

# SUDAN: PEACE AGREEMENT AROUND THE CORNER?

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## HEARING BEFORE THE SUBCOMMITTEE ON AFRICA OF THE COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES ONE HUNDRED EIGHTH CONGRESS

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# CONTENTS

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Page

## WITNESSES

The Honorable Charles R. Snyder, Acting Assistant Secretary, Bureau of African Affairs, U.S. Department of State .....	7
The Honorable Roger P. Winter, Assistant Administrator for Democracy, Conflict and Humanitarian Assistance, U.S. Agency for International Development .....	11
J. Stephen Morrison, Ph.D., Director, Africa Program, Center for Strategic and International Studies .....	28
Eric Reeves, Professor, Smith College .....	33
Pastor Gary Kusunoki, Founder/Chairman, Safe Harbor International Relief ..	38

## LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE HEARING

The Honorable Edward R. Royce, a Representative in Congress from the State of California, and Chairman, Subcommittee on Africa: Prepared statement .....	2
The Honorable Charles R. Snyder: Prepared statement .....	9
The Honorable Roger P. Winter: Prepared statement .....	15
J. Stephen Morrison, Ph.D.: Prepared statement .....	30
Eric Reeves: Prepared statement .....	35
Pastor Gary Kusunoki: Prepared statement .....	40

## APPENDIX

The Honorable Gregory W. Meeks, a Representative in Congress from the State of New York: Prepared statement .....	49
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## **SUDAN: PEACE AGREEMENT AROUND THE CORNER?**

**THURSDAY, MARCH 11, 2004**

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON AFRICA,  
COMMITTEE ON INTERNATIONAL RELATIONS,  
*Washington, DC.*

The Subcommittee met, pursuant to call, at 2:10 p.m. In Room 2172, Rayburn House Office Building, Hon. Edward R. Royce (Chairman of the Subcommittee) presiding.

Mr. ROYCE. This hearing will come to order.

The subject of today's hearing is "Sudan: Peace Agreement Around the Corner?" I want to thank all of you for attending this hearing.

Let me begin by saying that, as we examine the peace negotiations, we should all keep in mind what is at stake. The human toll has been staggering in Sudan. I think we all know there have been over 2 million dead in the conflict in Sudan. Millions have been displaced. We will never know how many victims there were of slavery, of persecution. We will never have an accounting of all of the atrocities.

Let me also say there is no doubt where the responsibility for this calamity lies. This Congress is on record condemning the National Islamic Front Government of Sudan for genocide. It does not get clearer in my mind or starker than that.

President Bush and his Administration deserve great credit in my view for energetically promoting the peace process. I think peace could be at hand. The Administration, frankly, has been bold and creative. The agreements that have been reached to stop the fighting and hold a referendum on unity are truly historic.

The Administration realizes, though, that this progress is imperiled by the holdups in finalizing an agreement. Last May at our Subcommittee's hearing on the Sudan Peace Act, I said that perpetual negotiations are not in the cards. Unfortunately, the window for peace is closing and is closing fast.

Congress has played an important role in promoting peace negotiations, most prominently through the bipartisan Sudan Peace Act. I am certain that Congress will remain attentive to developments in Sudan, whether we see good news or bad news come out of the final negotiations that are under way in Kenya. There should be no mistaking on the part of anybody the strong and enduring congressional commitment that this institution has to the cause of peace in Sudan.

The Sudan Peace Act demands accountability of the two negotiating parties. So far, the Government of Sudan and the SPLM have been judged to be negotiating in good faith. We eagerly await the Administration's third Sudan Peace Act report next month.

There is no doubt about who is responsible for the carnage in the western region of Darfur. The government has been rightly condemned for its attacks on the people of this isolated region which we will hear about today. Darfur is an ominous cloud over the peace process. It jeopardizes the negotiations, while underscoring the great complexities of moving ahead.

We should have no illusions that successful peace negotiations are the end game. Africa is littered with broken peace treaties. Even good people can be corrupted by power. Building a peaceful and stable Sudan will be a hugely difficult task. The Sudanese people bear this responsibility. But the U.S. and others have a strong interest in continuing to support their efforts.

Peacemakers far outnumber warmakers in Sudan. The people who desire peace there far outnumber those who are in opposition. The key is whether the very small minority of Sudanese who profit from their country's destruction will control its future. Many envision a brighter day for Sudan—one in which Sudanese and Americans of all faiths work together in productive and unprecedented ways. For this to happen, the warmakers must be defeated. I know that the Administration and Congress will continue to oppose them every step of the way.

With that said, I want to introduce a man who has devoted much of his career in Congress to trying to see stability and peace in Sudan. That is Mr. Don Payne of New Jersey, who is the Ranking Member of this Committee.

[The prepared statement of Mr. Royce follows:]

PREPARED STATEMENT OF THE HONORABLE EDWARD R. ROYCE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA, AND CHAIRMAN, SUBCOMMITTEE ON AFRICA

WASHINGTON, D.C.—The following is the opening statement of Africa Subcommittee Chairman Ed Royce (R-CA-40) at this afternoon's hearing on the peace process in Sudan:

Today we will examine the Sudan peace negotiations. The extent of human suffering in Sudan cannot be said enough. The figures are staggering: over two million dead Sudanese in twenty years. Millions more have been displaced. Who knows how many victims of slavery, persecution and atrocities?

There is no doubt where the responsibility for this calamity lies. This Congress is on record condemning the National Islamic Front Government of Sudan for genocide. It does not get clearer, or starker, than that.

President Bush and his Administration deserve great credit for energetically promoting the peace process. The Administration has been bold and creative. The agreements that have been reached to stop the fighting and hold a referendum on unity are truly historic.

The Administration realizes though that this progress is imperiled by the hold-ups in finalizing an agreement. Last May, at our Subcommittee's hearing on the Sudan Peace Act, I said that perpetual negotiations are not in the cards. Unfortunately, the window for peace is closing—fast.

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been judged to be negotiating in good faith. We eagerly await the Administration's third Sudan Peace Act report next month.

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Peace-makers far outnumber war-makers in Sudan. The key is whether the very small minority of Sudanese who profit from their country's destruction will control its future. Many envision a brighter day for Sudan—one in which Sudanese and Americans of all faiths work together in productive and unprecedented ways. For this to happen, the war-makers must be defeated. I know that the Administration and Congress will continue to oppose them every step of the way.

Mr. PAYNE. Thank you very much. Thank you, Mr. Chairman. Let me express my appreciation for your continued work as Chairman of the Subcommittee. It has been a pleasure to work with you.

Let me thank you for calling this important hearing today. Perhaps no other African country has received as much attention in recent years in Washington as has Sudan. That is thanks in large part because of your tireless efforts and many others.

Sudan is important because of the magnitude of the problem, because of the untold suffering the people of Sudan continue to endure and because the situation in Sudan is heart wrenching, from slavery to genocidal war. The Sudan tragedy is unmatched in its harshness and brutality.

I thank my colleagues, Mr. Tancredo and Congressman Wolf, who for many years, though not a Member of this Subcommittee, has fought diligently on the whole question. I didn't realize he was here. But I certainly commend him, also.

At our last Sudan hearing, I said I cannot argue against southern leaders who choose to negotiate with this regime, a brutal regime responsible for the deaths of many innocent civilians. I said then it is their future, their country and their people. I just hope that we are not and they are not being taken for a long ride by the charm architects of the National Islamic Front. Indeed, several agreements have been signed by the SPLM and the Government of Sudan. But once again we are witnessing the cunning duplicity of this regime. It is the way it has been many times. They say that leopards don't change their spots. They are frustrating the peace process by their intransigence on an issue many believe should not be a major issue and that could be easily resolved.

For anyone with little knowledge of what has happened in Sudan, everyone knows historically that Abyei, the land of the Ngok Dinka, a territory placed under British administration in the north in 1905—not just overnight, 100 years ago—and even the 1972 Addis agreement provides the people of Abyei the right to a referendum and a special status under the supervision of the presidency. There is no doubt to whom this area belongs and the people who are in that land. We have in the audience the grandson of a former chief of the Ngok Dinka, our friend Francis Deng, many friends.

