GREENFIELD. It is challenging, sir. This is why we have—

The CHAIRMAN. I know it is challenging, and I do not mean to press you, but give me—quantify for me “challenging”?

Ambassador THOMAS-GREENFIELD. They do not have enough troops on the ground—

The CHAIRMAN. That is what I thought.

Ambassador THOMAS-GREENFIELD. [continuing]. To do this. This is why we want to help them build up those troops numbers.

The CHAIRMAN. Administrator, let me ask you two quick questions. One is, the \$50 million of course is welcome under the crisis, but looking at the nature of this crisis, how long do you think that is going to take you? What are you doing to work with others to join in assistance? You mentioned flights arriving. What about these reports of child soldiers firing upon flights? Are children being used in this regard?

Ms. LINDBORG. The \$50 million is in addition to what was already a large pipeline of humanitarian assistance, and we have employed all of our flexibility to enable existing partners to redirect portions of their existing programs to meet these new needs. The World Food Programme, for example, has been able to redirect some of their food, and we have something called a Rapid Response Fund that we have had since 2011, that is built to be able to respond to the many different crises that have erupted in South Sudan, including floods and droughts.

So, for right now, we have a good pipeline to help us deal with the existing crisis. We have also worked closely with our other donor allies, and there is a new action plan that the U.N. has put out that has already gotten significant resource from the U.K., from Norway, and a few of the other donors who have long been key supporters of South Sudan. So we have a solid partnership with others who are stepping forward with resources as well.

On the flights, the reports that we have received about the firing of one of the flights was that it was potentially an error of communications. There have been no—not further incidents of flights. We are getting into most of the UNMISS compounds. The big problem has been into Bor, where we were not getting permission from the South Sudanese Government. That was changed yesterday when we got reports this morning of two flights going into Bor, and our hope is that that will now be a regular occurrence that will enable us to get supplies into that compound.

The CHAIRMAN. Do either of you have information, finally, on the children being used as soldiers?

Ms. LINDBORG. We are hearing reports of child soldiers. We do not have confirmation of how many, and that is one of the many issues of great concern in this rising violence.

The CHAIRMAN. Senator Corker.

Senator CORKER. Thank you, Mr. Chairman.

Thank you again both for being here and for your work on behalf of our country.

The talks that are taking place this week, do we have the right people at the table?

Ambassador THOMAS-GREENFIELD. You mean on the——

Senator CORKER. From the opposing sides.

Ambassador THOMAS-GREENFIELD. The government has sent a very strong delegation and we were very pleased with that. On the Riek Machar side, he has requested that the 11 detainees be part of his delegation. He has a delegation on the ground, but his full delegation is not there. So I do think it is a good team there. They are able to speak with authority for both sides, but the Riek Machar side does not have the full delegation that it wants.

Senator CORKER. So are you sensing that without that full delegation and yet having participants from both sides that can speak, are you sensing that these talks are going to yield any breakthroughs?

Ambassador THOMAS-GREENFIELD. Not at the moment. We got agreement, I understand from Ambassador Booth, for a cessation of hostilities, but the Riek Machar side is still insisting that the 11 detainees be released before they sign off on anything. We are working both in Juba as well as in Addis as well as here in Wash-

ington to pressure the government to release these detainees. The two negotiators, the Kenyan and Ethiopian negotiators, were in Juba yesterday. They met with President Kiir and they also met with the detainees.

Senator CORKER. Is there any chance that is going to occur?

Ambassador THOMAS-GREENFIELD. We are hopeful. We heard early, right around Christmas, that President Kiir was going to release eight of them. That did not happen. We are still pressing him. Secretary Kerry spoke to him several times on this and we are hopeful that he will get the message that he is getting from around the world, because he is getting phone calls both from within the region as well as outside the region to impress upon him how important it is for him to release the detainees.

We think they will bring an added voice to the negotiations, they will bring some political views that are much more moderate than what we are hearing, because they are not part of the fighting party, and they have made very, very clear that they want dialogue; they do not want to be part of the fighting.

Senator CORKER. The prisoners?

Ambassador THOMAS-GREENFIELD. Yes.

Senator CORKER. So what would be the President's resistance to going in and releasing them to be a part of this? If he knows that, why would he resist releasing them?

Ambassador THOMAS-GREENFIELD. That is a question I cannot answer for him, but he has accused the prisoners of being part of the alleged coup plot and that there are legal procedures that they have to go through before he can make the decision to release them.

Senator CORKER. So then on our side, just to understand how this is all playing out, we have a special envoy, and I know we have had some ups and downs, we have had vacancies there. And then we also have an Ambassador in South Sudan. Who is actually in charge, if you will, of U.S. policy relative to this conflict and trying to resolve it?

Ambassador THOMAS-GREENFIELD. We, in Washington, are in charge of the policy. Ambassador Booth, the Special Envoy, has the responsibility of implementing that policy in terms of the negotiations. But our Ambassador on the ground is the person who is the major interlocutor for the government, because she is there 24-7. Ambassador Booth comes in and out. He is currently full-time in Addis leading our efforts to push forward the negotiation. Ambassador Page in Juba has continued to have meetings with the government, continued to push the government to release the detainees. She has had several meetings with the detainees, and her position of being there to keep our flag flying is an important role.

Senator CORKER. So you think the arrangement we have relative to how we have arranged for our leadership there to be, we think it is working the way it should?

Ambassador THOMAS-GREENFIELD. It is working well, sir.

Senator CORKER. We have invested, obviously, billions of dollars as a country, invested a lot of time, a lot of people have. South Sudan and Sudan in general has just had a lot of interest from the United States. With what is happening there now, especially after the bigger expectations that everyone had 3 years ago, as you men-

tioned, and certainly 30 months ago, has the State Department at all questioned our efforts there? Has there been any diminution in feeling like we can end up in a place there that is good? What has this last several months—what is the effect on the State Department efforts there?

Ambassador THOMAS-GREENFIELD. I think I can say that we are disappointed with the way things are going in Sudan. But we are committed to ensuring that Sudan does not fail. We are committed to staying with the process to get them to the peace negotiation table and committed to Sudan having a future for their people.

They are disappointed. They have been failed by their leaders. So we feel we have to stand with the Sudanese people to take this to a conclusion that will lead the country back on the right track.

Senator CORKER. I know Chairman Menendez was asking a little bit about the U.N. forces. I know many of us have been to Darfur and have seen the mandate that the U.N. has there and have been frustrated in the past by that. Does UNMISS have the right mandate on the ground in South Sudan right now?

Ambassador THOMAS-GREENFIELD. We think they do, but we have looked at that mandate and it is certainly—given the current situation on the ground, I think we need to make sure we beef up their mandate, particularly on the peacekeeping side. They are there as a protection force. Certainly in terms of their numbers and capacity, they are not at a place now to handle the current situation. It is our hope that we can build that up rather quickly.

Senator CORKER. Mr. Chairman, thank you. And thank you both. The CHAIRMAN. Thank you, Senator Corker.

Senator Cardin.

Senator CARDIN. Mr. Chairman, first thanks for conducting this hearing.

Let me thank both of our witnesses for what you do to promote U.S. interests under extremely challenging circumstances. I thank you very much, and strongly support the framework that you have laid out. No. 1, we need to protect the population against continued violence. The U.N. peacekeeping force there needs to be critically evaluated to make sure that there are adequate resources to implement, we hope, some form of a cessation of violence.

The humanitarian issues are incredibly difficult, with the NGO community not able to operate as they did prior to the violence. It raises significant challenges as to whether the resources and aid will get to the people who really need it. I expect the United States will play a major role in trying to sort that out.

And you are correct, 3 years ago as the elections started for independence in South Sudan the United States and the international community were cheering for this new nation. The last 2½ years, we have not spent enough time dealing with the institutions of good governance that can deal with the challenges of the country. I hope that we will understand that it is not just acknowledging a new country, but working to make sure that they have the institutions necessary to protect all citizens from the challenges of ethnic diversity.

But I want to talk about one point that Chairman Menendez mentioned. Your response was what I expected to hear. In your written statement you say, and you said verbally, that those re-

sponsible for perpetrating human rights abuses must be held accountable. I have heard this before. We have been through Rwanda, we have been through Bosnia, we have been through Syria, we have been through Darfur, and now we are dealing with South Sudan. It seems to me that as we start negotiating and we say we are getting documentation and we are going to make sure that tribunals are formed—that this becomes an afterthought rather than a primary thought.

Quite frankly, I think one of the problems that we have is that those who perpetrate ethnic cleansing do not believe the international community will ever hold them accountable for their crimes against humanity. Unless we make this a real priority, unless we talk about it, and do not put it on the side and say, oh, no, we have got to take care of stopping the violence, we have got to get the parties talking, and we do not want to bring up issues that might be divisive, we are never going to get the type of attention to accountability for those who commit crimes against humanity that we need.

I have been here for too many of these ethnic cleansing problems around the world, and the response for those who perpetrated it has been weak at best. So what can you tell this committee about how the United States, which has always been the leader on these issues, will make sure that those who committed atrocities will be held accountable by the international community?

Ambassador THOMAS-GREENFIELD. Thank you for that question, and my answer I am not sure will satisfy you, because it is not going to satisfy me. It is hard, but having worked in Africa for many years, we have some examples where we have succeeded. If we look at Liberia and look at the fact that Charles Taylor was held accountable and is serving the rest of his life in prison, that is the example that I want to follow for us in Sudan as we look at how to be successful in holding people accountable.

But it is hard. I cannot say that this is something that we will be able to accomplish easily, but I can say it is something that we are committed to making every effort to accomplish.

Senator CARDIN. Let me just point out, if the United States does not make this the priority issue it will not be a priority issue. It is up to us. So you are responsible for putting together the agenda on these international meetings. And I do appreciate the fact that we are documenting and providing, I hope, the legal information that will be necessary to present to the appropriate tribunals.

But it seems to me that your public statements at every opportunity should be about how we are going to make sure that people are held accountable—and I just hope that when I look at the headlines in the papers and see how these negotiations are taking place, that I see this theme consistently throughout, because if not, as sure as we are here today, there will be another country where we are going to see the same type of atrocities committed against people because of their ethnicity. And that cannot be tolerated by the international community.

Unless we hold people accountable and make sure that there can be no peace without accountability, it will happen again.

Thank you, Mr. Chairman.

The CHAIRMAN. I want to thank the distinguished Senator for being a long-time advocate in this regard. I am wholeheartedly with you in this regard. This is why Magnitsky, one element of it was incredibly important, and your work on the Helsinki Commission is incredibly important. I look forward as the chair to work with you to press this issue, not only in South Sudan, but elsewhere as well.

Senator Rubio.

Senator RUBIO. Thank you, Mr. Chairman, for holding this hearing, and to the ranking member as well.

Secretary Greenfield, I want to ask you, in light of tragedies that have occurred over the last couple years, first and foremost, what are we doing to ensure the security of our personnel in South Sudan? I know that on the 21st of December of this year a U.S. military aircraft was fired upon. The aircraft had been dispatched to rescue people in South Sudan, I believe they were Americans. They had to abort the mission, and four U.S. service men and women—I do not know the details—were injured.

So a multipronged question. How confident are we that our personnel in South Sudan are safe? And second, do we know, and do we have plans in place to hold accountable those who fired upon our aircraft and injured our personnel?

Ambassador THOMAS-GREENFIELD. Senator, thank you for that question. Let me just start by saying that the security of our personnel for me, for the Department, for the administration, is our highest priority. We watch the security situation on the ground in Juba almost on an hourly basis. We have a 24-hour task force. As you know, our staff at the Embassy are down to the minimal levels. Right now it is the Ambassador, being supported by two staff, and the rest of them are security people. We have 9 DS officers, 7 Marines, and 45 forces from the East Africa Response Unit to provide that support.

Again, on almost an hourly basis we are looking at the security situation with the concern of the Ambassador and the rest of the team, their security in mind.

The attack on our planes, I know that AFRICOM is looking into that. We do not know who shot at those planes, but that is something that we are in the process of investigating.

We want to keep our Embassy open. We think it is important to keep our Embassy open. We think it is important for us to have a diplomatic presence on the ground, to continue to engage all of the parties. But it is also having our flag flying. It is also a symbol for the people of Sudan. We do not want to abandon them. But at any moment where we determine that the situation is not secure for our Ambassador to remain, we are prepared to get them out of there before the situation is at a point where we have to get them out in extreme conditions.

Senator RUBIO. My second question is a followup to a question Senator Corker asked about whether we have the right people in place in South Sudan. There have been media reports about armed civilian groups that may or may not be responsive to some of the folks that are at the table in these conversations. How concerned are we about that? Because there have been reports of these community-based groups that are armed, who allegedly may have par-

ticipated in some ethnic targeting. How big of a problem could that pose in terms of reaching a resolution to this in terms of—how big a problem are these armed civilian groups that are out there conducting attacks and other operations?

Ambassador THOMAS-GREENFIELD. That is a big problem, because our concern is that they are not under the command and control of any of the leaders there. So that is a problem I think we have to be very, very conscious of.

Senator RUBIO. So it is a real problem.

Ambassador THOMAS-GREENFIELD. It is a real problem.

Senator RUBIO. The last question has to do with our national interest, because any time we deal with issues happening abroad the fundamental question for many people is, we understand it is a horrible tragedy and it is a terrible thing, but why should the United States care? I mean, this is not our business. I hear that from some.

Obviously, I believe the humanitarian issues that we have outlined here today in both your testimony and then Ms. Lindborg's testimony, and we must heard Senator Cardin's comments as well—I agree with all of those things. I think those things in and of themselves are an interest to the United States.

But beyond that, I want to talk a little bit about regional stability and get your input on this. It is ironic to see the leaders of Sudan and South Sudan desperate to get this thing figured out because of the oil exports. So this independence somewhat put a strain on Sudan's economy because of the loss of the oil fields. My understanding is that domestically in Sudan it created some internal controversy with regard to that.

Talk to us a little bit about the threat that this poses to Sudan and ultimately to other nations in the region, in particular the loss of oil revenues in those fields that are undermined, and also the flow of refugees that I imagine are pouring over the border back into Sudan from South Sudan.

What is the possibility, if this conflict is not resolved, of this undermining and spreading, creating real problems within Sudan, and then ultimately the entire region becoming unstable, and we all know what instability leads to in operational space for real bad actors. So describe a little bit about that threat of spiraling into that.

Ambassador THOMAS-GREENFIELD. The situation in South Sudan can really swell into problems for all of its neighbors. But I think particularly the fact that we saw President Bashir visit South Sudan last week—he clearly is concerned about the impact of that situation on what is happening in Sudan, but particularly on the flow of oil.

We had heard that there had been discussions about Sudan providing military support to South Sudan. The press reports that have come out have indicated that they do not plan to do that; they are going to provide experts to assist in the oil fields, and we can interpret that in many, many different ways.

The Government of Uganda has indicated that they have real concerns about the impact of the situation in South Sudan on Uganda. Kenya already has a very large, and Uganda, very large refugee camp with Sudanese refugees, both from the south and the

north. As you heard from my colleague, we are seeing more refugees flow across the border. Ethiopia I think also has some concerns.

What I am concerned about is if these countries get involved in the conflict in any way that this conflict could spread.

Senator RUBIO. I just would wrap up by asking about the refugees because in addition the loss of the oil revenues to Sudan would create extraordinary domestic pressures within Sudan, thereby creating the potential of a problem there as well. If you could just describe briefly the ramifications of having these camps and other installations crossing over into other countries, but particularly Sudan, the risk the refugees are at and the risk it poses of violence in those other countries as well? I mean, that is a real thing we are concerned about as well, and that would clearly be in our national interest to prevent.

Ambassador THOMAS-GREENFIELD. I think if I can turn to my colleague here to talk about the refugee situations and the impact. But from the political standpoint, having outflows of populations into neighboring countries takes the problems from the country into the neighboring countries, and I think that that is a concern that all of South Sudan's neighbors have. Having been neighbors of Sudan during the conflict of more than 30 years, they know the impact that refugees will have on their societies, on their economies.