Unless the extremist government in Khartoum is using this issue to delay and to force a collapse of the talks, this issue is a nonissue. This is not something new. It is not something that we feel should create a delay, but we know that this is the continued ugly tactics of the NIF.

Let me put this in perspective. I am sure you have heard the numbers many times before. Out of an estimated population of 9 million people in southern Sudan, more than 2 million have died as a result of this conflict, 4 million have been displaced, and 500,000 have been made refugees in neighboring countries. These numbers are equal in proportion to 64 million Americans killed, 128 million Americans displaced and 15 million American refugees if we took the same population and extrapolated it up.

Let me also remind people as to who is largely and principally responsible for these heinous crimes against humanity, the National Islamic Front government in Khartoum. Lest we forget, this is the same government that ousted a democratically elected civilian government in 1989, that provided safe haven for Osama bin Laden and his al-Qaeda terrorist organization for 5 years as they planned attacks in Nairobi and Dar es Salaam, killing many Americans and African friends. This is the same government that has maimed, killed and engaged in modern day slavery.

Not surprisingly, the people responsible for all these atrocities are still in power. Are these people going to be accountable for the mayhem they have caused over the past decades? Or are we going to simply forgive and forget just because the NIF said they have changed? All of a sudden they are peace-loving, gentle people?

Mr. Chairman, Congressman Tancredo and myself wrote a letter to President Bush last month asking for an explanation about the role of the current government in international terrorism. We urged the President that as we fight terror groups and terrorist sponsors in Iraq, Afghanistan and elsewhere in the world, we must also ensure that those individuals involved in terrorism in the past or present must not be allowed to escape justice, for far too many Americans have died in part due to the support given by Sudanese officials to international terrorist organizations.

It is appalling that not a single senior official has been removed from power or has gone to jail because of involvement in or support of terrorist activities. We should actually be banning the officials of Sudan from even traveling to our country with this blood on their hands.

Mr. Chairman, we have said to President Bush that our war on terrorism cannot succeed if we allow well-known terrorists to escape justice. I do not want to prejudice people, but we want justice. Because justice delayed is justice denied.

Mr. Chairman, the National Islamic Front government is good at lies and deceit. I am afraid, as is our core constituency here in the United States, that they continue to do this. Over the past 2 years, the NIF agents have been actively charming some of our friends, telling people that they have changed, that peace is right around the corner and that they can have access to senior officials of this brutal regime. Unfortunately, some of our friends have been swayed by these lies.



I remember friends coming to me in the late 1990s saying that they had been assured by the government that the bombing of civilians will stop. Of course, they did not then, and they still drop bombs today. Let us remind our friends that this is the same regime currently engaged in the scorched earth policy in Darfur.

Words mean nothing. Why don't we take a look at one of the photos of a poor child being held up by one of our interns. This is recent. This is just the other day.

This is the government that said that they have changed. This is a government that can be trusted? It is a rhetorical question. I ask you that. What good is it to sign a peace agreement with the South and engage in ethnic cleansing in Darfur?

Let us not lose sight and let us remain united. It is our unity and resolve that has gotten us where we are today. Divided we lose. Let us not forget the victims. As we speak here today, many will lose their lives.

I really also would like to thank the panelists who have for so many years been involved in this issue, Assistant Administrator Winter in particular, who currently, even though there is a family crisis, he felt it was important for him to come here. I appreciate that, Mr. Winter.

Mr. ROYCE. At this time we would like to recognize Mr. Tancredo of Colorado. He is the author of the Sudan Peace Act. He will be recognized for a statement.

Mr. TANCREDO. Thank you, Mr. Chairman, and especially thanks to you for holding this hearing and for being such a stalwart supporter of our efforts to bring peace to this troubled land we call Sudan.

Thanks also to my colleagues both to my right and my left who have been laboring in this vineyard far longer than I have and have done far more than I will ever be able to do to advance the cause of peace and justice in Sudan, Congressman Wolf and Congressman Payne.

I think it is extremely important for the Government of Sudan to understand something clearly. Sudan is on our radar screen, and it will not get off. It doesn't matter what happens in elections in this year or 2 years from now or 10 years from now. The country and the situation in that country is something we will continue to address until peace comes.

There are reports that are due, as you know, as a result of the Sudan Peace Act. The report is to come to Congress on the 21st of April. It, among other things, is to tell us whether or not the parties in Sudan have been negotiating in good faith. I, for one, will be very interested to hear how the report will explain and characterize what is happening right now, for instance, in Darfur.

The scale of human catastrophe comes into clearer view with each passing day. The United Nations now claims that over a million civilians are internally displaced in Darfur, with an estimated 110,000 fleeing to Chad.

This is a letter from Dr. Kapila, the U.S. resident humanitarian coordinator, about the situation. This was written March 8, 2004, about the situation in Darfur in particular. He provides quite a lengthy list of incidents that are like the following:

On February 6, Janjaweed militia and associated forces attacked Miha, El Syah, Medo, Sendi, Medoud, and Ushara, north of Darfur, killed 30 civilians, and a total of 100 cattle were stolen. On February 7, several women were killed in an air bombardment fleeing from Tabra. On February 10, Janjaweed military attacked an administration unit in Shataya and killed 88 civilians. On February 11, militia reportedly attacked 5 villages and 74 civilians killed. On February 11, a passenger bus was blown up. It goes on and on and on.

So we will be, as I say, very interested to see how these incidents are depicted when the report is delivered to us that is to describe how well both sides are cooperating and negotiating.

We have also a problem with access to Darfur. This is another thing that was specifically cited in the Sudan Peace Act as a condition that had to be met. They had to provide humanitarian access, unfettered humanitarian access. This is not happening. From all reports we have received, it is impossible to get the aid where it is needed in Darfur. When you combine this with everything that has been stated and when we know also what is happening in Abyei, it does not make me feel in any way as though there is a bright light that I can see at the end of the tunnel. There may be something out there, but it is pretty dim, even though we have, I know, accomplished a great deal.

I know that there are people, thousands perhaps, perhaps hundreds of thousands of people alive today in Sudan because of the efforts of the Congress and the efforts of folks in the Administration, including the President of the United States. That is not to be treated lightly. It is not to be skimmed over. It is in my heart anyway something about which I can be very, very glad. I certainly am.

But I also know that the history of this country, as Don Payne has laid out for us, is one in which we have sort of been here before. It is *deja vu*, a period of time when negotiations go on, where peace actually breaks out for a while, if you will, only to be followed at a more appropriate time with an even bloodier assault on the south.

Mr. Chairman, once again I just want to say how much I appreciate your efforts to bring this to the attention again of our colleagues. I am looking very much forward to hearing from our witnesses.

Mr. ROYCE. With that, we are going to go to our first panel.

Charles Snyder is currently the Acting Assistant Secretary of State for African Affairs. Previously, he served as Principal Deputy Assistant Secretary. He has been closely involved with the Sudan peace initiative for several years. He is a career Africanist, former Director of the Office of Regional Affairs in the African Bureau. He served in the Senior Intelligence Service at the Central Intelligence Agency as a national intelligence officer for Africa.

Roger Winter was sworn in as Assistant Administrator for Democracy, Conflict and Humanitarian Assistance of AID in January, 2002. Before his appointment, he directed the Office of Foreign Disaster Assistance at AID, and he served as Executive Director of the U.S. Committee for Refugees. He has far-reaching experience in Af-

rica, Southeast Asia, the former Soviet Union and Central America on the subject of dealing with refugees and displaced people.

I know that both of these gentlemen have been deeply involved and have been working overtime in order to try to get a peace agreement. I would personally like to express my appreciation to you both for your work.

Mr. Snyder, if you would like to begin. I will ask one last favor since we have read your testimony and we are going to put it in the record. We would like you to summarize it in 5 minutes' time. Thank you.