Ms. LINDBORG. I would just add that it is a region that has had significant displacement for several decades, and you have got a neighboring country of Central African Republic that is dealing with its own serious spiraling crisis as well. Two hundred thousand people have come from Sudan from the two areas of Southern Kordofan and Blue Nile into South Sudan just in the last 2 years. So those people are now doubly imperiled.

As people continue to move across these borders, there is always greater danger once families are displaced and once they are moving into countries where they have fewer resources, and some of them are already fragile because of the pressures of dealing with so many displaced populations.

The CHAIRMAN. Thank you.

As I call upon Senator Coons, let me thank you as the chair of the Africa Subcommittee and Senator Flake as the ranking member for having done some tremendous work over the last year on the issues facing the African Continent. We are thrilled with the work that you do on behalf of the full committee, and at this time recognize you.

Senator COONS. Thank you very much, Chairman Menendez. Thank you for your leadership of the committee. And I would like to thank the witnesses for sharing your insights today.

In 2011 I sponsored a resolution welcoming the independence of South Sudan, urging that its leaders address some of the long-standing internal challenges in order to put them on a path toward long-term stability. Just 3 years now from the date of the referendum, as you mentioned, Madam Secretary, I am deeply disappointed by the senseless violence, by the widespread humanitarian challenge, and by the rapidly expanding political challenge in South Sudan.

I want to commend you and the administration for your prompt response and thorough engagement, for the leadership that you have shown and that Ambassador Booth is showing, and for our ability to step up to the plate quickly.

Start, if you would, for me, Madam Secretary, with just a quick summary as to why South Sudan matters to the United States, why this crisis matters to the people of the United States?

Ambassador THOMAS-GREENFIELD. Thank you for that question. For 30 years the United States has been supporting the people of South Sudan, even before South Sudan became an entity, supporting their right to exist, their right to freedom of religion, and their fight against the Government of Sudan. We birthed this nation. There are Americans from all walks of life—my e-mail has been burning up since this started on December 15 from Americans who are concerned about what is happening in Sudan. I have not gotten a single e-mail from someone saying do not spend your time working on this.

We do care as a nation about South Sudan. We also have a significant population of Sudanese-Americans who have thrived in our country, but who have an abiding interest in the success of Sudan. So I think it goes without saying that we care. We have an interest. But we also have an interest in maintaining peace in the region and making sure that there is no ungoverned space that extremist groups can take advantage of. While that has not been an issue thus far in South Sudan, I think if we leave it it could become a problem, and then it becomes a bigger problem for us.

Senator COONS. I appreciate your putting it that way. I think I agree with you that we have both values priorities—a new, somewhat fragile democracy we want to see not just birthed, but launched and healthy and vibrant and successful, but it has regional implications and it also has leadership implications. Does the United States stay the course? Do we address not just immediate or emergent humanitarian crises, but do we remain engaged in a leadership role as we fight for democracy on what is in many ways one of the most important continents on Earth?

As the ongoing negotiations in Addis are moving forward, my sense from your testimony was that there is a cease-fire focus immediately, and I am hoping that once there is a full team from both sides there will be a broader focus on a broader range of issues, including corruption, which was one of the main challenges in Juba. What role might the United States be asked to play in monitoring or implementing the cease-fire? What additional resources might we bring to the table or be called upon to bring to the table to make sure that UNMISS is successful? And what additional resources, I might ask both you and Assistant Administrator Lindborg, do we need to be deploying in order to be effective in our humanitarian relief efforts with our vital allies?

Ambassador THOMAS-GREENFIELD. Again, thank you for that question, and I will turn to my colleague. We have been viewed by both sides as an honest broker. We have been accused by both sides of supporting each of the other sides. So I think we have probably got it right. We are looking at how we can support the efforts to ensure that there is peace and that each side honors commitments to a cease-fire. So we are looking at what resources we

may have available in our South Sudan account to support that effort.

Ms. LINDBORG. On the humanitarian side, as I mentioned earlier, we have added another \$50 million in addition to what was already a \$318 million portfolio. If this conflict persists, if the needs continue to be this urgent, we will start running into some tough choices, given the rising crises that we have globally with Syria, Central Africa Republic, the typhoon that we just responded to.

So thanks to the very important support of Congress, we were able to do what we needed to do last year. As we look ahead, there will be again tough decisions and the need for the support of all of you in order for us to maintain global humanitarian leadership.

Senator COONS. I think this was a great example of how the rapid response capability that you were given makes it possible for you to indeed effectively and rapidly respond.

My last question has to do with both a regional actor and then a global actor. Museveni and Uganda have played a fairly active role here in support of the government of Salva Kiir. What sort of messages are we sending to him about the role we welcome or we hope that Uganda might play, and what do you make of his motives and what are the challenges with Uganda?

My last question would be: What role is China playing? The Chinese have been quite active in this region and could be seen to be transitioning to supporting ability rather than picking sides. How might we more effectively engage the Chinese in a positive way in supporting long-term stability?

Ambassador THOMAS-GREENFIELD. On Uganda, Uganda initially went into South Sudan to support needed infrastructure. So they provided troops to secure the airport and to secure the Juba road to Nimule to ensure that their citizens were able to come out safely. We do know—and this has come up as an issue at the talks in Addis—that the Ugandans have indicated, and they have said it publicly, that they support the government of Salva Kiir, that they have an interest in the region, and they want to ensure that a democratically elected government is not overthrown by violence.

It has, as I mentioned, caused an issue because they are part of IGAD and IGAD is the negotiating party. But IGAD announced very early on after their heads of state summit that they would support stability in the region and would be prepared to do so militarily. So this is something that we are watching very, very closely. We have cautioned Ugandan friends that they do have to be careful and need to be conscious of their actions and that their actions do not lead to greater conflict. They have indicated to us that they strongly support the peace process, they support the negotiations, but in the mean time they will continue to provide a stabilizing force in Juba.

Senator COONS. And as to China and China's potential?

Ambassador THOMAS-GREENFIELD. On China, there is a Chinese Special Envoy who is in Addis. He has been working very closely with Ambassador Booth, and China seems to be playing a very positive role in supporting the peace process. They have interest.

Senator COONS. Thank you very much.

Thank you, Chairman Menendez.

The CHAIRMAN. Thank you.

Senator Flake.

Senator FLAKE. Thank you.

I appreciate working with Senator Coons on these issues. He had many of the same questions that I wanted to ask. With regard to Uganda, they moved in quickly with troops to secure exit of their citizens and whatever else. Was that always under the U.N. auspices or was that simply them moving in troops?

Ambassador THOMAS-GREENFIELD. It was not under the U.N. auspices. They did it as a neighbor and at the request of the Government of South Sudan they were asked to come in.

Senator FLAKE. The peacekeeping troops in there, what countries make up those forces right now?

Ambassador THOMAS-GREENFIELD. We have, just recently, Bangladeshis; we have some Kenyans; we have Nigerians; and we are expecting Ghanaians to come in. I can get back to you with the full list of which countries are participating.

[A written reply by Ambassador Thomas-Greenfield supplying the requested information follows:]

The U.N. Mission in South Sudan (UNMISS) currently has military personnel from the following countries: Australia, Bangladesh, Belarus, Benin, Bolivia, Brazil, Cambodia, Canada, China, Denmark, Ecuador, Egypt, El Salvador, Fiji, Germany, Ghana, Guatemala, Guinea, India, Indonesia, Italy, Japan, Jordan, Kenya, Kyrgyzstan, Mali, Mongolia, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Papua New Guinea, Paraguay, Peru, Poland, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Senegal, Sri Lanka, Sweden, Switzerland, Timor-Leste, Togo, Uganda, Ukraine, United Kingdom, United Republic of Tanzania, United States, Yemen and Zambia.

Additionally, UNMISS has police personnel from the following countries: Argentina, Australia, Bangladesh, Bosnia and Herzegovina, Brazil, China, El Salvador, Ethiopia, Fiji, Finland, Gambia, Germany, Ghana, India, Kenya, Kyrgyzstan, Malaysia, Namibia, Nepal, Netherlands, Nigeria, Norway, Philippines, Russian Federation, Rwanda, Samoa, Senegal, Sierra Leone, South Africa, Sri Lanka, Sweden, Switzerland, Thailand, Turkey, Uganda, Ukraine, United States, Zambia and Zimbabwe.

Senator FLAKE. Thank you.

With regard to the oil revenue, there are some reports that I see that say that production is down 20 percent, others saying it stopped completely. What do we know at this point?

Ambassador THOMAS-GREENFIELD. The latest information I have is that many of the oil wells have been stopped. I do not know what the percentage is. There is some oil left in the pipeline, but most of the pumping has ceased.

Senator FLAKE. The only option—these pipelines go through Sudan proper or overland via truck to the coast. That is not much of an option, never was. So this—and no other industry in the country to speak of, really. I think the largest industry outside the oil industry is a brewery. There is not much to fall back on.

In terms of U.S. aid, this is one of the first examples I have seen where the United States has actually taken the prohibition that the Congress has placed on aid to countries that undergo a coup or new governments by virtue of a coup and have said basically—and tell me if I am wrong—we have said that if this is a coup and if it succeeds, that there will be a cutoff of aid. Has that been our policy? Are we using that as leverage now against those opposition forces?

Ambassador THOMAS-GREENFIELD. We have said to the opposition that we will not support their efforts to violently overthrow this government, and I think that would include aid programs. But when I say aid programs, I have to be very careful because we are not talking about the programs that support the people of Sudan. Right now all of our support to the Government of South Sudan, all of that support, it is not being implemented because we cannot implement it. So we are not doing any programs right now. But I would suspect that at a point if this violence continues that we would suspend that support.

Senator FLAKE. Those programs, if they were to be implemented now, what percentage of them are in the humanitarian area that would not be affected by our restrictions? Is it a real threat to those in opposition, the Vice President's forces or whatever, that aid will be cut off?

Ambassador THOMAS-GREENFIELD. You know, I do not think it is a threat that works, because if either of these sides cared about their people they would not be fighting. We have told them that they stand the chance of losing all support from the U.S. Government and the fighting has continued. But again, on the humanitarian side, if I may turn to my colleague.

Ms. LINDBORG. Just to make a sharp distinction between the humanitarian funds that go directly to support people who are in acute need from the development activities, some of which went directly to support government capacity-building and standing up of the new institutions. They are put in very separate categories.

Senator FLAKE. Some of those, development categories to improve the lot of the people, is that a fuzzy area or is there a clear distinction as to what is humanitarian and what is not?

Ms. LINDBORG. Well, there is always a consideration of the kinds of programs under the development portfolio that directly assist people, such as health facilities or health programs, or even some of the community-based reconciliation programs that we have conducted. So that is exactly the kind of consideration that would come into play should we need to.

Senator FLAKE. Can you give me some idea? I mean, if we are saying we are going to cut off aid if this coup succeeds, for example, if this coup does succeed how much of our aid will still flow? Do you know? Can you give me any percentage? I know there is some fuzziness and that is why I am wondering what will still go from the United States to a new government if one comes in.

Ms. LINDBORG. Let us get back to you with that information, because to be more precise I think will take additional consideration. But we will definitely be happy to get back to you on that.

There is an inability to conduct some of the programs right now in any case, just because of the confusion and the violence that is under way. It is the humanitarian programs that we are continuing to push out and are able to ensure that aid is getting to people.

Senator FLAKE. Follow up on another one of Senator Coons' questions, with regard to China, this is the first time that I can see that China has actually issued even a statement with regard to security concerns there. China tends to, when they invest, they invest human capital as well and have personnel there. Is their concern

the safety of workers there or have there been casualties among those who are in the country, foreign workers?

Ambassador THOMAS-GREENFIELD. I have not heard that there have been any casualties that the Chinese have suffered. But many of them are working in the areas of oil production, and all of those people have been evacuated out. So for that reason, the oil wells are not operating.

Ambassador THOMAS-GREENFIELD. Is China doing any more than simply making a statement? Like I said, that is the first time they have gone that far, but have they done anything else?

Ambassador THOMAS-GREENFIELD. They are actively involved in the peace process in Addis. I understand that they have been holding meetings with the various parties there, and they certainly have been working very, very closely with Ambassador Booth.

Senator FLAKE. Well, thank you both. With CAR and South Sudan, it is tough duty and I know you are working very hard at this. So thank you.

The CHAIRMAN. Thank you.

Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

Thank you both for being here. I am sorry that I missed your testimony, so you may have already talked more about this. As you talk about the additional humanitarian aid and the redirection of that, can you talk about to what extent we are cooperating with the U.N. and other groups on the ground there and how that is working and whether there are ways to improve that, or how concerned are you about what is happening there?

Ms. LINDBORG. We are working very closely with the U.N., with our NGO partners, and with our key allies, including those who have been long, strong partners on South Sudan—the U.K., the EU, Canada. We are in almost daily contact, both at the Juba level and in Nairobi and through our headquarters conversations. The U.N. country team is leading the charge in terms of coordinating the overall assistance, seeing when the opportunities arise to get aid into the UNMISS compounds. The NGO community is very courageously still operating many of their programs. There are NGOs that are doing protection patrols inside some of the UNMISS compounds, for example.

So there is active close coordination. As I did say earlier, one of the bright spots in the middle of a lot of bad news is that there is a long history of very strong humanitarian action in South Sudan, born of necessity, but it gives us the capacity to respond rapidly and as effectively as one can in tough situations.

Senator SHAHEEN. Obviously, some of the stories that have come out have been about the atrocities against women and the particular challenges facing children—women and children. Can you talk about whether there are specific efforts around the humanitarian assistance to address some of those concerns?

Ms. LINDBORG. Yes. Again, against a backdrop of a lot of security constraints and impeded access, to the degree that humanitarian workers are able to reach some of these populations there has been an effort like these protection patrols, so that you have the aid workers actually in with the displaced communities. Some of the real effort has been to get medical supplies, food, and water to

these spontaneous settlements of displaced people, including 30,000 who were just discovered yesterday.

So the humanitarian and the protection needs are hand in hand. One of the most important things that we can do is improve the security situation overall, which my colleague spoke about in terms of increasing UNMISS troops and, most of all, having improved access and peace negotiations.

Senator SHAHEEN. There was a report on the news this morning criticizing our efforts in South Sudan as our having not been tough enough—I do not remember the exact phrasing, but that was the gist of what it was saying—on some of the new leaders and not expecting enough of them.

Can you respond to that and whether there are other things that we can do that will help put pressure on those leaders to encourage them to resolve the situation?

Ambassador THOMAS-GREENFIELD. Thank you. I think we have to keep the pressure on and we have been tough with them at every level from the start of this. But even before this started, our Ambassador had made numerous statements concerning her concerns about the situation. She has been in regular contact with the government as the political situation started to unravel almost a year ago. She was making those statements. One of my colleagues has indicated to me that he in congressional testimony in June expressed concerns about this publicly, and also we have continued to express those concerns both to Riek Machar as well as to Salva Kiir.

Senator SHAHEEN. You talked about Uganda and the role that they have played. Are there other regional players that are influencing the situation, either for good or bad, that we should be concerned about?

Ambassador THOMAS-GREENFIELD. I think we should thank the Ethiopian Government and the Kenyan Government, who have been actively involved in the negotiations and working to bring both parties to the peace table. President Haile Mariam and President Kenyatta visited South Sudan, visited Juba, and impressed upon the President the importance of sending a delegation. I know that they are speaking on a regular basis with the government and pushing particularly the government to release the detainees. They have been working very closely with us looking at ways that we can support their efforts. So I think their efforts have been extraordinarily positive.

We have also talked to many countries in the region concerning contributing additional troops for the U.N., and all of them are looking at ways that they might either move troops from another peacekeeping force to provide support to the U.N. in South Sudan. Pretty much we are asking them to rob from one crisis to contribute to another.

Senator SHAHEEN. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Senator Kaine, who has been patiently waiting for his opportunity.

Senator KAINE. Thank you, Senator Menendez. And if you patiently wait, your colleagues ask all your questions, which is not a

bad thing. You get to hear the answers to the questions you wanted to ask.