**STATEMENT OF THE HONORABLE CHARLES R. SNYDER, ACTING ASSISTANT SECRETARY, BUREAU OF AFRICAN AFFAIRS, U.S. DEPARTMENT OF STATE**

Mr. SNYDER. Thank you, Mr. Royce. I appreciate the opportunity to bring you up to date on where we are in the Sudan peace process.

I will try and take the novel approach, since you have my testimony for the record, of answering your questions directly in my 5 minutes in a nugget form, letting you get into details in your questions.

Where are we? Is peace really around the corner? Absolutely, it is around the corner. We can see it. We can almost touch it. We can feel it. The Sudanese people know that. The problem I think at the end of the day is I am not sure if the Government of Sudan can see it and touch it yet. That is a question in my mind, and it is a question at the end of a long process.

The state of these talks, to be brief, is sound, but we are in a moment of crisis. I think this is a defining moment for these talks. I agree with what I take to be the gist of the Members' comments that we cannot continue to allow this to go on in the current context. This has to be a time-limited enterprise. I think the timing of the Sudan Peace Act report on April 21 has actually set a useful limit in this case.

We have gone a long way, which is why I say these talks are sound. The parties have made real decisions: The 6½ year transition period; the possibility to vote for self-determination if that is necessary; the humanitarian access in the south, though not Darfur; the agreement on security issues that they have made; the agreements on wealth sharing, including two currencies and a banking system. These are real, tangible agreements that say to me that men of good will could finish this and they could finish it relatively quickly. They know what the possibilities are.

They seem to have floundered, as Congressman Payne pointed out, over this issue of Abyei. I do not believe after 20 years and 2 million dead that a small space of 7,000 square miles whose inhabitants, even after people are repatriated, won't amount to more than 80,000 people can be allowed in any reasonable sense to block this process. There are formulas. The problem is to get the parties to accept them, to prove that they are willing to go that last mile. That is, frankly, where we are in these negotiations.

The Secretary, as you know, has been personally engaged, the President has been engaged, the Administrator of AID has been en-

gaged, Roger Winter and I were just out there, all pushing them to define these last issues.

Earlier in this process, I thought we had more time. We have more time when there are not people dying, and in Darfur people are dying now in large numbers. Therefore, we do not have any more time to let these parties engage in a leisurely negotiating process.

What effect does Darfur have on the negotiations? It makes them urgent. Darfur in itself is being taken on separately. We are preparing to drag them in front of the United Nations if this doesn't stop. We are preparing to take a look at what we can do in terms of sanctions if this doesn't stop beyond what we are already doing; and we are working with our European partners, who heretofore have been relatively quiescent on this but are not quiescent at all on Darfur and in fact are leading the charge in Geneva in the Human Rights Commission to do something about this. So we are aware of what is going on in Darfur.

Roger Winter will have a great deal more to say about it. He has been more closely engaged in this.

This is a serious humanitarian crisis, as your picture demonstrates. We are pushing them on it. It goes to the issue of good faith at the end of the day. Has this government really changed its mind? Is it really going to move to peace? We don't have the answer. We won't have the answer until we finish this negotiation quickly over Abyei.

There are some other issues outstanding, the so-called power sharing block, but both sides have assured us there is nothing serious in there to block it. The history of this negotiation says we would have some problems when we got there, too, but I think we can push for this quickly.

That is my assessment of the current state of affairs.

I have already explained how I think Darfur is impacting the negotiations. What steps have we taken to prepare for peace?

As you know, AID has added almost \$187 million in its budget, anticipating having to do extraordinary things in the south beyond what they are already doing which is already a \$200 million plus program. If we get this peace and depending on the circumstances and the exact details of the peace, we are probably going to need more money. We can't tell you now what that is because we haven't finished this process. We will be open and transparent with you as we get closer to this.

The other question you have asked here is what are we going to do if this fails. We have contingency plans, and we have developed them to a considerable extent. I don't want to get into that because I don't intend to let this fail. But I can assure you that we have a laundry list of things that we are going to do because we do take seriously our policy on Sudan. This policy goes beyond these talks.

There are three legs to this policy: Cooperation on terrorism, and they have checked that block fairly well. Cooperation in terms of regional stability. What is going on in Darfur is spilling over into Chad. That grade was passing. It is now failing. And cooperation on a just peace. A just peace includes respect for human rights and humanitarian access throughout the country, among other things; and the government is now failing that grade right now.

They can still redeem themselves. I think one of the reasons Vice President Taha just left these talks is he was at the end of his instructions and he has gone back to engage in a serious discussion from everything I am seeing on the side. We are hoping the result of that discussion is sufficient to help us close this gap. We don't know and we won't know till Friday or Saturday when he returns.

That is where we are in these talks in a nutshell. I think I have tried to be honest on the questions. Thank you.

Mr. ROYCE. Secretary Snyder, we thank you very much. You have been very forthright.

[The prepared statement of Mr. Snyder follows:]

PREPARED STATEMENT OF THE HONORABLE CHARLES R. SNYDER, ACTING ASSISTANT SECRETARY, BUREAU OF AFRICAN AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. Chairman and members of the Committee: I am honored to have the opportunity to appear before you to discuss our government's efforts to achieve a just and lasting comprehensive peace in Sudan and to share with you our thoughts on the likely answer to the question you pose in the hearing title. We have been supportive of the Sudan peace talks because we wanted to advance U.S. interests to promote human rights, counter-terrorism, and regional stability. From the outset of these negotiations we have made clear that our policy is based on three pillars, all of which must be achieved in order to begin the process of normalization of relations with the Government of Sudan. These are: achievement of a just and comprehensive peace settlement; unrestricted humanitarian access and respect for human rights in all areas; and full cooperation against terrorism. I would also like to address our shared concerns about the conflict and humanitarian crisis in Darfur in western Sudan.

The road to peace in Sudan has been long and hard. With the support of the Congress, we have made substantial progress. The framework on security issues and accord on wealth sharing are major accomplishments that have given the process momentum. The parties are close to a final peace agreement, but the issue of Abyei poses a large challenge and significant power-sharing issues remain to be resolved. Over the last year, international monitors, funded and supported by the United States, confirm that there has been a measure of peace in much of the south unprecedented in recent decades. People have begun to live rather than simply trying to survive. Tens of thousands of displaced persons have returned to their homes in the Nuba Mountains as a result of the ceasefire there brokered by the United States and Switzerland.

Implementation of any peace agreement reached between the parties will pose major challenges. U.S. leadership will be essential to mobilize international support for next steps including international monitoring in close cooperation with the United Nations, assistance for reconstruction and development, and continuation of critical humanitarian assistance programs.

Achieving peace in Sudan is one of the Administration's highest priorities in Africa. Accomplishing this requires a set of comprehensive accords that address the legitimate grievances of southerners while establishing a national democratic framework leading to fundamental change. As we near the April 21 determination on the Sudan Peace Act, I would like to update the Committee on the current state of play in the negotiations between the Sudan Peoples Liberation Movement and the Sudanese government. First I would like to take this opportunity to commend the efforts of the Inter-governmental Authority on Development (IGAD) for its leadership of the peace process. I want particularly to express our appreciation for the tireless, dedicated mediation by General Lazaro Sumbeiywo.

Our objective is to achieve a Framework on the Outstanding Issues by the end of the current round of negotiations March 16. Since the current round began February 17, the parties have been engaged in difficult discussions regarding the three marginalized areas: The Nuba Mountains, Southern Blue Nile, and Abyei. They have resolved most of the issues related to the Nuba Mountains and Southern Blue Nile, and both sides believe that the remaining questions on those two areas will be satisfactorily addressed. Abyei poses a larger challenge. The central issue is whether the traditional Ngoc Dinka inhabitants of Abyei will be allowed to determine their political future. The Sudanese government continues to resist a commitment to popular consultation for the Ngoc Dinka and has expressed concerns about the impact a solution in Abyei could have on northern stability. The United States

has made clear its position that such popular consultation is necessary, and we have been working with the parties to urge resolution of this issue. Our Troika partners, the UK and Norway, and we have all explored creative ideas with the two sides, but, so far, they frankly remain unable to resolve the Abyei issue. The two sides have also discussed the nature of a possible political partnership to ensure full implementation of the peace accords and to promote unity. Both sides realize the people of the south must see real benefits from the peace accord if there is to be any hope of achieving unity—a goal both sides support.