But just a few things. To what extent is control of the oil resources a motivating factor in the conflict, or is it more of a collateral consequence of the conflict?

Ambassador THOMAS-GREENFIELD. I think it is probably both. I know that the fighting in the north, the rebel forces clearly want to maintain or gain control of the oil resources, and the government is certainly fighting tooth and nail to retain those resources. Certainly any government that wants to take over power will be looking at those oil resources as resources that they would want to have contribute to their efforts.

We have made very, very clear that if there is a violent takeover those oil resources will certainly be sanctioned.

Senator KAINE. Then, Administrator Lindborg, to pick up on questions that Senator Shaheen was asking about, the delivery of humanitarian aid, some of your written testimony dealt with that. I just want to make sure I understand. It sounds like the challenges with the delivery of humanitarian aid right now are mostly security challenges. There is not other kinds of challenges that are making it hard to deliver the humanitarian aid that we want to, that we want to deliver? Do I understand your testimony correctly on that?

Ms. LINDBORG. I would say security plus logistical, because it is a very complicated logistical environment even before this renewed violence.

Senator KAINE. Could you talk a little bit about that? I think you have testified about the security side. That would be helpful.

Ms. LINDBORG. The Nile, for example, is a virtual highway for moving supplies around, and all the barges have been commandeered and are unavailable to move relief supplies. There are very few roads, and we are having to work up against the upcoming rainy season. Typically, on an annual basis this is the dry season. This is the period during which we need to preposition critical relief supplies around the country—

Senator KAINE. That can be used throughout the rainy season.

Ms. LINDBORG [continuing]. In the regions that are shut off during the rainy season. So there is a lot of those logistical supplies. We have funded additional flights so that the U.N. can fly to the UNMISS bases, where we have got a concentration of displaced people, because they are otherwise not very easily reached. So those flights are happening. We have augmented that capacity. It is expensive and it does not let us move as much as quickly.

So it is security compounded by the difficult logistics.

Senator KAINE. When does the rainy season start?

Ms. LINDBORG. It will start in May. So we have until May both to position for the following year or we will be facing increased hunger around the country in addition to the consequences of this violence.

Senator KAINE. I would love it if USAID and you could keep the committee informed about steps that we should be taking, or that we should be working with the administration, to promote and to facilitate the delivery of the humanitarian aid.

Ms. LINDBORG. Great. Thank you for your support, Senator.

Senator Kaine. Thank you, Mr. Chairman.

The Chairman. Thank you.

Senator Markey.

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

Ambassador, there have been reports of atrocities by all sides of the conflict in South Sudan, with at least several mass graves discovered and reports of both Dinka and Nuer civilians being murdered for belonging to the wrong ethnic group. I was especially saddened and disturbed by a December Human Rights Watch report that members of the South Sudanese Army had targeted Nuer civilians in Juba on the basis of their ethnicity.

Given the hundreds of millions of dollars in security assistance that the United States has provided to the South Sudanese forces since 2005, this raises some disturbing questions. The United States has now suspended security assistance and training in December. My question is, Under what circumstances will this security assistance be allowed to resume, and will there be consideration now paid to the fact that we need assurances that our assistance and training will not be used to commit human rights violations?

Ambassador Thomas-Greenfield. Thank you for that question. We have been really saddened by the events that have clearly turned this fight into a battle that is ethnic in nature, and particularly that it is happening inside of the military. We have asked the U.N. about the information on mass graves. They have not been able to confirm those. We hope to help them get their human rights monitors out in the field so that we can collect that kind of evidence and be prepared to deal with the evidence in terms of holding people accountable. But we have not seen yet the evidence of the mass graves.

We do know that there have been extraordinary killings both of Dinkas in the north and of Nuer in and around Juba. This is something that has all of us very worried.

Our security assistance I think raises some serious questions on how we will implement programs that provide training to the Sudanese military after some of these actions have been made public.

Senator Markey. So here is my question to you. In January 2012, President Obama added South Sudan to the list of countries eligible to buy weapons from the United States. During fiscal year 2012 the State Department reported that it had authorized commercial sales of \$9 million worth of U.S.-made military equipment to South Sudan, including military electronics and missile-related technology. More than \$3 million worth of equipment was actually shipped. In contrast, the European Union continued to maintain an arms embargo since July 2011.

The question is, Will the State Department suspend or limit future weapons sales to South Sudan, given the risk of United States weapons being used to commit atrocities?

Ambassador Thomas-Greenfield. At the moment we are not implementing any of those programs, but let me get back to you with a full answer to that. My inclination is to say that that is likely going to be the case, but I would prefer to get back to you with more detail.

Senator MARKEY. Well, the administration in general is in the process of loosening the regulations that govern arms exports. Under the new rules, most types of weapons and equipment could be exported without a license and without a legal requirement that the State Department first review the proposed sales to ensure that they will not fuel armed conflict or harm human rights. The press has reported at one point the administration was seriously considering loosening the controls on guns and ammunition since they were not critical to maintaining a military or intelligence advantage of the United States.

Can you give us your opinion, Madam Ambassador, whether or not we do need a very careful review of arms exports in general to assess the potential for them to be used to commit human rights violations that is critical to protecting civilians, both in South Sudan, but in other countries in the world?

Ambassador THOMAS-GREENFIELD. I can speak on South Sudan and I certainly will take your question back, but my view is in South Sudan we are suspending right now the implementation of all of those programs and we will be looking very closely at any kinds of support that we provide the South Sudan military in the future.

[A written reply by Ambassador Thomas-Greenfield supplying the requested information follows:]

While the administration is in the process of reform, it is not "loosening" our export control regulations. The revisions made to this effort will not result in reduced control over the release of military items. These revisions involve transitioning less sensitive military hardware to the jurisdiction of the Department of Commerce. While some of the least sensitive of these items may be eligible for export under a license exception to the governments of our closest allies, we will still require a license issued by the Department of Commerce with input by the Department of State and Department of Defense. The Department of State has not published any proposed revisions to the categories covering firearms, guns, or ammunition. As described by the United States Conventional Arms Transfer Policy, updated by the President on January 15, 2014, oversight of arms exports is a vital tool of our national security and foreign policy, including ensuring human rights abroad. This has not and will not change as a result of the revisions being made to our export controls. Rather, the controls will allow the Department of State to more closely scrutinize those items that are critical to national security, while transitioning less sensitive items to the Department of Commerce where they will still require a license, except under limited circumstance when exported to the governments of our closest allies. The Department of State will still review those license applications to screen them for foreign policy considerations, including human rights. To reiterate, the U.S. Government has never sold weapons to South Sudan and has no plans to do so.

Senator MARKEY. For my part, I think the European Union is closer to where we should be on these issues. I think the United States has to step back, because the long-term implication of anything that we do can be profound. If we start selling nuclear power plants to countries that have long-term instability issues or we sell arms to countries that we know have a much higher probability than not of being turned around and used for purposes other than those which were originally intended, then we have the responsibility of reevaluating whether or not that makes any sense going forward.

Finally, the overwhelming majority of the South Sudanese people depend on natural resources for their livelihoods. Temperatures have increased, rainfall has decreased in the area over the last sev-

eral decades, with negative consequences for agriculture and food security. We know that that then creates a threat multiplier inside of countries like Sudan. Can you talk a little bit about that, in your opinion as to what we can do as a country to help to reduce the long-term impact of climate change on a country like Sudan?

Ms. LINDBORG. Senator, thank you for that question. We have actually for the last 2 years had an intensive initiative in East Africa on building greater resilience specifically in areas that have chronic poverty overlaid with these continual shocks of droughts and floods and the changes that you are identifying. We have made great progress in Kenya and Ethiopia and even Somalia, and we were moving forward in South Sudan.

What we are seeing is the disruption of all of that, which is all too often the case when you have conflict that rolls back progress and gains. Hopefully, we will be able to resume that, which enables greater management of risk and greater adaptation to these kinds of changes, so that we get ahead of the kind of natural disaster cycles.

Senator MARKEY. You get into a very bad negative feedback loop, where the very thing that caused the problem, the instability or the food insecurity, fighting for smaller and smaller and smaller amounts of natural resources, then lead to the conflict. It then makes it more difficult for you to solve the problem that was the original cause of the problem.

Ms. LINDBORG. That is absolutely right. Understanding how to manage and mitigate the risk of conflict is critical for these programs. We have done a lot of that work at the community level throughout South Sudan. I would just note that we are not getting widespread reports of violence among communities. So far it is armed actors who are perpetrating most of the violence.

We want to continue to be able to do that, and would love to come brief you on the resilience programs.

Senator MARKEY. The only problem is, as we know, is that the absence of the natural resources that are related to climate change then further exacerbates the ethnic conflicts. They are fighting over less and less, which makes it easier for the armed forces to enlist their ethnic brethren in a fight over those limited resources. So the climate change at the end comes back as a major factor.

Again, I would just urge that human rights be a factor that is much higher in priority in terms of arms exports from the United States, I think. It is just time for us to have that reevaluation.

Thank you, Mr. Chairman.

The CHAIRMAN. Let me thank you. I think you have raised some very important critical issues. Some of the questions that have been raised here about who and our continuation of assistance is why this committee voted 16 to 1 in a bipartisan basis to create language to deal with these circumstances. It is my hope as the omnibus bill moves forward that the Appropriations Committee will look at that language and, if not, that we will have an opportunity to consider that language on the floor.

I think the State Department cannot be in a position of picking and choosing, but having a standard that is universal, with the options for national security. I think that is incredibly important.

The thanks of the committee—do you have something else? Sorry, Senator Corker.

Senator CORKER. I would like to just say thank you again for your testimony. I am just listening to a lot of questions here. I know in the opening comments you mentioned that, or the opening questioning, that Machar did not undertake a coup in your opinion, that forces went to his home, he left, and then this began.

Then I have heard you on a continued basis talk about no aid would flow if there was a coup of any kind or a violent takeover. I hope—and I have seen Uganda is reported to have thousands of troops maybe helping the regime. I hope that all the international players, the neighbors, and ourselves, are applying enough pressure on Salva Kiir to want to solve this, because as I listen to all the questioning and answering it feels like most of the pressure is on the other side. I just hope that the pressure is being applied in a very balanced way.

You do not have to respond to that, but just in listening to the answers I am not sure that would come out in this testimony.

The CHAIRMAN. With the thanks of the committee for your appearance here today and your work, we will move on to our second panel. Thank you. You are excused.

With thanks to our next panel, I will introduce, for their patience and the input that they will have before the committee now, Ambassador Princeton Lyman, who has served as the U.S. Special Envoy for Sudan from 2011 to 2013 and previously served as the U.S. senior adviser on North-South negotiations; Mr. John Prendergast, a prominent human rights activist, author, and co-founder of the Enough Project to end genocide and crimes against humanity, particularly on the continent of Africa; and Kate Almqvist Knopf, who has served as USAID Assistant Administrator for Africa and Sudan Mission Director.

Let me—evidently, you all know each other very well. Handshakes and kisses are being shared.

Let me again thank you for your patience, but your testimony is incredibly important here. We ask you to summarize your statements in about 5 minutes so we can have a dialogue with you. Your full statements will be included in the record without objection.

Ambassador Lyman, we will start with you.

**STATEMENT OF HON. PRINCETON LYMAN, SENIOR ADVISOR,
UNITED STATES INSTITUTE OF PEACE, U.S. INSTITUTE OF
PEACE, WASHINGTON, DC**

Ambassador LYMAN. Thank you very much, Mr. Chairman, and to Senator Corker and all the members of the committee here. This is a tragic situation and it is important—

The CHAIRMAN. One moment.

If we could ask those who are leaving to do so quietly and exit so we can hear these witnesses.

Ambassador.

Ambassador LYMAN. I was asked to talk about the context and origins of this crisis, but let me make, if I can, two comments about some of the issues raised earlier. I think the importance of strengthening UNMISS, the U.N. peacekeeping operation, as was

discussed here—it is absolutely vital that the people who have sought protection under the U.N. be protected, and that structure there needs a great deal of help. It will take more than the U.N. resolution, a lot of work, and I hope the United States can provide logistic and other support to get the added troops there.

The mandate is there, but it needs to be activated. There has to be a much more aggressive role in protecting civilians and eventually monitoring the cease-fire. So I appreciate the attention that has been given to that.

The second thing is I want to point out that the work of the special envoy, Don Booth, and the work of Ambassador Susan Page in Juba is very important. They are on the ground working with this issue all the time. But their presence there in both places sends a message that the United States is not walking away from this crisis. On the ground, as difficult as it is, the support to Ambassador Page in Juba as well as to the special envoy is very, very important and I am glad it was emphasized in the testimony.

I want to talk about the runup to this crisis to illustrate the weaknesses of the institutions, the political and the military institutions in South Sudan, because it is important that as we look ahead to how these issues are resolved it is not simply a reconciliation between two men or even return to the status quo, because the underlying issues, the underlying weaknesses, are going to take something much more, and it is going to take a much more active role by the international community in solving these problems than we had before.

Let me just describe two trends, two developments that led to this crisis. One, going back a year and a half or more, was the uneasiness and worry within the ruling party about the way the country was being governed. There was not attention to the party by President Kiir, not even to the Cabinet. He was ruling more on the basis of a small group of advisers and, even more disturbing, relying more and more on intelligence and security people to harass opponents. Journalists were assassinated, others being pushed out of the country.

It became a major concern in our relations with South Sudan. So there was a real concern about bad governance.

Then the second challenge came from Riek Machar signaling that he was going to challenge the President for leadership of the party and for the Presidency. Now, Machar is a very controversial figure. He had split from the SPLM in the nineties, fought against it. There was a major massacre of the Dinka. These things have not been forgotten.

So the party was faced with a dilemma. If you give him—if you do not give him a path to the Presidency, there could be a crisis and a split. If you do give him a path to the Presidency, other people will be very upset. This was the dilemma the party had to deal with.

Instead of having a party capable of doing it, President Kiir went the other direction. He froze and eventually dissolved all the party mechanisms. He treated the elements from both of these crises as just direct challenges to him and as inciting unrest.

What it did was bring these two together, the dissenters in the party and Riek Machar, not because these people now mostly in de-

tention were supporting Riek Machar's Presidency, but they came together to criticize the way these issues were not being addressed. Instead, by December President Kiir dissolved many of the policy institutions and it was very clear there was no resolution taking place. Then we had the incidents of December 15 and all the unraveling.

Now, I emphasize this because when we look ahead it is not enough to say, well, just reconcile. There needs to be a process that gets at the basic structures of governance in South Sudan: enough protection for democracy and human rights, for how parties are supposed to operate, et cetera. The constitutional process in South Sudan has not moved forward, and that gives us a vehicle for dealing with a lot of participation from civil society, the churches, et cetera, in a new constitution for South Sudan that would be developed and would precede the next elections and maybe bring new leadership to the country.

But the international community is going to have to play a bigger role here. There should be international experts involved. There should be an advisory committee from the United Nations, the United States, African Union, et cetera.

The same goes for the economy. This is an oil-driven economy. The oil now is uncertain. There has to be a much more dynamic relationship between the international community and South Sudan over the management of the economy and how people can be helped.

This is going to be a new, much more active involvement. But otherwise, going back to the old institutions will not be sufficient. So it is a challenge.

But we have invested, the United States, heavily in this process. Between Sudan and South Sudan, since 2005 the United States has spent, I estimate, around \$12 billion in peacekeeping, in Darfur, in humanitarian activities and the birthing of South Sudan. Important American constituencies have been heavily involved in South Sudan's move to independence.

We cannot turn back on this. It is going to take a lot of time and effort. If we recognize the fundamental weaknesses in these institutions, we and our partners can start to address this over the next several years.

Thank you very much.

[The prepared statement of Ambassador Lyman follows:]

PREPARED STATEMENT OF PRINCETON N. LYMAN

Thank you for the opportunity to testify on the conflict in South Sudan. As you know I have had a long experience in Africa and in particular over the past 3 years with Sudan and South Sudan. Earlier in my career, I served as U.S. Ambassador to Nigeria and to South Africa. I began working on Sudan in the fall of 2010 as a special advisor helping assure the success of the referendum in South Sudan that led to its independence. From March 2011 to March 2013 I was the U.S. Special Envoy for Sudan and South Sudan. I am currently senior advisor to the president of the U.S. Institute of Peace. The views expressed in this testimony are my own and not those of the U.S. Institute of Peace, which does not take policy positions.

The situation in Sudan is a tragedy in every sense of the word, first of all for the people who are suffering and those who have already lost family members and friends; second because the independence for which South Sudanese fought for so many years is being wasted on internal warfare rather devoted to the needs of the people.

I have been asked to address the larger context of this conflict, its historic and political roots. This conflict has several underlying causes. But to focus on some basic factors, it arises from two distinct contentious political developments over the past 2 years which became intertwined. Those developments took place within a fragile political and military structure and rather than being addressed and resolved were allowed to fester and eventually lead to the situation we have today.

Those two developments were growing dissent within the ruling party over the way the country was being governed, and the decision by Vice President Riek Machar to challenge President Kiir for the leadership of the SPLM and then the Presidency in 2015.

South Sudan achieved its independence in 2011 led by the leading liberation movement, the Southern People's Liberation Movement (SPLM). The SPLM and its national army, the SPLA, however are fragile coalitions of various militia and political entities that often fought against each other during the previous civil war. President Kiir did an admirable job in bringing almost all these factions and militia together in the final run up to independence. Several other holdouts were brought in later. But much of this coalition-building was achieved by adding the various militias to the national army, but never fully integrating them. Political alliances were covered over but did not resolve competing political claims. Both the party and the army were unable to contain the competing ambitions and dissensions that have now come into the open.

The first of the developments that led to today's conflict was growing unhappiness within the government about the way President Kiir was managing affairs. Some leading members of the ruling party in particular felt that the President ignored the party in filling positions, ignored in fact the Cabinet, and made decisions based on the advice of a narrow group of advisors from his home area, Northern Bar El Ghazal. Parallel with these concerns were growing violations of human rights by the regime. Human rights advocates, journalists, and NGOs—both indigenous and international—were being harassed. A prominent journalist was assassinated in late 2012 with the government security apparatus suspected. President Kiir initially accepted, but later rejected, the U.S. offer of FBI help for investigating the matter. The U.S. Ambassador to South Sudan, Susan Page, was outspoken about these matters during the fall of 2012. They were the subject of my last visit to Juba in December 2012.

At the same time as these problems were growing, the party faced another internal crisis. Vice President Riek Machar indicated that he was moving to challenge President Kiir for the SPLM leadership and thereafter for the Presidency in the election of 2015. That challenge would come to a head at the party conference scheduled for 2014.

Machar is extremely controversial within the SPLM. A leader of the Nuer, the second largest ethnic group in South Sudan, he had split from the SPLM and fought against it for years during the civil war. In 1991 his forces were involved in a major massacre of Dinkas, the largest ethnic group in South Sudan. That has never been forgotten, even after Machar united back with the SPLM in 2001. President Kiir subsequently invited Machar to be Vice President. But theirs was a difficult relationship. Kiir assigned Machar only limited authority or responsibilities.

Machar's ambitions thus posed a major challenge for the SPLM. Denied a path to the Presidency, Machar could be a threat, either by leaving the SPLM and forming an opposition party, or worse, by drawing on his Nuer forces from within the SPLA and posing a military threat. On the other hand, providing him a path to the Presidency would surely arouse strong opposition within the SPLM.

The tragedy is that the party, the SPLM, was not up to meeting this challenge. Kiir, in particular, chose not to use the party machinery to try to defuse or resolve it. Throughout 2013, he bypassed or delayed party mechanisms. In July he dismissed Machar and the entire Cabinet. The Secretary General of the party, Pagan Amum, was suspended and put under investigation for inciting unrest.

And there is where the two developments began to intertwine. Dissenters within the SPLM, frustrated by their differences with Kiir, drifted toward Machar not as Presidential candidate, but as an ally in calling for more party democracy and authority. They also chose, in a joint press conference on December 6, 2013, to accuse the government of giving away too much in the negotiations with Sudan, an odd charge coming from among others Pagan Amum, who had also been the chief negotiator with Sudan for the SPLM. This alliance, if you can call it that, was diverse ethnically as well as in terms of factions, including for example the widow of SPLM leader John Garang. Kiir considered all of them hostile to his Presidency and more of them than Machar harboring Presidential ambitions. There was no meeting of the minds.

Things spiraled thereafter out of control. Whatever the origin of the fighting that started on December 15, President Kiir saw this as a coup by Machar's forces. Whether it was or not is not entirely clear. In any case, Machar's compound was attacked, and the party dissenters were jailed. Machar fled to the field and his army supporters left the SPLA to fight for him. Another sometime integrated, sometime outsider militia leader, Peter Gadet, joined Machar's forces. A former Governor of Unity State, who had been dismissed by Kiir, also joined Machar and is now the lead negotiator for Machar in the talks in Addis. The coalition and unity that Kiir had painstakingly built in the runup to independence has been unraveling.

In this situation of course, ethnic factors have played a role and once fighting began, became even more prominent. The fact that Kiir and most of the SPLM leadership is Dinka, and Machar is a leader of the Nuer, is not irrelevant. And once the dogs of war have been let loose, ethnic differences become the vehicle of mobilization, and the source of massacres, human rights violations and hatred. But it is important to remember that the sources of discontent within the SPLM were not ethnically based, and the most prominent of those who sided with Machar in the press conference of December 6, and are now in prison, are not Nuer. The underlying political issues that need to be addressed go beyond ethnicity.

The weakness of South Sudan's political institutions will be a continuing factor in addressing these needs. A comparison with South Africa is perhaps useful. The ANC in South Africa had decades of political development before coming to power in 1994. The ANC was a political movement with an armed wing that was developed much later. The SPLM was born from the decades of fighting in the bush. It is an army with a political wing. The SPLM government that took office in 2010 was in many ways still more a liberation army than a government. The weakness of political institutions, the overlap of party and government, and party and army, all contributed to the inability of the SPLM as a party to resolve these growing developments. Again by comparison, the ANC faced and resolved a major challenge to its leadership in 2008, even causing the resignation of the president, Thabo Mbeki, without bloodshed or unrest. The SPLM was not at all able to manage such a crisis.

In looking ahead, the immediate need is to stop the fighting and allow for humanitarian access to all who need it, with protection for all those within UNMISS camps. But the political talks that follow need to address the underlying issues that led to this disaster. There cannot be a simple return to the status quo ante, with Machar once again Vice President all the rest. There has been too much blood, and it would not solve anything.

The hard task ahead is to develop a new political structure, defining more clearly the democratic rights of all South Sudanese, that lays down the rules of political competition, and which allows for development of stronger political institutions, not only the leading party, the SPLM, but others. South Sudan has not yet developed a permanent constitution. This process, if placed under independent leadership, such as by a Supreme Court Judge, could be such a vehicle. But the process will have to be opened up much wider than previously, with active citizen, church, and civil society participation. Meanwhile, the long process of integrating, disarming, and ultimately reducing the size of the military forces and militia must be undertaken. But that can only be undertaken in a context within which fighting has stopped, the cease-fire is well monitored, and a credible political process is under way. All of these are hard tasks and they will demand a much more active and participating role of the international community than heretofore. Institutions take time to develop and without proactive outside participation, South Sudan's institutions, demonstrably weak, are not likely alone to be up to these demands. A new partnership between South Sudan and the international community must now be forged to preserve all that has been invested in this new nation.

The CHAIRMAN. Thank you.
Mr. Prendergast.

STATEMENT OF JOHN PRENDERGAST, COFOUNDER, SATELLITE SENTINEL PROJECT, ENOUGH PROJECT, WASHINGTON, DC

Mr. PRENDERGAST. Thank you, Mr. Chairman and Ranking Member Corker. This committee in particular has been crucial to the development of United States policy to Sudan for now years, even decades, and it sends, I think, having this hearing right now sends

a really important signal to the people of South Sudan that we care and that we are watching very closely. So I thank you for that.

I want to move right to the solutions, on page four of my testimony. I want to propose four ways that the administration and Congress can help right now in stabilizing the country and supporting the broader peace process that many of you have talked about.

The first way that the United States can help, I think, is to help expand this peace process beyond just a deal between the guys with the biggest guns. This goes to the heart of what you were saying, Senator Menendez, in your initial questions. The United States can play I think a major role in helping to ensure that the current process that is unfolding in Addis does not repeat the mistakes of past mediation efforts in Sudan and South Sudan. And the mistakes are legion and I have tried to document some of them in the written testimony earlier.

This will require, I think, a team of diplomats that can be accompanying our current special envoy. Let me just say that Sudan has itself, not South Sudan, Sudan itself has no peace process to speak of. There are stovepipe efforts with Darfur, with the Nuba Mountains, with Blue Nile, eastern Sudan. All these places, particularly the first three, there are huge conflicts with thousands and thousands of deaths over the course of the last year alone and hundreds of thousands of displaced, newly displaced people over the course of the last year alone. Nothing is happening on that front.

So we need a team, a cell, I think, in Addis of people to work with our special envoy, to be able to help deepen these processes. Particularly on the south, I want to associate myself very strongly with what Ambassador Lyman said. There are a number of layers to the peace process. there is the immediate cessation of hostilities, which does involve the guys with the biggest guns, but then you have to bring in others. You have to get involved in the governance reforms that have to be part of this process.

There are reasons why the war erupted so quickly, whether it was a coup or not, and spread to all the different regions of the country. Well, there is a lot of problems, and so they are not being addressed through the regular channels, the political channels. There needs to be reform.

The intercommunal reconciliation efforts that sort of petered out need to be really revived as part of this process. The constitutional process that Princeton talked about, and then, of course, support for army reform and DDR. We can talk more about that if you want in the Q and A, because I think it is really important, the kind of things that we were talking about, Senator Kaine.

So I think their work gets backed, of course, by Susan Rice and Secretary Kerry and President Obama himself, Ambassador Power. They have all been making contributions in a good way, just like in past administrations we have seen that from Secretary Powell and others and Secretary Rice in the CPA negotiation. That needs to continue. But I think it is really the team, having the team on the ground.

For its part, Congress can be helpful in ensuring that these resources are available for the diplomatic efforts for building that kind of a team, to be able to undertake protracted negotiation, be-

cause that is what it is going to require for the peace to potentially have a chance in South Sudan and in Sudan, so make it a package.

The second way the United States can help is I think to reinvest the troika. The troika involved the three countries, the United States, Britain, and Norway, and it went back to the late nineties, over three administrations. It played a crucial role in supporting the mediation process leading up to the 2005 comprehensive peace agreement and its implementation.

I think the troika can play an even important role, more important role, in the new peace efforts in South Sudan and in the ongoing effort to try to build a peace process in Sudan itself if they added another member, and that is China. Bringing China into the tent in a more formal way would increase the troika's influence on the process and the parties. We need leverage, and engaging even India, with major oil involvement in this regard, would also be potentially productive.

So I think a high-level White House effort should be undertaken with Beijing to find common ground on what our two countries can support together in South Sudan. A lot of work has already been done. I do not want to undermine or say anything negative about that. But a very high-level specific effort to try to figure out how the United States and China can work together. I think they can do that in the context of what could be a revived troika or quartet if we want to formalize it.

For its part, I think China—the Congress, sorry, can help by engaging directly with some officials from China and exploring the ways that the United States and China can work together for peace in the Sudan.

The third way for the United States to help is to collect evidence of atrocities and to sanction the perpetrators. This goes to the heart of what Senator Cardin was talking about earlier. I think we all know what that means, but there are two ways you can do it. You can collect the evidence and use that evidence immediately to impose targeted sanctions against individuals who are found to be perpetrating, suspected of perpetrating mass atrocities and leading these kind of things. And you can collect that evidence and turn it over to bodies and work for the creation of bodies or the existing bodies like the ICC, but the creation of bodies like a mixed court in South Sudan that could work to begin to end this cycle of impunity and begin to prosecute those that are committing these kinds of atrocities.

As I think everyone on this committee and on this panel thinks, if we do not start to deal with those kinds of questions it just leads to a deepening of a cycle of violence and impunity that we have seen not only in South Sudan, but, as was mentioned already, in a number of other places in Africa and around the world.

For its part, I think Congress could ask for regular briefings from the administration, formal briefings on the evidence of atrocities and how specifically the United States is responding on these two areas—targeted sanctions and prosecutions—what are we doing?

The fourth way the United States can help is to help negotiate humanitarian access. I think the United States has been admirable, going all the way back to when Kate was running things, admirable in the way we have responded to the humanitarian crises.

We have a long history of negotiated access agreements in South Sudan that we can build on. I think we do not want to wait a long time before we get those negotiated access agreements to get to people.

Particularly, there are people all over South Sudan, but I want to highlight one group of people that are extremely at risk. Those are those refugees from Sudan, from the Nuba Mountains and Blue Nile, who are in South Sudan, and no aid right now. They have no resources to call upon, and their home areas in Sudan are the subject right now of intensive bombing campaigns and offensives by the Government of Sudan in the Nuba Mountains and Blue Nile today. So being able to negotiate the access up to those areas and ensure that the parties uphold those agreements is terribly important.

In conclusion, the track record of this Congress I think, particularly the Senate Foreign Relations Committee, has been clear over the last three administrations regarding Sudan and South Sudan. I know I speak for my fellow panelists and so many others in expressing really our deep appreciation for your continuing advocacy on behalf of the people of Sudan and South Sudan.

Thank you very much.

[The prepared statement of Mr. Prendergast follows:]

PREPARED STATEMENT OF JOHN PRENDERGAST

Thank you, Chairman Menendez and Ranking Member Corker, for the opportunity to testify at this turning point for South Sudan. The full committee's dedicated attention to this issue is very helpful. This body—including your predecessors Senators Kerry and Lugar—has played a pivotal role in the development of U.S. policy on both Sudans, and it is good that is continuing.

I would like to focus my prepared remarks on the way forward for South Sudan. The U.S. Government has already shown a welcome level of attention and engagement on this issue. Still, there is always much more that can and should be done to help stop the fighting, secure a durable peace, protect civilians, hold perpetrators accountable, and start to heal this new country in its rocky process of state formation.

Before I begin, I want to reveal a controlling bias in my testimony. I believe that the United States and broader international community can finally learn the lessons from past failed peace efforts, and that a new process can evolve in Addis Ababa that takes into account the structural and substantive deficits of previous initiatives. And I believe that the United States can play a crucial role in helping to construct a more effective process, and then help build the international leverage necessary to see it through to successful completion.

WHAT NEEDS TO HAPPEN TO FORGE A NEGOTIATED POLITICAL SOLUTION?

The “good” news is that we already know what doesn't work. We have seen too many peace conferences that kept civil society, religious leaders, grassroots activists and women out of the room. Our collective experience has shown that partial and noninclusive peace agreements that are negotiated among only those with the biggest guns don't lead to lasting peace. Additionally, superficial power-sharing agreements don't work if they do not include professional, transparent, and well-funded efforts at army reform and the demobilization and reintegration of former combatants back into society. South Sudan's struggle to establish its own national reconciliation and dialogue process offers a vivid example of the need to address these issues within the text of binding peace agreements too. Otherwise, DDR, SSR, and TRCs just become buzzword acronyms without any impact.

The 2005 Comprehensive Peace Agreement stopped the fighting between Khartoum and the Sudan People's Liberation Movement in the South. In terms of providing a stoppage of the primary North-South war, it was successful. But the internal wars within North and South were left unaddressed. Deadly conflict has re-erupted in Darfur, South Kordofan, and Blue Nile, with Darfur last year having one of the highest rates of newly displaced people in the world. Similarly, the Com-

prehensive Peace Agreement and what followed did not tackle the deep fissures within South Sudan itself, particularly within the ruling party and the army, but also between local communities who had borne the brunt of the war.