We have underscored to both sides the need to conclude the negotiations on an urgent basis. If the parties fail to resolve the Abyei issue during this round, much of the momentum achieved thus far will be lost. That might well lead to a rise in tensions on the ground. Aware of the critical stage of these talks at this time, we have strengthened our team of facilitators in Navaisha. I was recently in Navaisha to talk with Vice President Taha and Chairman Garang, and plan to return to push for agreement. Special Envoy Danforth remains closely involved, and Secretary Powell and National Security Adviser Rice are directly engaged in the talks. We have sent the parties a clear message on the need to move forward quickly. Should they prove unable to do so, it may become necessary—as a last resort—for the United States, in concert with the Troika and IGAD, to table ideas to break the impasse. In short, the parties know that the time for agreement is now, or the peace process could well unravel. The next days and weeks will prove decisive.

- If the parties reach agreement on the three areas, they will move on to the power-sharing issues. While the power-sharing issues are complex, both sides have told us that they do not expect major problems to resolve them. We intend to hold them to that.
- If the parties resolve the outstanding issues by March 16, they will take a short break and reconvene to work out details of security arrangements, international guarantees, and modalities to implement the peace accord. Once these are worked out, a comprehensive peace accord will be signed. The United States has offered to send a senior team to assist General Sumbeiywo with the security arrangements talks.

In Secretary Powell's statement to the House Appropriations Committee on March 3, he called the situation in Darfur a "catastrophe". Clearly the conflict and the humanitarian crisis there are a matter of urgent and grave concern for the Administration, as they are to many in Congress. The violence and suffering in Darfur have made it one of the worst humanitarian crises in Africa. Fighting between Sudanese government forces and the rebels is continuing. Of particular concern are the activities of the largely Arab Jingaweit militias. They are systematically burning African villages, killing and abusing civilians. We have rejected the government's claim that, while it may have originally supported the Jingaweit, they are now out of its control. These militias are proxies for the government and Khartoum bears responsibility for their conduct, whether they say they have control or not.

We have spoken out forcefully on Darfur. We are pressing the Sudanese government, at the highest levels, to negotiate a humanitarian ceasefire with the rebel groups so that humanitarian relief can reach all needy populations. The GOS is considering a U.S. offer to facilitate such talks. At the same time, we insist that the GOS take immediate steps to stop the Jingaweit militias. Meanwhile, the situation continues to deteriorate. The GOS is not providing sufficient protection to all displaced persons, and the Sudanese army has not mounted systematic efforts to stop the Jingaweit. Our own sources and the press daily report new atrocities by the Jingaweit and document the fear in which the population lives, particularly those who have been displaced.

We have told the GOS that this is not acceptable, and that we are taking the necessary steps to intensify actions by the international community. We are considering a range of actions at the UN in New York, and we will raise Darfur at the upcoming UN Commission on Human Rights (UNCHR) session. We have also made clear that the situation in Darfur would slow the process of normalization of relations, which we have said that we would pursue were there a peace settlement between the GOS and the SPLM. USAID Assistant Administrator Roger Winter will address the humanitarian tragedy in Darfur in more detail.

The situation in Darfur raises another important issue. Although we have made some progress with the Sudanese government, their overall human rights record remains very poor. Improvements in some practices were offset—as noted in detail in our annual Human Rights Report—by continuing abuses in others. The government continued to restrict most basic freedoms and to abuse its citizens, sometimes violently, with its security forces and allied groups of irregulars. As we described in the International Religious Freedom report, we remain deeply concerned about the

Government's restrictions on religious practice. On a positive note, there have been few, if any, slave raids over the past year. We will work to promote family reunification once a peace accord is signed.

In the United Nations and other fora we have worked hard to maintain the international spotlight on human rights violations and other serious abuses in Sudan. The United States continues to support important monitoring efforts to reduce abuses. In 2003, we provided four and a half million dollars for the Civilian Protection Monitoring Team (CPMT), established by the United States as one of Special Envoy Danforth's four tests for peace. The CPMT's objective documentation of abuses by security forces has drastically reduced such incidents in the south since monitoring began in 2002. In addition, we have provided a grant of one million dollars for the now operational Verification Monitoring Team, set up pursuant to the cessation of hostilities agreed to by the GOS and SPLM in 2002. The 12-nation Joint Military Commission to monitor a cease-fire in the Nuba Mountains was established through the efforts of the Special Envoy John Danforth and supported by a seven million dollar U.S. grant last year.

We have used every opportunity to make known that any future relationship with the Sudanese government will depend on achieving a just and comprehensive peace with the south. I believe Khartoum understands clearly that observing basic rights and freedoms and an end to the conflict in Darfur will significantly improve prospects for our relations. The pace of our normalization and review of sanctions on trade and assistance following a peace agreement will be determined by Khartoum's level of effort to reform and correct human rights policies and practices.

Another of our principal goals in engaging with the Sudanese government has been cooperation in the war against terrorism. I am pleased to report to you that while we remain concerned about certain Palestinian rejectionist groups, which maintain offices in Sudan, we have continued to make progress in our counter-terrorism dialogue with Khartoum. The GOS has proactively responded to some specific requests we have made to combat terrorism. In addition, Sudan has played an increasing role in working with regional governments to combat terrorism and has both signed and ratified all twelve international counter-terrorism agreements.

Mr. Chairman and members of the Committee, there are enormous challenges ahead as we push for successful conclusion of the peace talks and continue the process of bringing Sudan into the community of democratic nations that respect human rights. We continue to enjoy the advantage of an unprecedented international engagement with the parties. The United States has provided strong support to this African-led peace process. For the Sudanese government, we have continued to make clear that normalization of our relationship will be contingent not only on the signing of a peace agreement, but also on full implementation in good faith as well as allowing unrestricted humanitarian access to suffering populations, continuing cooperation to combat terrorism, and respect for human rights.

As I have noted here, we have made progress on all these fronts, but we will not be satisfied until these goals are fully realized. This will require much hard work and a willingness to assist in building the peace but the goal is historic change in Sudan. That process will address the legitimate grievances of the southerners who have suffered so enormously, will enhance regional stability, and will send a very positive message to the Middle East and other conflict areas. The vision of a unified, democratic Sudan that fully respects human rights would have been unthinkable until very recently. The principal responsibility to achieve and implement the peace rests with the parties themselves. But the leadership of both sides and the long-suffering people of Sudan will need our engagement and our help in rebuilding the war-ravaged south while holding out a hand of friendship to the north.

Mr. ROYCE. We will go to Mr. Winter.

**STATEMENT OF THE HONORABLE ROGER P. WINTER, ASSISTANT ADMINISTRATOR FOR DEMOCRACY, CONFLICT AND HUMANITARIAN ASSISTANCE, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT**

Mr. WINTER. This is a key moment. I must say I am very grateful to you, Mr. Chairman, and this Committee for its almost perpetual vigilance and activism on Sudan because it has made a huge, huge difference. May I say what I said in the last hearing, that there have been dramatic humanitarian access improvements in the south. But today's hearing really isn't about the south. I am

going to focus my comments on Darfur. We have continuing problems elsewhere. We have them on the eastern front, we have them in Southern Blue Nile, we have them in terms of the continuing problems we have with our commodities that are shipped to Sudan, and we have problems when it comes to the Lord's Resistance Army operating in the southern part of Sudan and its connections with the government in Khartoum.

However, I will now focus on Darfur, because arguably this is the worst humanitarian emergency in Africa and perhaps in the world at this moment. I think despite the assertions of the President of Sudan, I think that the government finds itself in a quagmire that is not going to go away any time soon. This could turn out to be the major miscalculation that undermines the Sudan peace process, which I see as being on a precipice right now.

Personally, I have been to Darfur at least a half dozen times in the last 6 months. This is a major issue for us. We have topnotch personnel, the best that we have in disaster response, who are out there working this issue now. We have excellent commentators, like Amnesty International and Human Rights Watch, who, in detail, are specifying what the issues are and what is happening in local situations. But our perspective is based on our seeing and hearing and our judgments and we are making up our own mind. By the way, it is quite easy to do it right now. You don't even have to go to Darfur. There are truckloads of thousands of people beginning to show up in Khartoum right now.

So we can just go out and we can ask them their individual stories and find out exactly what is going on. I will come back and I will tell you a couple of them in a moment. The pattern we are seeing, as one of you indicated, I am sorry, I forget which one, is all too familiar. Yes, there is a war. The parties have a war to fight. But what we are seeing goes far beyond the fighting of war. We are seeing attacks on civilian targets in Darfur as we saw them in the south before. The pattern is very, very similar. You have aerial bombardments going on. They are coordinated with the militias that are operating on the ground, and sometimes it is not just the militias, it is actually the Sudan government's military.

The name that these militias go by that are doing most of this violence is the Janjaweed. This is an Arab-based population, and the people that they are attacking are African. It is a pattern we also saw in the south that we are seeing again. These attacks are accompanied by massive patterns of rape. The reports are really quite staggering in terms of the numbers affected. Overall, Darfur has basically had its humanitarian assistance shut off since last November and yes, it is the case that there have been some marginal improvements in the last little while.

Those marginal improvements actually are providing us additional documentation as to what has been going on. As I say, I will mention some of that. What is going on is population clearance. I have used publicly the term "ethnic cleansing," because I frankly believe that is what is going on. I am not a lawyer. I am not a human rights lawyer. I am an old guy, in some senses of the word, and I go back to the old school. That is, if it looks like a duck and it quacks like a duck, it is probably a duck. What is happening is ethnic cleansing. You have an African population that is being driv-



en from their homes in a very systematic, widespread and calculated, knowledgeable way in my judgment.

You can see it. You can frankly see it from the air. If you fly over the locations, you can see the villages burning underneath you. You get the World Food Program fellows, the pilots to circle their plane and go down and take a close look, you can see them down there. Now that we have a bit of access in some locations, we actually have WFP and other U.N. personnel on the ground.

Mr. Tancredo, one of the stories you didn't read in that report from Mukesh Kapila, a recent one, I would just like to tell you. On February 27, humanitarian staff, that is U.N. personnel, traveling through Tawila, 62 kilometers west of El Fasher, had observed Janjaweed militia looting and burning a village. Local residents and internally displaced persons indicated the following: (A) 17 people had been killed in the town and an additional 68 in the surroundings of Tawila town; (B) all houses as well as the market and the health center have been completely looted and the market burned; (C) over 100 women had been raped, six in front of their fathers who later were killed; (D) about 150 women and 200 children had been abducted; and (E) in all of the Tawila administrative unit, 30 villages had been burned, more than 200 people killed, and more than 200 women raped. This is a familiar pattern to us.

I think what we are seeing in announcements from the government are spin control. The President has announced that the war is over. He has announced that it is time to rebuild the social fabric of Darfur. He has announced that refugees can return from Chad and that IDPs can return to their homes. It just isn't so. When any of us go on the ground out there, there are stark limitations to what we can actually do and who we can actually talk to.

And although Abyei isn't in Darfur, let me just tell you, when we were in Abyei about 10 days ago, we were supposed to meet with an entire group of community leaders. What we found at Abyei which Congressman Payne mentioned as a Ngok Dinka traditional area, a homeland almost devoid of people at the moment, but what we found was a great crowd of people. But they all had been trucked in by the government from Muglad, which is 100 miles away, and not a single one of them was Dinka. We are confronted consistently with this kind of spin control.

I left that place thinking to myself, this is a place where the tensions are running so high that we could be faced with a massacre. I don't say that lightly. I have seen massacres. I have lived through them. What I am suggesting to you is what is possible with the tensions running high in some of these locations. When we talk to people about their individual displacement even, what is it they tell us? When we get to talk to people as I have, let me tell you what they say. I can remember very well one woman near the capital of southern Darfur, Nyala. I forget the name of her village. She said,

"They came, perhaps three to 400 of them. They came on camels and they came on horses. They began to shoot. They began to raid the village. Our men came out. They tried to protect the village. After about six of our men were killed, we ran away."

They ran to basically the capital of the state of southern Darfur. This is a common thing. What we are now finding with humani-

tarian workers where they do have some access is you can actually go and you can see attacks on the ground in progress.

You can actually see African-based villages that are destroyed. You can actually see other villages that are entirely not destroyed and not hampered in any way, shape or form. You ask these people when the attack occurred, were there any rebels around anywhere, that is, the rebels, the political opposition that the government's military is fighting. To one person they have said there were no rebels whatsoever anywhere in the vicinity. They even say that with government security people present and listening to everything that is being said. These kind of situations, that is, the burning villages that you can see from the air and these kind of attacks, are continuing to today.

What I read to you from Tawila is happening today. Beyond public statements of which the State Department and USAID have had many, beyond calls from the Secretary and the White House, what are we doing? Frankly not enough. We are trying to change the gear. We have offered to deploy the civilian protection and monitoring unit. USAID has been tasked by the National Security Council to lead an initiative, so the Administration is seeking to be in the lead in terms of arranging for a humanitarian ceasefire, and we will be participating in the planned talks that will be scheduled either next week or the following week in Chad. We have been talking to the rebels for the last 6 weeks to assure their participation and to make sure that the standards they find necessary to be involved in these talks are actually met. But when all is said and done, the central issue for us, and I think the central issue as it relates to the Sudan Peace Act is how is the Government of Sudan behaving? How are they actually behaving? Are they part of the solution or are they part of the problem? The reports we receive from our workers on the ground are that the military of the Government of Sudan stands by or participates in some of these deprivations. When we ask people who exactly were these people that did the attacking, they say, "Janjaweed, the government, it's the same." It may not be exactly, precisely the same, but this is the way the victims see it. Further, the government, which brands the rebels, that is, the political opposition forces, and the Janjaweed both as criminals and outlaws, takes no enforcement actions whatsoever against the Janjaweed. There is no example of any enforcement action being taken against them. It is these people that the victims cite as the ones who are attacking them.

The great humanitarian need now is not just for food. It is for protection. People need protection. We actually have people who are in displaced persons camps right now telling us, "Please don't give us the food, don't deliver the food, because with the assistance comes the attackers." I have never had this kind of thing happen before, when people in the circumstance say, don't bring us the food. Whatever the solution is that we hope comes out of the Chad meeting, there must be a robust international presence. It is the only way I think that we can assure the level of protection that these people need.

The real tragedy beyond Darfur itself is the impact that Darfur is having on the overall southern peace process. Almost all Sudanese want this just peace to come through this peace process.

Frankly, most of the people I know in the Government of Sudan want this peace process to succeed. I can say, in my view, clearly, the Sudanese People's Liberation Movement (SPLM) wants this peace process to succeed. Where we are right now is that the White House will not take no for an answer.

So we are beefing up our capacities. We are with the State Department and USAID and the National Security Council assigning additional personnel, trying to achieve a level of engagement with the parties that tries to assure that this peace process does not fail. Why? It is only this peace process that can produce the democratic transformation in Sudan which will change the character of the country so that the kind of thing that is happening in Darfur today does not continue to happen. We need this peace process very badly. Thank you.

Mr. ROYCE. Thank you, Mr. Winter. We thank you for your compelling testimony.