What is needed to address the crisis in South Sudan is a broad expansion beyond the approach taken by those who negotiated the Comprehensive Peace Agreement, and those that are trying to broker isolated deals in Darfur, the Nuba Mountains and Blue Nile, and Eastern Sudan. In South Sudan, of course a deal between the combatant forces for a cessation of hostilities is a first order priority, but what follows needs to be much more inclusive, transparent, and multilayered than any of the processes that have come before if sustainable peace is to have a chance in South Sudan. This requires a broadening of both substance and structure.

In terms of structuring talks for a lasting political solution, the South Sudan peace process will have to become much more inclusive. Women and youth, who have been notably absent from the Addis process, must be welcomed. The release of the 11 senior level ruling party officials being detained by their government, representing significant political constituencies, and their subsequent involvement in Addis will be essential for the credibility of these talks. Church leaders who have played a major role in previous communal reconciliation initiatives need to be part of the process as well. Furthermore, it will be necessary over time to find a way to engage potential spoilers, whether armed groups or disaffected constituencies from different regions in South Sudan.

South Sudanese have already gone through an extensive consultative process around the New Deal Compact, which focused on both peace-building and state-building goals. Additionally, the National Democratic Institute conducted a nationwide survey on views about the constitution. Most recently, 1,200 people were surveyed by the South Sudanese NGO, the Community Empowerment for Progress Organization at the end of December 2013, after fighting started in Juba. Among other questions, they were asked their views on the roadmap for peace and stability in South Sudan. These efforts have already gathered valuable perspectives from those most affected by the violence: civilians and average citizens. Negotiators should take them into account.

WHAT WOULD A SUSTAINABLE DEAL POTENTIALLY LOOK LIKE?

A quick and dirty power-sharing deal is not the answer to South Sudan's problems. Simply redistributing power to combatant factions on the basis of the territory under their control would be a huge error. Similarly, essentializing South Sudanese political constituencies into their ethnic component parts would also be a mistake. A deal that overemphasizes sharing power between ethnic groups misses the root causes of this violence. Any interim arrangements or transitional government structure should seek to avoid these pitfalls. There will be great temptation to speed to a conclusion of the talks, which would leave major conflict drivers unaddressed.

A truly multilayered approach would address the following priorities in different formats:

Broad, inclusive, national dialogue process: The regional IGAD mediation team needs to shepherd an inclusive process focused on a broad national dialogue process and governance reform. For too long, the ruling party's structures have languished due to infighting and neglect. Instead, patronage networks based on individual proximity to power, military might, and wealth evolved. As a consequence, a political challenge which could have been resolved through dialogue mutated into armed conflict that has since engulfed the country. Only a truly inclusive national dialogue process will prevent that from happening again, one that addresses governance structures, ruling party cleavages, a legitimate constitution process, and security sector reform. All of this should happen BEFORE there are elections with a level playing field. Otherwise, South Sudan will continue to suffer from their leaders' perception that taking up arms is the easiest or only way to gain power or leverage.

Accountability: Since South Sudan lacks a functioning judicial system, the specter of impunity or rushed military prosecutions is very real. Credibly holding perpetrators responsible for crimes committed in the past 3 weeks will require setting up independent mechanisms for investigation and prosecution. Otherwise a culture of impunity will prevail, preventing future reconciliation. The proposal for a mixed court, which would involve South Sudanese and international justice sector personnel should receive some discussion, as it has in other post-conflict settings.

Reconciliation: Church-led grassroots reconciliation and truth-telling efforts would help complement more formal judicial proceedings. Intercommunal cleavages have been once again inflamed over the last month. Long-term processes aimed at coexistence and cooperation will be critical to sustainable peace.

Army reform and DDR: One of the main unaddressed fault lines in South Sudan existed within the army, and that erupted at the first sign of stress in December. As part of any peace implementation process, much greater effort and transparency must go into reforming the army and police force. Also, any deal will require a serious demobilization and reintegration program for ex-combatants, with real livelihood options for those leaving armed groups.

HOW CAN THE UNITED STATES HELP STABILIZE THE COUNTRY
AND SUPPORT THE PEACE PROCESS?

Expand the peace process: The United States can play a major role in helping to ensure that the current peace process unfolding in Addis does not repeat the mistakes of past mediation efforts in Sudan and South Sudan. This will require a team of diplomats led by our current special envoy but supplemented by issue and process experts who can help work all of the layers of peacemaking: the immediate cessation of hostilities and its monitoring, the national dialogue and governance reform processes, the constitution process, the intercommunal reconciliation efforts, and the support for army reform and DDR. Their work should be backed by continuing high level engagement by key U.S. officials, including President Obama, National Security Adviser Rice, Secretary Kerry, and Ambassador Power, all of whom have already made important contributions to preventing further conflagration. Development assistance should support grassroots peace initiatives. Already, South Sudanese have established a decentralized think tank called Fresh Start South Sudan to discuss governance, peace-building, social services and future prosperity. Others are engaged in campaigns that emphasize alternatives to violence, including “I Choose Peace” and “My Tribe Is South Sudan.” These initiatives deserve greater attention and our logistical and financial support as well.

Congress can be helpful in ensuring that the resources are available for these diplomatic efforts, which for it to have a chance at success will have to be protracted and sustained.

Reinvent the Troika: The Troika (United Kingdom, Norway, and the United States) played a crucial role in supporting the mediation process leading up to the 2005 Comprehensive Peace Agreement and its implementation. The Troika countries could play an even more important role in supporting the new peace effort in South Sudan if it expanded its membership by one: China. Bringing China into the tent would increase the Troika’s influence on the process and the parties. Engaging India in this regard would also be potentially productive. A high-level White House effort should be undertaken with Beijing to find common ground on what our two countries can support together in South Sudan (and Sudan as well), and then integrate those understandings into a revived Troika, or Quartet.

Congress can help by engaging Chinese officials as well in exploring ways the United States and China can work together for peace in the Sudans.

Collect and punish evidence of atrocities: The United States should begin collecting evidence of human rights crimes and instances where humanitarian aid workers are prevented from doing their work. The African Union has already expressed a willingness to impose targeted sanctions on any party implicated in “inciting people to violence, including along ethnic lines, continuing hostilities, undermining the envisaged inclusive dialogue, hindering humanitarian operations, undermining the protection mandate of UMISS and carry out acts of violence against civilians and unarmed combatants.” The United States should follow suit, and work within the U.N. Security Council to begin consultations around passing a resolution establishing a targeted sanctions regime, as conceptualized by the African Union. Drawing on the Syrian example, they should also push actively for the creation of an Independent International Commission of Inquiry into crimes committed by all factions and combatants. While both the South Sudanese Government and the U.N. peacekeeping mission have already begun these documentation efforts, an independent commission will allow findings to be depoliticized. Further, the United States should support the establishment of a mixed court, drawing on both South Sudanese and international law, to ensure fair trials and prosecutions.

Congress could help by asking for regular briefings by the administration on evidence of atrocities and how the United States is responding. If patterns of serious abuses are being found to be perpetrated by South Sudan Government forces, this should lead to a reevaluation of our nonhumanitarian aid programs.

Negotiate humanitarian access: The humanitarian situation in South Sudan is dire, and it has a direct impact on neighboring areas inside Sudan as well, particularly in the Nuba Mountains and Blue Nile regions. Negotiating an access framework, notwithstanding zones of control, is essential and must proceed along a parallel track, with potential U.S. leadership. It would be a mistake to connect

humanitarian access negotiations to the broader political mediation. All South Sudanese deserve consistent and unimpeded humanitarian assistance, regardless of if they live in areas held by rebel or government forces. Refugees from Sudan living in camps along the border, especially in Yida and Maban, deserve special attention. Following the evacuation of international staff and the U.N. mission, these concentrations of civilians near the Sudan/South Sudan are particularly vulnerable. They are trapped between two active conflict zones, have nowhere to run, and their supplies are nearly exhausted.

Congress can raise the alarm bells regarding specific at-risk populations throughout South Sudan, as well as those in Yida camp, Maban camp and trapped across the border in war-torn Nuba and Blue Nile, and continue to ensure the funding is available for innovative relief interventions that will no doubt continue saving countless South Sudanese and Sudanese lives.

The CHAIRMAN. Thank you.
Ms. Knopf.

STATEMENT OF HON. KATE ALMQUIST KNOPF, ADJUNCT FACULTY, AFRICA CENTER FOR STRATEGIC STUDIES, NATIONAL DEFENSE UNIVERSITY, WASHINGTON, DC

Ms. KNOPF. Thank you, Chairman Menendez, Ranking Member Corker, and members of the committee, for the opportunity to testify before you today.

In the space of nearly 4 weeks, more than a decade of humanitarian and development progress to improve the lives of the people of South Sudan has been undone by the outbreak of violence between forces loyal to President Salva Kiir and former Vice President Riek Machar. As others have indicated today, the violence could devolve further into full-scale civil war, resulting in immense human suffering with severe implications for regional peace and security. I would like to offer a few observations on the current crisis and then make several recommendations.

Let me be clear from the outset. Upon South Sudan's independence in 2011, the United States pledged its commitment to stand by its people, to continue to stand by its people. We should remain resolute in this commitment, not flinching in the face of recent developments. The United States has unique influence and a deep reservoir of good will in South Sudan that gives it an indispensable role in overcoming the current crisis.

My first observation is that this crisis was neither inevitable nor ethnically motivated. It is a political crisis precipitated by the failure of President Salva Kiir and former Vice President Riek Machar to settle their political differences without resort to violence. They can stop it, and the first priority is inducing them to do so.

Secondly, institutional development takes decades. Political transitions are inherently messy and it is not a surprise that there is a crisis in governance. It is in fact to be expected. While there is a great temptation to play the blame game, it is important to recognize that South Sudan was not afforded self-determination based on its capacity for self-rule. It won self-determination to liberate South Sudanese from oppression and end decades of war.

South Sudan must develop its political institutions indigenously and from the ground up. It is unreasonable to expect these institutions to develop and take root in 2½ years.

Sadly, the government's record since independence is one of deliberate undermining and erosion of the nascent mechanisms of accountability between state and society by those who hold power.

This is the root of the current crisis and the fundamental issue that must be addressed if and when the fighting ends.

Thirdly, the United States has deep relationships with the protagonists, an unparalleled degree of influence, and the responsibility to use that influence to broker a return to nonviolent political competition. This is not a time for incremental approaches. While the regional IGAD and AU processes to mediate between the parties are to be supported, the United States must continue to deploy the full weight of its diplomatic capabilities on the parties directly and multilaterally, including through the U.N. Security Council.

The United States should move to invoke the President's authorities to institute travel bans and asset freezes on senior leadership on both sides, as well as prepare to extend those sanctions multilaterally through a resolution in the U.N. Security Council, if the following actions are not imminently forthcoming:

One, a cessation of fighting without further stalling or delay. The United States and other international partners must foreclose the military option for either side, including by explicitly discouraging regional actors, such as Uganda and Sudan, from directly or indirectly participating in the conflict.

Two, a release of the 11 political detainees arrested following the outbreak of fighting in Juba. They have been targeted on the basis of their public dissent with President Kiir and their participation in the Addis Ababa talks is vital to reaching a political arrangement.

Three, the impartial delivery of urgently needed humanitarian aid, including providing humanitarian actors fully, unimpeded access to all those in need, not just in the protected enclaves of UNMISS bases, and most especially to civilians caught in active conflict zones, such as in the cities of Bor and Bentiu.

Four, full cooperation with the humanitarian monitoring, including with a formal U.N. commission of inquiry which should be established to investigate and document human rights abuses.

Neither Salva Kiir nor Riek Machar is indispensable to a stable, peaceful, democratic South Sudan. Courageous leadership is required, however, to rise above personal ambitions and animosities to achieve a cease-fire and an interim political settlement. Escaping cycles of violence is hard, but it can be done.

If an interim political settlement is reached, the South Sudanese leadership will need to dedicate itself to three critical tasks to restore confidence and demonstrate accountability to its people: building coalitions to support key institutional reforms in citizen security, justice, and jobs; expanding space for independent voices so a national dialogue is possible; and tangibly demonstrating the state's responsiveness to its citizens, particularly by drafting and adopting a permanent constitution, fostering national and local reconciliation, and conducting fair and peaceful elections. Prioritizing road networks and radio communications is a must to achieve any of these tasks.

The United States is the largest bilateral donor to South Sudan and it should remain so. Significant areas of the country, in fact, are peaceful and government, community, and church leaders in these areas are to be commended and supported in their efforts to stem the conflict's spread, including through the continuation of de-

velopment partnerships. An abrupt stop to development assistance will only worsen the national crisis, not alleviate it.

USAID has been providing development assistance to South Sudan continuously since 1998, first in supporting stability through international and local partners and eventually through the newly independent government. The gains from these programs should not be jettisoned hastily or unnecessarily. Doing so will only make the task of stabilization and reconstruction that much harder if and when a political settlement is reached, further harming the people of South Sudan.

Let me conclude on a practical note. The U.S. Government's ability to respond effectively to this crisis, whether through diplomacy, humanitarian assistance, or development, will be significantly handicapped without the presence of Americans with deep knowledge and relationships in South Sudan. As the former head of USAID's Africa Bureau and the former mission director in Sudan, I understand all too well the tradeoffs between security and impact. It is imperative that the U.S. Government staff be allowed to return to South Sudan as quickly as possible.

Thank you again for this opportunity and I look forward to your questions.

[The prepared statement of Ms. Knopf follows:]

PREPARED STATEMENT OF KATE ALMQUIST KNOPF

INTRODUCTION

Chairman Menendez, Ranking Member Corker, and members of the committee, thank you for the opportunity to testify before you today on the fluid situation in South Sudan. It is an honor to appear before the committee again.

In the space of 3 short weeks, more than a decade of humanitarian and development progress to improve the lives of the people of South Sudan has been undone due to the outbreak of violence between forces loyal to President Salva Kiir and former Vice President Riek Machar. And the very real potential exists for the tragedy to grow far worse. Over the course of the 1983–2005 civil war, some 2 million lives were lost, 4 million were internally displaced, and over 600,000 were forced to flee the country. Much of this human suffering resulted from internecine southern fighting, even more so than it resulted from conflict between north and south. While the full impact cannot yet be fully assessed, the current crisis has easily claimed thousands of lives, displaced hundreds of thousands from their homes, and forced tens of thousands to flee across borders. If not immediately curtailed, the violence could devolve into full-scale civil war with far-ranging implications for regional peace and stability and immense human suffering.

I first visited South Sudan in 1995 while working for the international NGO World Vision. I later had the honor to work on the Sudan and Darfur peace processes for 8 years as an official at the U.S. Agency for International Development (USAID), including serving as the first director of the USAID/Sudan mission after 14 years of closure, the first U.S. representative to the international Assessment and Evaluation Commission monitoring implementation of the CPA, and subsequently as assistant administrator for Africa. I will offer a few observations on the current crisis and then make several recommendations both for immediate priorities and for stabilization strategies if and when an interim political settlement is reached, including the role of the United States and other international donors.

OBSERVATIONS

1. The current crisis is neither inevitable nor unstoppable. It is political and ultimately a failure of South Sudanese leadership. The leaders who started the crisis can stop it.

South Sudan began its independence in 2011 with both great promise and great peril. Promise from the abundance of its natural resources, the outpouring of international support, and its uncontested legitimacy, even from the Government of Sudan (GOS) in Khartoum. Peril from its unresolved issues with Khartoum, includ-

ing over oil and borders; the deep wounds of 22 years of civil war, including trauma from bitter intercommunal fighting; virtually no institutional legacy of self-governance to draw on; extremely limited physical and telecommunications networks to connect the country; and a very youthful and well-armed citizenry.

The existence of these conflict risk factors did not predetermine the current crisis, however. Rather, it is the direct result of the failure of President Salva Kiir and former Vice President Riek Machar to avoid resorting to violence to settle political differences. Ultimately, it is the absence of institutional alternatives in South Sudan to conflict resolution through violence that makes a crisis on this scale possible. While deep ethnic conflict fault lines exist and violence has arisen along some of these lines—whether spontaneously, tacitly, or explicitly at the behest of the embattled leadership remains to be determined—the underlying political dispute is not ethnically based or motivated. Nor is it the case that the entire country has devolved into political or ethnic violence. Significant areas of the country, in fact, remain peaceful, and government, community, and church leaders in these areas are to be commended for and should be urged to continue their efforts to stem the conflict's spread.