[The prepared statement of Mr. Winter follows:]

PREPARED STATEMENT OF THE HONORABLE ROGER P. WINTER, ASSISTANT ADMINISTRATOR FOR DEMOCRACY, CONFLICT AND HUMANITARIAN ASSISTANCE, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

Mr. Chairman, Committee Members, thank you for allowing me to come and share my thoughts and insights on Sudan with you. Congressional attention on Sudan will be critical in how the events of the next few years unfold. As you know, the Government of Sudan (GOS) and the Sudan People's Liberation Movement/Army (SPLM/A) have made significant progress in negotiating a North-South peace agreement, although they have not yet been able to bring it to a successful conclusion. The U.S. Agency for International Development (USAID) is poised to assist the Sudanese in their economic recovery and prevention of future conflict once an agreement is reached. However, it is also critical to point out the concerns we have, particularly with humanitarian access, one of the three pillars of U.S. foreign policy in Sudan.

#### I. HUMANITARIAN ACCESS AND CHALLENGES

From 1989, the year Operation Lifeline Sudan (OLS) began, to January 2003, the international community wrestled with the Government of Sudan (GOS) for denying humanitarian assistance to war and famine affected populations in southern Sudan. This lack of access exacerbated the suffering of the people of South Sudan, and many died when relief failed to reach them. Since the GOS and the Sudan People's Liberation Movement/Army (SPLM/A) signed a Memorandum of Understanding (MOU) on October 15, 2002, agreeing to a cessation of hostilities and unhindered access to all of southern Sudan during the peace negotiations, humanitarian access to southern Sudan has improved dramatically. Further progress was made in January 2003, when the GOS agreed to a process of notification for humanitarian relief flights, rather than requiring the UN to seek permission each month. Most recently, the cessation of hostilities and humanitarian access agreement was extended until the end of March 2004.

As a result of these changes, there is a new measure of stability in some areas of southern Sudan where access was previously denied. More families are able to meet their own food needs, begin agricultural activities, send their children to school, and plan for the future. In areas where bombs once fell on civilian targets, people still take note of the airplanes overhead, but now it is with a sense of curiosity rather than fear. These are some of the changes that have come with a cessation of hostilities and unhindered access. For the short-term, this new access, along with the anticipated return of several million internally displaced persons (IDPs) from areas in the North as well as hundreds of thousands of refugees from neighboring countries, will increase the need for humanitarian assistance in the South in the short term, but if southern Sudan continues down the path of peace and stability, within a few years the need for our humanitarian funding will significantly decrease.

*a. Denial of Humanitarian Access in Darfur*

Unfortunately, we cannot give a similarly positive report for the humanitarian situation in western Sudan. The war in Darfur is arguably the most serious humanitarian crisis on the African continent right now. The Government of Sudan has mounted nothing less than a scorched earth strategy to crush armed insurgents representing nascent opposition movements called the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM). The movements themselves were born out of frustration with the marginalization of the Darfur region by the Khartoum government. The SLA and JEM have scored a number of successful attacks against government forces. But rather than negotiating with these forces, the Government has chosen to respond with brutal force against the civilian population, even when there is no evidence of contact with opposition groups. While we understand the right of a sovereign government to counter an insurgency within its borders, the manner in which the GOS has responded in this case has been disproportional, brutal, and disregards protections against civilians, indeed it has targeted them.

The Government is using aerial bombardment to terrorize civilians who they say are harboring rebels and has armed and unleashed a militia called the *jenjaweed* whose “modus operandi” is to rape, loot and burn villages with total impunity. The UN estimates there are over 700,000 displaced out of a population of six million and some three million affected by the fighting. The Government labels both the rebels and the *janjaweed* as criminals and outlaws. The GOS has publicly denounced the *jenjaweed*, yet, it only takes enforcement actions against the rebels. By design, the *janjaweed* is, therefore, left to continue attacking African civilians. The GOS claims that it does not have control of these militias. We believe that they do. Regardless, the Government is accountable for the actions of these militias and, as the responsible party, must take much stronger measures to stop them. Without a strong hand by the Government to reign in the *janjaweed*, the atrocities against civilians will continue.

Mr. Chairman, the extent of the violence and terror being inflicted on the population is frightening. I led a delegation to the area in February and as we flew from West to North Darfur saw some 14 villages burning. Humanitarian workers have witnessed the looting and burning of villages by the *jenjaweed* militia and have seen that the government police and military forces in the area do nothing to stop the violence. We have heard consistent and highly disturbing accounts of rape, including an gang rape of the students at a girls school in a town called Tawila in North Darfur—and then followed by a local official’s denial of medical assistance to the rape victims.

The Government of Sudan has obstructed access to the conflict areas by humanitarian workers for many months. Since February 13 access to the capital cities for the three states of Darfur has been permitted for most organizations but humanitarian workers must still obtain permits for each visit outside these capitals. Delays in issuing permits are a well-honed technique that limits international presence; I believe this is a deliberate strategy of the GOS. One well-reputed humanitarian organization is having to close its presence in Sudan as it has been unable to get permits to travel to Darfur. The International Committee of the Red Cross, which should be present in such a conflict, is unable to gain agreement from the GOS on basic operating principles for their work.

Mr. Chairman, we are seeing a very disturbing trend in the humanitarian response. Populations we are reaching who are in urgent need of humanitarian assistance, whether food or non-food items, are pleading with the UN and NGOs NOT to provide assistance as it is only looted by the *jenjaweed* militia immediately afterwards. Requests by the humanitarian community that the GOS provide security at least at the IDP sites (let alone rein in the *jenjaweed* operations) have not yielded positive results. In fact there is evidence that the GOS military and security forces have also victimized the populations in Darfur. Thus we are facing a traumatic situation—one where the victims of the conflict are enduring their suffering because to receive relief would further risk their lives.

We are disturbed that despite these reports from the field, the Government of Sudan has declared military victory in Darfur, asserted that all routes are open for humanitarian assistance and that refugees and IDPs can return to their home areas. This premature and misleading declaration provided to the international community seriously endangers those humanitarians who are risking their own security to try to organize relief operations in Darfur and shows blatant disregard for the protection and concern that the GOS as a government should extend to all its people. Sudanese who are informed about the Darfur crisis fear to speak out because of the threat of arrest. At present several individuals are jailed for reporting on the crisis, and several individuals who spoke with my delegation were subse-

quently detained by security forces. In recent days, internally displaced people from Darfur have begun arriving in the capital of Khartoum seeking safety. Even those who have mobilized assistance to help them have been threatened by GOS officials and told not to report the “untrue” stories they hear from the displaced.

The point is, this conflict is not just an internal disturbance, or local tribal conflict over land and water to be contained by a stern Khartoum government, as it is billed locally. Why would a government respond to insurgent activity with such force to depopulate an entire region, when dialogue not violence could have yielded more positive results? The results of the decisions made by the GOS have resulted in a major humanitarian emergency and large-scale human rights abuses, with severe ramifications for Sudan and the immediate region.

Mr. Chairman, the humanitarian crisis in Darfur cannot be ignored. The sheer scale of the displacement that is occurring is rendering the entire area at risk of severe food shortages and famine. If farmers are not back safely on their land by April for this year’s planting, the world community will be facing a human crisis of vast proportions for at least the next year. The trauma suffered by the population including the separation of families will take a long time to heal.

The parties must agree to a cease-fire now so that critical humanitarian assistance can be delivered to save lives and avoid a humanitarian catastrophe of even greater proportions as we go into the traditional “hunger gap” period. USAID has been leading a USG effort to bring the Government of Sudan and opposition parties together to negotiate such a humanitarian ceasefire. We are hoping that all sides will agree to meet soon. Beyond the cease-fire we believe the longer-term solution is in dialogue, not violence and we will continue to pass this message to all parties in the conflict.