In parts of the country where violence is threatening massive numbers of civilians—in Juba and Jonglei, Unity, and Upper Nile States most especially—it is on the leaders of both sides of the conflict to immediately cease fighting. Irrespective of the grievances regarding undemocratic practices and the usurpation of internal SPLM party processes leveled at President Kiir and of the allegations of an attempted coup leveled at Dr. Machar, recourse to violence resulting in the bloodshed and humanitarian distress that has ensued since December 15 is unjustified and unacceptable. The longer the violence continues, the harder it will be to stop given patterns of retribution among communities in South Sudan.

2. Institutional development takes decades, and political transitions are inherently messy.

In moments of crisis and catastrophe, there is a great temptation to play the blame game—who is at fault, what could have been done differently to prevent the current developments from coming to pass. In this regard, many have already commented on the governance failures of the Government of the Republic of South Sudan (RSS) since independence and on the inadequacy of the response to those failures by the international community, including the United States. While these debates will continue, it is important to recognize that South Sudan was not afforded self-determination based on its capacity for self-rule; it won self-determination to liberate South Sudanese from oppression and end decades of war. Because of South Sudan's particular history, the process of state formation under way there is arguably unique—it is not a situation of post-colonial independence or of recovering earlier systems and traditions of self-government. It is an exercise in building a new nation and state from the ground up. Empirical evidence on state formation and institution-building tells us that it takes decades for institutions of governance to develop and that these institutions cannot simply be borrowed or imported from elsewhere. South Sudanese must develop them for themselves. It is not reasonable, therefore, to expect political institutions to develop and take root in 2 years (or even 8, if one counts the 6-year interim period) time.

Just as the institutions of accountability and governance are in their earliest stages of development, the political leadership of South Sudan is undergoing an arduous transition from liberation movement to civilian government. Again, experience from democratic transitions elsewhere is clear—in the short term, these transitions are contentious processes as old orders of power and control are challenged and replaced with new ones. No amount of external intervention or influence can smooth out all the bumps of such a transition. So while the messiness of South Sudan's transition is not a surprise—and is, in fact, to be expected—the country is not doomed to years of instability and conflict; progress can be made during the transitional period given responsible leadership.

It is reasonable to expect the young government to demonstrate efforts toward instituting principles of fairness, transparency, inclusiveness, and respect for basic human rights, and for the country's international partners to support and reinforce these principles. Sadly, the government's record of the past 2.5 years since independence is the opposite: one of deliberate undermining and erosion of nascent mechanisms of accountability between state and society by those who hold power. This is the root of the current crisis and the fundamental issue that must be addressed once the fighting ends.

3. The United States has unparalleled influence in South Sudan and therefore a responsibility to intervene diplomatically.

When the political transition becomes violent, a moral imperative to help facilitate a return to nonviolent political processes becomes paramount. In this regard, the United States is uniquely positioned to intervene diplomatically to help end the violence and prevent an even worse catastrophe. Having initiated and championed the peace process that led to the Comprehensive Peace Agreement and ultimately the independence of South Sudan, as well as invested billions of dollars in humanitarian, development, and security assistance to support these ends, the United States has deep relationships with the protagonists, a reservoir of good will among South Sudanese, an unparalleled degree of influence, and the responsibility to use that influence to broker a return to nonviolent political competition. This is not a time for incremental approaches or sequencing of efforts. While the regional IGAD and AU processes to mediate between the parties are to be supported, the United States must continue to deploy the full weight of its diplomatic capabilities on the parties directly and through the U.N. Security Council. The tireless efforts of Ambassador Susan Page and Special Envoy Don Booth to respond to the crisis must continue to be supported by the highest levels of the Obama administration, including continued direct interventions by Secretary of State John Kerry and National Security Adviser Susan Rice, both of whom have important personal relationships with the protagonists.

IMMEDIATE PRIORITIES

President Kiir and Dr. Machar both must match their words with actions without any further delay, excuses, or stalling. The United States and the international community should move to impose penalties on both sides if the following actions are not immediately forthcoming:

1. End the fighting

Utmost pressure must be brought to bear on both parties to end the violence immediately. Specifically, the United States and other international partners must foreclose a military option for either side. The United States and the U.N. Security Council should explicitly discourage regional actors from directly or indirectly participating in the conflict, including prohibiting the transfer or sale of arms and weaponry that could further fuel it. Inviting Ugandan or other regional forces to intervene will only escalate and prolong the conflict as well as compromise the ability of IGAD to mediate between the parties (especially President Museveni, who could play a valuable role in this regard). If the Government of the Republic of South Sudan needs assistance to secure the capital, Juba, it could request the U.N. Mission in the Republic of South Sudan (UNMISS) take control of the city's security. The U.N. Security Council should then ensure that UNMISS has the capacity to do so while holding it accountable for fully exercising its Chapter VII mandate throughout the country. Regardless, the RSS must accept the immediate deployment of additional UNMISS forces without further delay.

2. Release the 11 political detainees to the ICRC

The RSS should immediately release to the International Committee of the Red Cross (ICRC) the 11 political detainees arrested following the outbreak of fighting in Juba. These 11 individuals are senior members of the SPLM, many of them were key to the negotiations that led to South Sudan's independence, and they have clearly been targeted on the basis of their public dissent over SPLM party deliberations. Their participation in talks on a political arrangement going forward is vital to bridging the divide between President Kiir and Dr. Machar. As well, their release would signal the government's renewed commitment to a genuine political process to manage the country's forthcoming leadership transition.

3. Allow full and unimpeded access for humanitarian response

It is of utmost importance that the protagonists compel their forces to respect the delivery of humanitarian aid on the principles of impartiality and neutrality, including providing humanitarian actors full, unimpeded access to all those in need—not just in the protected enclaves of UNMISS bases and compounds and most especially to civilians caught in active conflict zones such as in the cities of Bor and Bentiu. Establishing additional “humanitarian safe zones” would, in my view, be problematic and inadvisable. They would be practically infeasible to establish and defend; they would divert attention from the majority of the displaced and conflict-affected population who are not in or able to make it to these designated areas; their creation would risk encouraging greater population displacement and dependency; and they would cede the logic of a protracted crisis to the protagonists.

The United Nations has moved swiftly and expertly to respond to the tremendous civilian protection and humanitarian needs ensuing from the outbreak of fighting.

U.N. Deputy Special Representative Toby Lanzer and the entire U.N., international, and NGO community still present in South Sudan—particularly South Sudanese staff and organizations—are to be commended for their heroic work thus far to meet the escalating needs, often at great personal risk. The United States should continue to support these efforts to its utmost ability. I also commend the United States swift establishment of a Disaster Assistance Response Team (DART) in Nairobi and the provision of \$49.8 million in additional humanitarian funding to address the grave and growing humanitarian needs. Going forward, the U.S. Government’s ability to respond more effectively will be significantly handicapped without the presence of Americans who have deep knowledge and history of such operations in South Sudan. Understanding the risks involved, U.S. Government (USG) humanitarian staff should be allowed (and American implementing partners should be encouraged) to return to South Sudan as quickly as possible to better support these efforts.

4. Accept a U.N. Commission of Inquiry to document human rights abuses

The efforts of UNMISS and the U.N. High Commissioner for Human Rights should be augmented by the establishment of a formal U.N. Commission of Inquiry to investigate and document allegations of atrocities and human rights abuses. The United States and the international community should demand full access and cooperation with members of the commission and other international human rights monitors as a signal to the people of South Sudan of commitment to stopping atrocities and holding perpetrators of crimes against civilians accountable.

To reinforce these four priorities, the administration should prepare to invoke the President’s authorities in the International Economic Powers Act and National Emergencies Act to institute travel bans and asset freezes on senior leadership on both sides. In addition, the United States should prepare to table a resolution at the U.N. Security Council establishing a sanctions regime that would further demonstrate the seriousness of its commitment to holding the protagonists accountable. They must clearly understand that the only way to forestall such measures would be an immediate release of the 11 political detainees to the ICRC and simultaneous enactment of a cease-fire to be monitored by UNMISS. Ongoing cooperation with humanitarian response efforts and human rights monitoring should also be made requisite for remaining “off the list.”

STABILIZATION PRIORITIES AFTER AN INTERIM POLITICAL SETTLEMENT

While empirical evidence tells us that escaping cycles of violence is hard—one of the greatest predictors of future violence is a history of past violence—it can be done. The World Bank’s 2011 World Development Report captures the experiences of countries that have successfully exited from cycles of violence and provides a framework for prioritizing state-building and reconstruction efforts in South Sudan—if and when the immediate fighting ends and an interim political settlement is reached. It finds:

To break cycles of insecurity and reduce the risk of their recurrence, national reformers and their international partners need to build the legitimate institutions that can provide a sustained level of citizen security, justice, and jobs—offering a stake in society to groups that may otherwise receive more respect and recognition from engaging in armed violence than in lawful activities, and punishing infractions capably and fairly. (8)

Such institutional transformation, however, takes time—a best-case scenario is within a generation—and requires first a restoration of confidence and trust in government and across communities. For South Sudan, therefore, it will be imperative to address the underlying issues of political accountability of the executive branch and ruling political party that precipitated the outbreak of fighting and to repair the damage to state-society relations and intercommunal social cohesion that the fighting has caused.

For this to happen, the current political leadership faces a critical choice: to use the crisis to recommit itself to developing inclusive, accountable institutions by ceasing actions that perpetuate the dominance of the executive branch and the current executive, or to continue to alienate society from the state through the pursuit of what appears increasingly to be cults of indispensability. Neither Salva Kiir nor Riek Machar is indispensable to a stable, peaceful, democratic South Sudan, but either one can doom it to decades more death and destruction. Courageous leadership is required to rise above personal ambitions and animosities to embrace accountability mechanisms¹ and transparent political processes that can generate renewed confidence in the state.

Political leadership that is serious about restoring confidence in the state and ending cycles of violence would dedicate itself to three critical tasks: building inclu-

sive-enough coalitions to support key institutional reforms, expanding space for independent voices so as to enable a national dialogue, and realizing tangible successes to demonstrate the state's responsiveness to citizen expectations, particularly with respect to drafting a permanent constitution, fostering national and local reconciliation, and conducting fair and peaceful elections. I have written more extensively about what these tasks would entail in "Fragility and State-Society Relations in South Sudan," a research paper available from the Africa Center for Strategic Studies.² A summary of the key points follows.

Inclusive-Enough Coalitions

The state needs to make a more concerted and genuine effort to build collaborative partnerships beyond the class of elites who have dominated South Sudan's political arena thus far. The partnership-building process must also transcend societal fault lines and engage youth. By partnering with trusted institutions in society such as churches and nongovernmental and civil society organizations, identifying mutually beneficial priorities and complementary strengths, such a strategy would improve the government's engagements with local communities. Greater engagement with societal actors by the government would simultaneously diminish the justification for violence by communities that feel they have been excluded from the political process. Whether it involves matters of security, political processes, development needs, or other issues, the practice of building inclusive coalitions would make initiatives and reforms more viable, sustainable, and effective while fostering trust for future state-building efforts.

Expanding Space for Independent Voices

Access to independent information is indispensable to establishing accountability mechanisms on which a stable, democratic, developmental state depends. Beyond actively cultivating coalitions and inclusivity, the state must protect space for citizens and communities to express themselves if the processes of a state-society dialogue are to gain traction. Drawing on the experience of other democratic transitions, a massive civic education and public outreach campaign is required to sensitize the population to key democratic values and principles, such as:

- The responsibility of all citizens to participate in political and policy debates so that citizen preferences can be heard;
- Tolerance for opposing points of view;
- Freedom of speech, media, and assembly;
- Equality before the law;
- The inalienability of rights for minority groups and parties;
- Protection of private property rights.

In addition to state actors, this effort should enlist the participation of religious leaders, traditional authorities, civil society, the media, opposition political parties, and international partners. These groups have the trust of various constituencies in society and, collectively, can reach the largest percentage of citizens possible.

Rather than trying to monopolize state-society relations, the RSS and the SPLM should recognize independent civil society actors as representing authentic perspectives of citizens that can contribute to a stronger and more stable South Sudan. Harassing, intimidating, or otherwise inhibiting these voices sends exactly the opposite message—that the state does not want a genuine discussion with its citizens and intends to continue to dominate access to power and wealth. The outcome of such an approach is perpetual resistance and instability.

Media bills to protect freedom of speech should be passed and signed into law. Security services should be prohibited from persecuting the media, civil society, and international human rights monitors. Credible, independent investigations into all cases of intimidation and violence against journalists, human rights activists, and civil society leaders should be conducted and the results made public. The perpetrators should be tried publicly under due process of law. These are all immediate, consequential, and concrete signals that the government could send of its serious intent to become a government responsive to its citizens.

Since the challenge of building a national consciousness is as much a cultural exercise as it is a political one, efforts to foster a new South Sudanese identity should complement reforms to protect and expand political and civil rights. South Sudan's heterogeneity provides deep reservoirs of culture that, if appreciated and respected for their diversity, can foster a new national identity.

Tangible Gains Responding to Citizen Priorities

Achieving modest improvements on key popular priorities is a tangible demonstration that the government has the interests of citizens at heart. Beyond the outcomes generated is the process adopted, for this signals how committed a govern-

ment is to citizen participation and input—and ultimately accountability. Four strategic priorities integral to the state-building process provide focal points for generating confidence in the state so that vital institutional reforms in security, justice, and jobs can proceed.

1. National Constitutional Review. The current transitional constitution gives extraordinary powers to the President with almost no checks afforded to other branches of government. The President cannot be impeached. He can dismiss the national and state assemblies and remove the Vice President and State Governors from office, as well as any justice or judge. A national constitutional review process was to have been completed by January 2013, leading to a final, permanent constitution soon thereafter. The review process is considerably behind schedule, so much so that the transitional constitution had to be amended to extend the National Constitutional Review Commission (NCRC) mandate for an additional 2 years to December 2014. Even before the outbreak of fighting, this raised serious questions about the adoption of a new permanent constitution before the current terms of the President and national assembly expire in July 2015.

The national constitutional review process is an opportunity to educate citizens about what a constitution is and solicit views about what kind of checks and balances the people of South Sudan want on their government. Instead, the path provided for in the transitional constitution—a permanent constitution drafted by the NCRC, reviewed by an appointed National Constitutional Conference, and then passed by the National Legislative Assembly for adoption—seems set to replicate the ruling party's vision for how it should govern the country. It also leaves the product forever open to serious challenges to its legitimacy.

In light of the current crisis, the timeline for adopting a new permanent constitution and conducting national elections will need to be revised further. This affords the opportunity to make this process more inclusive, participatory, and transparent. In addition to institutionalizing more consultative engagement with civil society and communities, the draft constitution should be put to a popular referendum to demonstrate societal commitment to this political course while significantly boosting the legitimacy of the new state. An open and legitimate constitutional review process represents the most significant opportunity to lay an enduring foundation for national unity. A closed and exclusive process, however, will result in extended political grievances and perceptions of injustice. It will also seriously call into question the state leadership's commitment to democracy.

The independence referendum of 2011 was perhaps the most unifying and participatory experience in South Sudan—a compelling demonstration of the capacity and will of the people of South Sudan for political participation. They should be afforded the opportunity to recapture and reinvigorate this citizen participation in governance through a constitutional referendum.

2. National Reconciliation. Although not mandated in the CPA or the transitional constitution, the RSS announced in early 2013 an initiative for a national reconciliation process in recognition of the country's long history of intercommunal fighting and grievances. The further deterioration of intercommunal relations and new grievances spawned by the current outbreak of fighting renders this initiative of utmost importance.