#### *b. Other Obstacles to Humanitarian Assistance Due to Insecurity*

In prior years, attacks on humanitarian distribution centers were one of the worst atrocities in southern Sudan. The cessation of hostilities has put a stop to nearly all such attacks and humanitarian relief has proceeded almost unhindered, until February 27, just a few weeks ago. In Nimnim, Western Upper Nile, eight UN and NGO staff came under rifle, machine-gun, rocket-propelled grenade and mortar fire from militia likely-aligned with the GOS. Aid activities in the area were suspended, affecting 30,000 people, according to the UN. This incident, while seemingly isolated, highlights the volatility of the transitional zone as militias formerly aligned with the GOS and the SPLA realign their interests. Shifting alliances in the lead up to a permanent ceasefire are likely to increase insecurity, hampering humanitarian operations in these areas as a result. It is incumbent upon both parties to ensure militias aligned with their respective armed forces do not jeopardize the delivery of humanitarian assistance.

The remaining insecurity in southern Sudan can largely be attributed to the Lord’s Resistance Army (LRA) from Uganda, operating in Eastern Equatoria. Their ongoing presence in Sudan limits the delivery of humanitarian assistance and the ability to move freely. We are particularly concerned that LRA activities will continue to cause instability in southern Sudan after a peace agreement is signed if its presence is not removed. Additionally, we are gravely concerned by the humanitarian tragedy resulting from LRA attacks in northern Uganda and are working with all parties concerned to seek a solution to this situation that ends the suffering of civilians in both northern Uganda and southern Sudan at the hands of the LRA. It should be noted that the SPLA is reportedly engaged in serious military confrontation with the LRA.

#### *c. Procedural Obstacles to Humanitarian Access*

It is important to highlight the importance of “moving back and forth across the line,” especially in the transition zones. For decades, civilians and humanitarian agencies have not been able to cross from GOS-held territory to SPLM-held territory. Those who crossed this line were considered to be suspicious or affiliated with the other side, and were often subject to arrest. In an environment of peace, we consider freedom of movement critical to the delivery of humanitarian access. As such, when free movement is hampered, this severely impedes humanitarian logistics.

Humanitarian access in Abyei, one of the three disputed areas in the peace negotiations (and part of the transitional zone between northern and southern Sudan) is frequently impeded. A recent assessment there found, on the positive side, that there has been free movement of civilians back and forth across the Kiir River between GOS and SPLM zones. Non-governmental organizations (NGOs), however, have not been able to access the checkpoints at the Kiir River. As well, GOS security agents continually monitor conversations between the NGOs and their beneficiaries, which obstruct transparent communication. Overall, we are very concerned

that the restriction on freedom of movement will hamper the return of internally displaced persons (IDPs) to Abyei after a peace agreement.

During my own delegation's visit to Abyei last month, I was deeply troubled by the tense atmosphere between the Ngok Dinka and Misseriya communities. To avoid having these tensions boil over into violence, we must ensure a positive outcome of the political discussions on the fate of Abyei taking place in Naivasha. Acting Assistant Secretary Snyder has already spoken to the significance of this issue for bringing the peace talks to closure; the stakes on the ground could not be any higher.

On the Eastern Front, near the border with Eritrea, the UN submitted a proposal in January 2003 to both the SPLM/A and the GOS for a cross-border needs assessment to be followed by a cross-line relief operation serving war-affected groups in the Hamesh Khorib area. However, neither the GOS nor the SPLM/A have agreed to specifics. Currently, minimal aid is reaching the area, but without a sustained cross-line, cross-border program, populations will remain highly vulnerable. Samaritan's Purse conducted a nutritional survey of children within the opposition-controlled area of the Eastern Front in October, 2003, which revealed alarming rates of malnutrition. This survey, conducted in partnership with the Center of International Emergency, Disaster, and Refugee Studies of the Johns Hopkins University found that 27.4% of children sampled were severely or moderately malnourished. This rate is among the highest rates of malnutrition in Sudan. We urgently need free access to this area to further verify these rates and respond appropriately.

In the conflict area of Southern Blue Nile, unlike in southern Sudan, the Government has required the UN to ask its permission, rather than simply notify the GOS of its intentions to deliver assistance. Since the signing of the MOU on cessation of hostilities, this process has gone more or less smoothly, up until last month. The GOS has significantly delayed UN flights to the area and since mid-February 2004, has completely denied the UN flight clearances for Southern Blue Nile. As a result, WFP has not been able to deliver food aid to the area for more than one month, and a UNICEF flight carrying a USAID-funded drilling rig for a hospital was denied access into Southern Blue Nile. As of right now, there is no formal resolution to this problem, although the United Nations has submitted all the required paperwork. We are dismayed by this reversal of access by the GOS for Southern Blue Nile and are seeking a speedy resolution to restore access to this area.

Finally, I must inform you that as of March 7, 2004, USAID has ceased all further food aid shipments to Port Sudan due to the GOS' insistence that US commodities be certified free of genetically modified organisms ("GMO"). When this issue first arose in May, 2003, we informed the GOS that the United States does not provide such certifications. We did, however, send a team of scientists to Khartoum to explain the extensive regulatory standards that all food commodities in the United States must meet, whether for domestic or foreign consumption, and to discuss the Government's health and scientific concerns. The United States is the major donor of food aid to Sudan, providing some 70% of the World Food Program's total pipeline for the country. The majority of US-donated food aid enters the country through Port Sudan, including 40% of all food aid intended for southern Sudan.

In October, 2003, the Government of Sudan issued an extension of the waiver on their earlier decree requiring certification that food aid brought into Sudan be free from bio-engineering, thus enabling USAID to continue food aid shipments to the country. This extension comes to a close on July 8, 2004, but because the normal time for U.S. Title II humanitarian food assistance to be procured and transported to Sudan is four months, we are now past the point at which we can be sure that US commodities arriving in Port Sudan will be allowed to clear customs and move swiftly to the populations in need. USAID policy since the GOS issuance of this policy has been to continue shipment of humanitarian food assistance as long as food aid would arrive and clear customs for distribution to beneficiaries prior to the deadline date on this extension. The US is prepared to make additional food commitments to the humanitarian crises in Sudan, but we cannot do so as long as this issue is outstanding. We are informed by the United Nations that food stocks for relief operations will be exhausted by April/May of this year. Mr. Chairman, the potential humanitarian consequences of this pipeline break for the needy in Sudan cannot be over emphasized.

## II. LOOKING TOWARD PEACE

### *a. Ongoing Program*

USAID's 3-year strategic plan for assistance to Sudan was designed to promote a flexible approach, depending on the outcome of the peace negotiations—stalemate, deterioration, or peace. USAID's approved program of \$220 million in FY 2004 was

planned for the “stalemate” scenario of no peace and no war, and increases resources for Sudan by approximately \$40 million over FY 2003. The Administration’s request for FY 2005 includes \$336 million for Sudan, and assumes the comprehensive peace settlement will be concluded. USAID has planned a package of special programs in FY 2005. This program will underpin the peace agreement through support for five key program elements—“quick start” programs; demobilization, disarmament and reintegration; democratic governance, and infrastructure. It will also meet humanitarian needs which will dramatically increase in the short term as access is gained to regions in the South long isolated by conflict.

We have identified five priority areas for the “stalemate” scenario: Expanded support to the Sudan peace process; more responsive and participatory government; improved equitable access to quality education; increased use of health, water and sanitation services and practices; and a foundation established for economic recovery.

*i. Expanded Support to the Sudan Peace Process*

USAID will promote peace building initiatives that foster consensus on resource management in conflict-prone and transition areas in southern Sudan. The purpose of these programs is to demonstrate tangible benefits of participation in the peace process. USAID programs will benefit people returning to their homes, including internally displaced persons (IDPs), ex-combatants, former abductees, and will coordinate with the State Department’s Bureau for Population, Refugees and Migration on assistance to returning refugees. Using emergency sources of funding, USAID will provide short-term assistance to returnees with transportation, shelter, and kits with basic household utensils and supplies, as well as support their engagement in employment and small income generation, using development funds.