Delayed by early disagreements over the reconciliation committee's mandate and membership, a new Committee for National Healing, Peace and Reconciliation led by church leaders was established in April 2013. Archbishop Daniel Deng of the Episcopal Church of South Sudan chairs the process supported by Archbishop Emeritus Paride Taban of the Catholic Church. As representatives of the most trusted institutions in South Sudanese society, church leaders now have a significant opportunity to lead the country in a process of national healing. Church leaders should be asked to witness the current negotiations as representatives of civil society and they should insist on the inclusion of an integrated process of truth-telling, justice, and reconciliation in any negotiated agreement.³

An integrated process of national reconciliation, truth-telling, and justice holds the potential to help drive progress toward citizen security and justice, two critical sectors highlighted by the 2011 World Development Report. The stakes are high, however, since a poorly managed process will provide further justification for violence to “address” grievances, while delegitimizing future initiatives to address intercommunal differences. Extensive public consultation and communication on why a process is necessary, how it should proceed, and what role state and nonstate actors will play will be critical to the success of the initiative. It is imperative that the process be apolitical and managed by independent and trusted nongovernmental institutions given the roles of many of the senior RSS leaders not just in the current crisis but in the long history of south-south violence. Ensuring every community has an opportunity to air its grievances will be vital to the credibility of the process.

The difficult question of whether and what forms of justice will be administered in response to the findings of the reconciliation dialogue comprises another significant challenge for the committee, political leadership, and society at large.

Beyond the formal process for national reconciliation, promoting a culture of tolerance among youth and community leaders should be priorities. Numerous grassroots and civil society initiatives have attempted to do this during and since the war. However, some have neglected to include youth actors most central to perpetuating specific conflict dynamics, such as with the Murle and Lou Nuer youth in Jonglei state. Unless and until initiatives include stakeholders connected to these actors and familiar with their motives and interests, success in reversing the increasing reliance on violence is unlikely.

3. *National Elections.* An equitable and transparent electoral process represents an inimitable opportunity to rebuild confidence and foster citizen participation and the legitimization of a governance agenda and will be critical to preventing further instability and violence in South Sudan. The next round of national, state, and local elections should follow a healing period during which agreement on the rules of the game is decided through the constitutional review process and political party reform.

Specifically, how national elections and internal SPLM candidacy issues are handled going forward will determine whether these contests will continue to be seen as winner-take-all competitions that heighten the likelihood of violence. As is currently being demonstrated, how candidates for office are selected and whether the losers in the SPLM chairmanship contest and the Presidential election accept the results peacefully will impact profoundly on the state's quest for legitimacy and viability. A key consideration in the lead up to elections for both the SPLM and the RSS will be to guarantee protections and space for the losers in the political process after the elections. A related consideration will be to ensure space for other political parties to develop and compete in electoral contests.

Elections should not proceed without first restoring some confidence in the country's political processes, namely through a credible and participatory process to draft and adopt a new permanent constitution, through the adoption of internal SPLM party reforms to restore democratic procedures and transparent vetting and selection of candidates for office, and through the provision of space for other political parties to organize and develop their capacities. Progress on national reconciliation and healing should also precede elections.

4. *Connecting the Country through Roads and Radio.* These critical processes—national constitutional review, national reconciliation, and preparations for national, state, and local elections—and all other efforts to repair state-society relations all require the free and regular flow of information to citizens in even the most remote parts of the country. South Sudan's sheer lack of physical infrastructure to enable the movement of people, goods, and services across the vast country, including during rainy seasons, will continue to be a severe obstacle to every political, security, economic, and development objective.⁴ Upon the start of the CPA interim period in July 2005, SPLM founder Dr. John Garang told Deputy Secretary of State Robert Zoellick that his priorities were "roads, roads, and roads." While some effort has been made to build the country's communications and transportation networks since 2005, roads and radio coverage must be extended to every region of South Sudan as quickly as possible. So long as communities remain cut off from each other and from the government—physically and through the exchange of information—insecurity and political exclusion will persist.

As the current crisis so vividly illustrates, the foundation of the state cannot be an afterthought. Generating renewed confidence in state-society relations through these critical tasks and forthcoming opportunities will provide the social capital needed to build the institutions most central to preventing a recurrence of the current crisis: citizen security, justice, and jobs.

THE ROLE FOR DONORS

The United States is the largest bilateral donor to South Sudan, and it should remain so. At independence in 2011, the United States pledged to continue to stand by the people of South Sudan. The United States should remain resolute in this commitment and not balk in the face of recent developments, however severe they may be. Diplomatic actions should focus on influencing the choices of the political leadership, including, if necessary, targeted sanctions on travel and asset freezes and other punitive actions in the face of ongoing recalcitrance to end the fighting and reach an interim political settlement.

While the size of the United States development program affords significant leverage with the government and leadership, it should be used in coordination with

other donors to incentivize a return to nonviolent political processes and renewed commitment to meeting the needs of its citizens. Short of the current government being unseated militarily, the United States should not cut off development assistance to South Sudan—doing so will only further harm the people of South Sudan. Needless to say, Dr. Machar should be under no illusions of international donor support or legitimacy if he persists in his pursuit of power militarily.

USAID and other donor partners should nevertheless reexamine their aid programs and delivery modalities in light of the unfolding situation; so long as fighting ensues and the need persists, priority must be given to expediting life-saving humanitarian aid. At the same time, however, development activities in parts of the country that remain peaceful should continue—an abrupt stop to the delivery of services and an interruption in political processes that these activities support will only worsen the national crisis, not alleviate it. Greater use of local systems for delivery of services should be explored in stable areas. A key objective should be to prevent a total return to a parallel system of delivering basic services, such as health, through international humanitarian agencies.

In preparation for an end to the fighting and an interim political settlement, USAID and other donors should reexamine their development programs and strategies against the framework for ending violence and promoting state-building provided in the 2011 World Development Report. There cannot be a return to the same development plans that preceded the crisis. Specifically, donors should seek to support South Sudanese-led efforts to restore state-society relations through the critical tasks identified in the previous section. Giving priority to supporting these confidence-building measures, particularly the political processes needed to restore trust and accountability and the physical infrastructure needed to connect the country, is of utmost importance. This should entail thoughtful support to civil society and other nonstate sources of accountability and legitimacy, though with caution not to overwhelm them nor draw the further ire of the state to clamp down on them.

Focusing state-building and development efforts on the institutions of security, justice, and economic livelihoods is the next order of priorities. Each of these sectors will require serious reexamination to recalibrate assistance to account for the further challenges wrought by the present crisis. Supporting efforts to build a professional, integrated national army, for instance, and to provide judicial recourse for violent crimes at grassroots as well as national levels, will be particularly important. So, too, will extending the economic benefits of South Sudan's huge natural resource base to the entire population, not just an elite few. A related challenge will be tying the government's revenue base to its citizenry through taxation rather than oil rents or donor assistance.

Throughout, it will be important to recognize that aid cannot substitute for nor drive the political processes or institutional reforms needed to end violence and bring democracy and development to South Sudan. It can support them technically, but they are not for external actors to design, negotiate, or implement. The issues are political, not technical ones of expertise, capacity, or resources, which are secondary challenges. So long as basic human rights are being respected, South Sudanese must be allowed to identify their problems and try out solutions that work best in the South Sudanese context. At the same time, neither should donor support be a blank check. It is reasonable to expect to see evidence of commitment to principles of accountability and efforts to enshrine institutional legitimacy, not cults of indispensability.

USAID missions are predicated on cooperative development partnerships with host governments as legitimate representatives of their people. The recent actions of the political leadership in South Sudan on both sides of the conflict in precipitating and perpetuating the use of violence raise grave doubts as to the legitimacy of the political elite in representing the people of South Sudan. Unless clear actions are taken to uphold principles of accountable, transparent, inclusive, and responsive governance, then even more fundamental changes to the structure and objectives of the aid program to support restoration of these principles will be needed. In this scenario, development assistance should be focused entirely on supporting sub-national government, civil society, and the political processes that could restore accountable and responsive governance at the national level. Ultimately aid is a commitment to the people of South Sudan, not the current regime.

On a practical note, an effective aid program requires nuanced contextual knowledge that can only come from presence and relationships. This is rendered even more difficult with the drawdown of USG and implementing partner staff. Even when security permits a return to Juba, USAID and the State Department will both continue to be handicapped with constant staff rotations due to short, 1-year tour cycles. If these security constraints cannot be overcome and tour lengths extended,

then expectations for what the USG can accomplish diplomatically or through its economic assistance must be significantly moderated.

CONCLUSION

Most immediately, the fighting must end, political detainees must be released, humanitarian aid must reach all needy populations, and human rights abuses must be accounted for. The United States and the international community should deploy all diplomatic measures available to them to impress these priorities upon President Kiir and Dr. Machar, both of whom are culpable for the devastation and suffering wrought by the past 3 weeks of fighting.

Going forward, South Sudan's leadership can set a new course toward legitimacy, stability, and sustained development if it prioritizes above all else building trust, accountability, and social cohesion with and across the South Sudanese citizenry. There is no more essential state-building task than this.

End Notes

¹ State-based accountability mechanisms include: constitutions, elections, legislatures, courts, political parties, subnational government, a merit-based civil service, and a professional security sector, among others. Society-based accountability mechanisms include: independent media and access to information, civil society, social capital, and external norms and standards. The development of any particular mechanism is less important than the density, or layering, of accountability mechanisms across the state and society.

² <http://africacenter.org/2013/09/fragility-and-state-society-relations-in-south-sudan/>.

³ See <http://africanarguments.org/2014/01/08/an-integrated-response-to-justice-and-reconciliation-in-south-sudan-by-david-deng-and-elizabeth-deng/>.

⁴ In a territory approximately the size of Afghanistan, there is only one paved highway running roughly 120 miles from Juba to the Ugandan border, constructed by USAID. Huge swathes of the country remain inaccessible by road during rainy seasons, including many of the most conflict-prone regions of the country.

The CHAIRMAN. Well, thank you all for your testimony. Some very important insights.

Let me ask you, Ambassador Lyman. You referred to Machar and other SPLM leaders and their grievances. Was there popular support for those views, the views that they were espousing, among South Sudanese?

Ambassador LYMAN. I doubt it. Those were kind of inside, what we would call here inside-the-Beltway kind of arguments, over authorities and power, et cetera. One area that was getting quite a bit of popular attention was the harassment of human rights workers, of journalists, et cetera. That was raising a great deal of concern inside South Sudan.

The challenge from Riek Machar did, of course, reverberate through because of the history. I think people recognized that that challenge was going to be a major one to be managed by the government, as became more evident.

The CHAIRMAN. Now, the composition of the government delegation is interesting to me, particularly since Nhial Deng Nhial was once part of a faction that opposed John Garang and Salva Kiir's vision for South Sudan. What might the composition of the delegation mean in terms of the larger regional dynamics?

Ambassador LYMAN. You know, you have really three parties here. You have President Kiir's supporters, you have Riek Machar's supporters, and you have this group of detainees who are not either. That is, they are looking for a broader party role, a broader use of the party mechanisms and authorities.

To make them part of the negotiations in Addis means you have to enlarge those negotiations to allow for views other than just the two contending parties. But you need to do that to give them a role, because there are two things that have to happen. After a cease-fire, you have to have an understanding as to what the govern-

ment's going to look like for the next 2 years. That means that those people, now detained, and President Kiir and people from Machar's side have to agree on the structure of a government over the next 2 years.

Meanwhile, you have this, what I think a broad constitutional process that delves into the longer term issues of democracy, human rights, and governance. So this is a complicated negotiation that has to take place, and it needs to involve people who represent the several different points of view, both from the ruling party and outside.

The CHAIRMAN. That observation brings me to Mr. Prendergast. After the Security Council's approval of additional peacekeeping troops for South Sudan last month, you commented that the political and diplomatic elements of international responses to most African conflicts have been slow and ineffective, which has put more pressure on peacekeeping missions than they have the wherewithal to fulfill the objectives, for which they are totally unprepared.

Can you talk about this? I think you have somewhat, but I would like you to go into greater depth on the context of the current situation in South Sudan and why it is important for the deployment of peacekeeping missions to be accompanied by very rigorous diplomatic engagement from members of the international community, particularly the United States.

Mr. PRENDERGAST. Thank you, Senator. You look at the three biggest missions today on the African Continent—South Sudan, Darfur, and eastern Congo—the American taxpayer is on the hook for almost 30 percent of well over \$3 billion a year in supporting peacekeeping missions there. But in all three of those cases, you could argue that the commensurate, the corresponding political investment, was not equal to the investment in the deployment of military force.

In South Sudan, everyone has discussed that there was probably not enough international efforts undertaken to try to prevent the conflagration between—and I agree totally with my two fellow panelists—this political dispute, which goes back of course decades, between the two factions that are now battling. The lack of an international engagement, a deep engagement, a transparent engagement to try to prevent conflict, I think is something we need to look at.

In Congo we did not have much of a political process for years, until finally the United Nations appointed Mary Robinson and the United States appointed Senator Feingold, one of the former members of this committee, and now we are starting to see the construction, A, of a credible, serious peace process and, B, the deployment of real force that helps change the game on the ground in eastern Congo.

In Darfur we have this endless peacekeeping mission, and where we have made absolutely no progress in dealing with the political roots, the political drivers of violence throughout Sudan.

So I think that is where we really are missing. We have invested quite a great deal. It is sort of the old military adage: If all you have got is a hammer, everything looks like a nail. We just keep throwing these peacekeeping forces into these situations without investing in preventive diplomacy.

Now, Princeton was the special envoy for the United States and when he was in office until March 2013 he was actively engaging with the parties in South Sudan in helping to prevent a deterioration. But there was a long gap between his, the end of his term, and the beginning of the next one, and there is not another country that is really engaged like we are in that kind of preventive diplomacy. It gets no headlines. Nobody cares that people are out there doing that stuff and you do not get any credit if you actually prevent something. But that is what we need to be investing in and that is what really did not happen in South Sudan and it is not happening in Sudan, because we just have not invested the resources in helping to build that real serious political process and putting the emphasis, the public international emphasis, on building a peace process that will allow for the resolution of these horrible, deadly conflicts.

The CHAIRMAN. I smiled when you said you do not get any credit for preventing things. That is so true, but yet it is probably the most successful element of anything that we do, is preventing.

The final question, Ms. Knopf. You made an interesting observation there toward the end that for us to be successful in South Sudan you have to have parties that have a history, have an understanding, have an engagement. So I would assume, based upon that comment—maybe I am wrong—that, maybe, we do not have all the parties that would bring us to the successful conclusion.

Are there some missing parties or types of resources we should be bringing that are not there right now?

Ms. KNOPF. The critical issue at the moment is the drawdown of the U.S. Embassy and USAID staff. Without having diplomats on the ground resident there, talking to parties across all sides of this crisis, and getting out beyond Juba and the capital as well, that becomes very, very difficult just to do shuttle diplomacy in Addis or by remote control, to deliver our messages and to understand what is really happening there.

Secondly, for aid programs to be effective we also need both development experts and the humanitarian professionals, most especially at this moment in time, to be as close to the situations that they are trying to ameliorate as possible, and to be in constant contact with local partners, with the South Sudanese who are at risk here and in need of the assistance, and then daily and hourly coordination with the other elements of the international humanitarian response.

Doing this offshore, from Nairobi at the moment, where the disaster assistance response team is based, it takes us back to, I do not even know, before 2002, 2001, in terms of how we used to manage humanitarian response in southern Sudan. It is woefully inadequate and it will impact our ability to be effective in the long run.

We have deep, deep expertise, as Assistant Administrator Lindborg said, in the U.S. Government and in the international community, and with Americans and implementing partners, such as NGOs and other international organizations, they need to be there in order to respond.

The CHAIRMAN. Senator Flake.

Senator FLAKE. Sorry I missed the testimony. I am told that you talked a little about this being a division of ethnicity as well, of

course. That is often the case. What is the percentage of the President's—well, the Dinka tribe constitutes what percentage of the country?

Ambassador LYMAN. I do not have that figure right in mind, but it is the largest group, although there are a lot of subgroups of the Dinka.

Senator FLAKE. Right.

Ambassador LYMAN. And that too is a factor. The Nuer are the second-largest group and that is the group that largely supported, is supporting, Riek Machar. The Shilluk are the third. But I do not have the percentages, I am sorry, but I can get them for you.

Mr. PRENDERGAST. We were just consulting; 30, 35 percent is Dinka, and then the rest is, there are 65 tribes or ethnic groups in South Sudan.

Senator FLAKE. Sixty-five.

I was there and questioned the other panel, but some of the questions there—the U.N. peacekeeping forces that are there now and others, how effective are they at preventing bloodshed, or what can we do to help that group? Is it just a matter of numbers or mission or what can we do at this point?

Ambassador LYMAN. Well, let me comment on that and my colleagues comment. But it is both of the things you have mentioned. First of all, they do not have enough troops there, and the action by the Security Council was important, but it is very hard to get countries to contribute and find air support and equipment. That just has to take a lot of intensive effort by us and others to make sure they get there.

But second, it has to be made very clear that they are going to be aggressively protecting civilians, which means that those compounds will not be allowed to be breached and they are prepared to defend them with weapons if that takes place. They have to be aggressively patrolling.

Now, they have not played that role up until now. They have not seen that as their mission. But I think that has to become part of it, and they have to look ahead to how they will monitor a cease-fire and how they will be out there aggressively doing so and reporting violations to the Security Council.

So these are things they have not been doing. It was not in their original thought. They were largely a state-building operation when they went to South Sudan, helping create capacity, et cetera. Now they have got a new, desperately important protection role and they need more people and they need a very aggressive mandate.

Senator FLAKE. Any differences there or comments?

Mr. PRENDERGAST. I totally agree. The 30-second footnote is—and again, it is a wider phenomenon. We send peacekeeping forces, missions, to do a laundry list of things and then when the stuff hits the fan we want them to protect civilians. If they are not prepared to do that, you have to organize, as you know, and deploy, provision, and have the expertise to undertake a civilian protection mission. These guys were not ready for that, so now they have to get up to speed, and that is going to take a while.

Senator FLAKE. Yes?

Ms. KNOPF. I guess my two cents on this would be: UNMISS has a chapter 7 mandate. They have what they need to be able to go out and do these things, to defend and to patrol and to monitor cease-fires. But the world turned upside down in just under 4 weeks in South Sudan. This is not what they were initially there to do. While the potential for conflict of course has been there and is not a surprise, the fact that it has fallen apart just so quickly and so dramatically, it takes a moment, I think, for everybody to adjust and to understand and retool for the new challenges and the new realities.

So I do not think UNMISS—there is lots that one can say about UNMISS's performance heretofore, but they were there to do a state-building mission. Now they have to do a very different mission and that does take some shifting.

Senator FLAKE. So they have got the mandate; it is a numbers issue for the most part.

Ambassador LYMAN. The irony is that South Sudan opposed the chapter 7 mandate when UNMISS was created. They said: We do not have any internal security problems. Fortunately, the Security Council saw otherwise.

Senator FLAKE. Thank you.

With regard to U.S. assistance, whether state-building or humanitarian, does that represent leverage that is effective at all? Ambassador Thomas-Greenfield seemed to think not. With the restrictions that we have here in Congress in terms of aid and assistance after a coup, does that represent leverage that we can use? Is it effective at all, or just on the margins or not at all?

Ambassador LYMAN. I think it was a very important statement by the United States that we would not recognize a military take-over. President Kiir, for all his faults, is the democratically elected President, and you have to build on that. And just saying anybody can come in and take over is going to undermine a lot of things.

So I think it was important. Whether the aid levels matter to people like Riek Machar, it is hard to say. I think Assistant Secretary Greenfield suggested that probably in itself is not. But international recognition is important support. So I think making that statement is important.

But then the burden falls on President Kiir to play his role much more effectively. Here is another irony. President Kiir was proud of the fact and admired for the fact that he was the one that created the unity of all these different groups in the runup to independence. He brought in all these factions, et cetera. He created a broad-based government. He invited Riek Machar to be Vice President. It was one of his accomplishments. It was one of the reasons he was so supported.

Unfortunately, he has moved in a different direction. He sees all his critics as enemies. He is relying on intelligence people and harassers, et cetera. It is unfortunate because his original contribution is being lost.

Senator FLAKE. Thank you.

Ms. KNOPF. If I can just add, my personal knowledge of the two main parties here is the threat to cut off our assistance, our development assistance, is not what is going to motivate them to come

to the table and get the cease-fire done and arrive at an interim political settlement. It will hurt the people of South Sudan.

I made the point that we have been providing development assistance continuously since 1998. We know how to do it in the midst of conflict. We know how—we have many modalities for how to provide assistance, either with the cooperation of the government or working through other avenues, local and international partners and subnational levels of government. There are stable areas of the country. We should not stop development assistance in the stable areas of the country. It is very important to help keep the conflict from spreading and to not lose the gains that we have already made in that regard.

As well, U.S. assistance has been vital underpinning the economy with the Central Bank of South Sudan and a number of other key financial institutions. Picking up the pieces economically when this is all done will be much, much harder if we pull that support out now. So I do think that it is important and imperative that development assistance continue, that the modalities be examined, that the strategies be updated as the situation changes, but that we keep the commitment to the people of South Sudan and not harm them further.

Senator FLAKE. Thanks.

Mr. PRENDERGAST. One last point. Building leverage is critical. That is what we have got to be looking for all the time. The aid does not—I think I agree, the aid does not make a big difference to these guys. But it does make a big difference to the people of South Sudan and to the building of institutions in the long run. Pulling that away now would really undermine the long-term stability of the place.

Our leverage I think should focus on individual culpability—the targeted sanctions, prosecution of people who are found to have committed, committing or planning atrocities and patterns of atrocities. The additional leverage comes if we work much more closely and transparently and publicly with China in figuring out ways to collectively pressure, working with the region and with other countries that have any kind of influence, collectively pressure the parties when there are key-point moments in the negotiations that there needs to be a push.

Again, I just view a very high-level White House to State House in Beijing engagement on South Sudan and, of course, on Sudan to be a critical thing to do right now in order to show that united front internationally to the parties, that we are really going to be pushing for peace and those that undermine peace are going to have some kind of particular sanction.

Senator FLAKE. Is it your assessment that China is willing to step up to the plate in that regard?

Mr. PRENDERGAST. Not as publicly as us. But I think definitely their interests are actually much deeper in terms of national security than ours are, and so let us figure out—and I think that the good news is that our interests in terms of what the end game is line up very clearly with China. So let us take advantage of that moment—it does not happen often globally—and figure out how we can more deeply work with them.

Senator FLAKE. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

One last question on that issue that Mr. Prendergast mentioned about looking for leverage and targeted sanctions of those who commit human rights violations. Since you have been intimately involved until very recently in these efforts and negotiations, what do you view—do you view that as a good, among others, a good leverage point?

Ambassador LYMAN. I think it is going to be extremely important in another way. I think personally that in a process over the next 2 years of writing a new constitution and laying a new foundation, that that creates the basis for eliminating from future power a lot of people who are responsible. So whether it is in the process of prosecution or some other kind of commission, a lot of people who are very guilty of the kind of terrible violations should not be part of a new government after 2015. I think that is one of the outcomes that we should see.

The CHAIRMAN. Well, with the thanks of the committee for your invaluable testimony, I expect that the Africa Subcommittee as well as the full committee will lend continuing attention to the challenges in South Sudan. Leaders on all sides need to recognize that reality versus not a singular hearing at a singular moment. The attention of the committee will be focused on them continuously.

The record will be open until the close of business tomorrow. With the thanks of the committee, this hearing is adjourned.

[Whereupon, at 12:30 p.m., the hearing was adjourned.]

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

PREPARED STATEMENT OF HON. BARBARA BOXER, U.S. SENATOR FROM CALIFORNIA

Mr. Chairman and Senator Corker—thank you for holding this important hearing.

Like my colleagues, I am deeply concerned about the violence that has spread across South Sudan over the last few weeks and what it means for the future of the world's newest country.

Three years ago, the people of South Sudan voted overwhelmingly to secede from Sudan and become an independent nation. This historic vote ended decades of civil war and brought hope for a bright and peaceful future for South Sudan.

Tragically, violence in South Sudan now threatens to tear apart this new nation. Over the past month, at least 1,000 people have died and more than 200,000 have been forced to flee their homes.

The humanitarian situation grows more serious with each passing day.

I am especially concerned about the disproportionate impact of this conflict on the women and children of South Sudan.

According to the United Nations Children's Fund (UNICEF), the majority of those who have been displaced are women and children. UNICEF also estimates that hundreds of children have been separated from their families and are surviving on their own. These children are particularly vulnerable to malnutrition and disease.

Women and girls are also at risk of sexual and gender-based violence in the camps for refugees and displaced persons. According to Wendy Taeuber, the head of the International Rescue Committee (IRC) in South Sudan, "There's no safe space for women in the camps."

The United States and the international community must continue efforts to support women and children who have been affected by the ongoing violence—particularly those who have been victims of gender-based violence.

We must also support those in South Sudan who have demanded that women play a significant and meaningful role in the peace process.

The United States National Action Plan on Women, Peace, and Security states that, "Evidence from around the world and across cultures shows that integrating

women and gender considerations into peace-building processes helps promote democratic governance and long-term stability.” I could not agree more.

Three years ago, the people of South Sudan voted to start a new chapter in their history—a chapter of peace, not violence. I want to echo comments made by Assistant Secretary of State for African Affairs Linda Thomas-Greenfield in her written testimony, “Stopping the violence, and ensuring that Africa’s newest nation continues to move forward rather than backward, is of highest priority to the United States and the international community.”

Thank you.

RESPONSES OF ASSISTANT SECRETARY LINDA THOMAS-GREENFIELD TO QUESTIONS
SUBMITTED BY SENATOR BOB CORKER

Question. In the past, peace talks and arrangements focused mostly on Southern Sudanese self-determination and North-South violence and did not effectively address some of the most important questions about governance inside South Sudan. Many observers warn that again failing to address critical governance questions would simply paper over the cracks and invite future conflict.

- ◆ Will the peace talks in Addis Ababa (or successor talks) address changes to governance structures?
- ◆ What institutional shortcomings and governance failures must be addressed for the long-term viability of South Sudan?
- ◆ Can these shortcomings and failures be addressed with the current South Sudanese leadership?
- ◆ What outside parties would be essential to making such long-term agreement viable, and what kind of assurances or guarantees would be required?

Answer. Our position from a very early point in the crisis has been that this is a political crisis requiring a political solution. The U.S. Special Envoy has been in the region since mid-December working with the parties and with our regional partners. Political aspects of the crisis have been a key focus of his engagement, including working tirelessly to facilitate the release and participation of the political detainees. Participation of the political detainees provides for an opportunity to start a more inclusive dialogue, which should also include a dynamic and comprehensive reconciliation process as well.

The current crisis has laid bare more than just a struggle within the ruling party: it has exposed a centralization of power, weak institutions and the exclusion of much of the population from access to democratic governance and the peace dividends envisioned in the Comprehensive Peace Agreement (CPA). These shortcomings were not a new revelation, but they have taken on a new urgency. Addressing these issues will require an inclusive process that goes beyond existing systems for constitutional review and national reconciliation. We will continue to work closely with the Intergovernmental Authority on Development (IGAD) and other partners to encourage a national dialogue process that includes a broad spectrum of South Sudanese society including opposition parties, civil society, women and youth that goes beyond accommodating the fissures among the elite, and seeks to address these deeper issues.

In the immediate term, protection of civilians remains critical, and we have sought to strengthen UNMISS in numbers and capability. Full deployment of additional forces will take time, but we hope that it will contribute, along with the implementation of the January 23rd cessation of hostilities agreement, to improved security that can provide some space for the political process. Furthermore, a critical part of the UNMISS mandate is to facilitate and support accountability—a key aspect that we feel must be a core undertaking when South Sudan begins the process of moving beyond this crisis.

Additionally, we firmly believe that the process must address the needs of the South Sudanese people. As many have noted, South Sudan’s infrastructure remains critically weak and prevents the country from harnessing its vast resources. Together, lack of infrastructure and human capacity have combined with the lack of commitment by the state to provide basic services.

The Intergovernmental Authority on Development (IGAD), which led negotiations for the cessation of hostilities, remains the primary forum for negotiations for a larger political resolution.

Question. How have the events in South Sudan and CAR affected the counter-LRA efforts, to include any redeployment or curtailment of efforts/forces of U.S. and Ugandan personnel? Does Uganda remain fully committed to the counter-LRA mis-

sion? How has the African Union increased its role in the counter-LRA mission, if at all?

Answer. Despite recent events in South Sudan and the Central African Republic (CAR), the African Union Regional Task Force (AU-RTF) continues to conduct operations and pursue the remaining LRA leaders. We believe that the LRA is facing significant internal pressure as a result of the AU-RTF's operations. In December 2013, 19 individuals, including 9 Ugandan fighters, defected from the LRA in the CAR—the largest single defection in several years. In the first weeks of January 2014, Ugandan and Congolese contingents of the AU-RTF conducted targeted operations to disrupt LRA camps and promote defections. U.S. military advisors continue to work with the AU-RTF to enhance these operations.

At this time, Uganda remains committed to the counter-LRA mission and Ugandan forces continue to conduct counter-LRA operations in the CAR. However, it is possible that if the situation in South Sudan worsens, Uganda may shift some of its resources. South Sudan has recalled most of its battalion assigned to the AU-RTF, as one of the effects of broader divisions within the Sudan People's Liberation Army and the ongoing conflict. South Sudan retains a small contingent in Nzara, South Sudan, which continues to work with the AU-RTF. We remain concerned that these crises—if they remain unresolved—could create new difficulties for the counter-LRA effort and slow, or potentially reverse, the momentum that has been achieved over the past several months. Furthermore, as we have seen in the past, the LRA may seek to use the instability to evade military pressure and regroup.

We continue to assess the regional situation and consult with the Ugandans about their commitments. We also continue to work closely with the African Union (AU). Over recent months, the AU has played an increasingly important role in strengthening the AU-RTF—both diplomatically and operationally. The AU Special Envoy for the LRA Issue Francisco Madeira has worked with the CAR and the Democratic Republic of the Congo (DRC) authorities to solidify their commitment to the AU-RTF and expand the AU-RTF's access. On the ground, the AU-RTF Commander has played an increasing role in directing the training and operational planning of the different AU-RTF contingents, improving coordination and information-sharing. As a direct result of these efforts, the number and geographic reach of counter-LRA operations expanded significantly in the second half of 2013.

Question. Witnesses seemed to be in broad agreement that the poor decision-making and self-interest of leaders in South Sudan has brought the country to the brink of civil war. The second panel of witnesses indicated that our assistance to South Sudan would provide little or no leverage to compel those leaders to change course.

- ◆ What leverage do we have? Would the administration be willing to identify and use individually targeted sanctions—such as asset freeze and travel bans on individuals—to compel changes in South Sudan?

Answer. The administration is closely examining all options for applying pressure to individuals who are prolonging this conflict as well as any potential spoilers to a future peace process. We are calling on the parties to implement the cessation of hostilities agreement and to provide greater humanitarian access. We are working closely with our close allies like the United Kingdom (U.K.), Norway, the European Union (EU), the regional states of Ethiopia, Kenya, and Uganda, and others in the international community to explore, identify, and utilize every point of access and leverage. The Troika Special Envoys (the United States, U.K., and Norway) have been in the region working closely with one another and synchronizing messaging and engagement throughout the crisis. Additionally, the U.S. Special Envoy recognized the importance of the regional voice in this crisis as well. As mentioned earlier, he has remained in the region on a continuous basis in order to assist and facilitate a unified and coordinated international voice. This has been key in sustaining political pressure on the parties. This political pressure has resulted in moving the Parties closer to a cessation of hostilities. We see this as a positive and useful step and a direct result of the international community and key regional partners speaking with one voice. This same degree of coordinated pressure will be needed as we move forward with the long task of addressing the root causes of this crisis.