It is also vitally important that grassroots and political level peace processes be supported visibly and firmly by the United States. Therefore this objective will prepare the ground for quick impact projects to demonstrate tangible benefits in southern and transition zone communities of participation in the peace process. These programs will jumpstart activities so that they are available immediately after a peace agreement is reached. Confidence building efforts will focus on generating trust among communities in formerly contested areas.

*ii. More Responsive and Participatory Governance*

In the coming years, it will be critical to support both Parties to the negotiations with good governance activities, so as to prevent further conflict in Sudan. USAID will provide technical assistance including anti-corruption activities, training, equipment, supplies and other commodities for local authorities in the South. As well, USAID will strengthen civil society institutions, networks and professional associations through consultations with southern peace agreement signatories on governance frameworks, training and technical assistance to judges and court administration, independent media and information dissemination. In particular, USAID will focus on civic education seminars and radio spots about issues and outcomes of the peace process. Improved democratic governance and respect for human rights will be promoted by establishing a civil society network capable of advocating for legal protection of civil liberties, as well as strengthening other civil society networks.

*iii. Improved Equitable Access to Quality Education*

Anyone who has traveled to Sudan has heard Sudanese say that their number one priority is education. More than two generations have been without it in southern Sudan. USAID’s program will emphasize regional teacher training institutes, professional development for teachers, and teaching materials for teacher education, non-formal education, and education management training. Our programs will also focus on school rehabilitation and encouraging women and girls to enroll in primary, secondary and adult education programs. Programs like this are absolutely vital to the development and stability of southern Sudan.

*iv. Increased Use of Health, Water and Sanitation Services and Practices*

USAID’s primary health care and water/sanitation program emphasizes improving the capacities of southern Sudanese to manage and deliver their own requirements for health care, especially among women. At the same time, the program provides funding for critically-needed essential medicines, training, physical rehabilitation of training institutes and communication and logistical support. USAID’s program also seeks to help transform the health system in southern Sudan to reduce dependency on the international community and to introduce strategies to increase HIV/AIDS awareness, prevention and care activities.

*v. Foundation Established for Economic Recovery*

USAID's new programs in economic growth represent a step beyond past objectives of USG food security programs. The country context has changed in the last three years, especially in southern Sudan, where the nascent recovery of markets, the four continuous years of surplus crop production in western Equatoria, the survival of producers' and marketers' associations and other institutions in the difficult wartime environment, and the growth of a southern Sudanese capacity for research and policy analysis, have all given hope that a rapid recovery is achievable.

USAID's economic recovery program seeks to establish the foundation for market-based economic recovery in southern Sudan. It will promote the delivery of market support services (credit, business skills, improved agricultural practices, export promotion, market information, and road rehabilitation) to entrepreneurs and the market support institutions that deliver those services (including a microfinance institution, agribusiness training centers, business associations, a statistical analysis center, and local road maintenance departments). USAID will also support improved economic policies in southern Sudan through technical and logistical assistance. At the same time, USAID will continue humanitarian assistance to those communities who are most vulnerable to disaster and conflict, including food aid, seeds and tools, and training.

*b. Peace Dividend*

The peace process in Sudan has brought the GOS and the SPLM to the brink of an historic agreement to end the long civil war in southern Sudan. Should the Parties sign an agreement, peace will be fragile, especially during the first year, because of Sudan's decades of war and lack of equitable access to resources. Peace will trigger a massive return of refugees and internally displaced people to their home areas, straining services and infrastructure that are woefully inadequate for existing populations.

Just as U.S. leadership since 2001 has reinvigorated the peace process and improved humanitarian access, U.S. leadership through an expanded assistance program will be required to ensure that peace endures in the South, and extends throughout the country. USAID is in a position of unique influence as Southern Sudanese confront the most fundamental issues in their transition from war and survival to peace, governance and development. Lasting peace in Sudan will be a great positive influence in the volatile Horn of Africa, a vast zone of conflict and terrorism.

When a peace agreement is achieved, Sudan, and in particular southern Sudan, will need increased support in a number of areas, including:

- "Quick-start" projects that will provide visible benefits to communities soon after an agreement is signed.
- Demobilization, disarmament and reintegration of formal armed forces, militias, and other armed groups into peacetime activities.
- Infrastructure development, particularly in the South, including transportation, water and sanitation, electrification, and communications.
- Expansion of basic services, in particular health and education.
- Support for the development of democratic institutions and processes.

USAID is planning how it can most effectively contribute to a "peace dividend" in these areas, and the increased funding requested in FY 2005 will help to fund new USAID activities. In the event of a peace agreement, the U.S. will work with other donors on a comprehensive peace dividend program of assistance to support the agreement.

In closing, Mr. Chairman, the United States is anxious to move forward with the rebuilding of the war-devastated areas of Sudan. Overwhelmingly, the Sudanese people, North, South, East, and West are desperate for peace and development. The time for an agreement on a just peace is now.

Mr. ROYCE. I think we are very fortunate to have someone on the ground who has your years of experience dealing with victims of conflict. There are two questions that I wanted to ask. The first goes right to the heart of the issue of the peace dividend itself that should propel both sides to the table. They created this National Petroleum Commission. This is something that I, over a year ago, talked to Senator, or our Special Envoy Danforth about, the idea



of creating something that could be audited, where you knew that there was a reason to come to the table because of the advantage.

Yet we look at this resource-sharing agreement that was signed in January, and it seems to be free of all outside monitoring. I think that since Sudan is going to be the beneficiary from large amounts of development aid, from debt relief, from a concerted effort among all the international institutions to assist, that it wouldn't be unreasonable to ask that the international community, which will contribute so much, would be able to monitor the distribution of billions of oil revenues in the north and the south. So let me begin with that question as to why this is not in the agreement.

Mr. SNYDER. Thank you, Mr. Royce. I think we need to remember where we are in this agreement is the framework agreement, so this national petroleum resource-sharing is far from final. Clearly, when we get into fleshing this out in full detail, we are going to be pushing for the transparency initiatives that are present elsewhere, the kind you see in the Chad-Cameroon pipeline. We have talked to them about this. It is interesting. They are both a little reluctant. I think they see this——

Mr. ROYCE. I hear they are both reluctant.

Mr. SNYDER. I think at the end when we are squeezing them, this is one we will get. It is not there yet but it is a framework agreement. Give us a chance to perform in the final agreement. Which, by the way, just to give you an idea of the flow if we manage to succeed, my guess is we are going to be in for 90 days of fleshing out all these agreements, not just this oil agreement, but the security agreement and some of the others in much more minute detail. So there will be a time period before the comprehensive agreement is ready for signature.

Mr. ROYCE. The other similar subject would be why both sides are resistant to the idea of a U.N. peacekeeping operation. Let me just ask you, are there conversations taking place within the U.N. concerning a peacekeeping operation that might follow this and would it be a Chapter 6, would it be a peacekeeping operation or a peacemaker operation, a Chapter 7 operation if it were to be given as a mandate? And what would be the Administration's position? I guess the most important issue to me personally is just why the resistance on the part of the SPLM and Khartoum to the idea of having a U.N. peacekeeping force on the ground.

Mr. SNYDER. I think the resistance on the government's part is typical of the sovereign party in any of these arrangements anywhere we have had this problem. They don't like the U.N. coming into their turf and dictating. The truth of the matter is it is obvious to us all and the U.N. is already engaged, that there will have to be to be a U.N. presence of some significant size. I think the Secretary alluded to 8 to 10,000. These are very early stages of negotiation. A lot of it will depend literally on how we finally set up the security arrangement in particular which will go to troop flows, and whether or not they go to intermediate bases and how many men we need to monitor that and so on. I think there will be a robust presence.

Again, the issue of Chapter 6, Chinese Chapter 6 or Chapter 7 will be debated at the end. The truth is this particular force will

have to be able to protect the human rights groups that have been threatened on the ground. In fact, to do some of the things that the CPMT will do in the interim period in a much more robust fashion, providing the kind of literal visual guarantee to these people that have been so traumatized over the years, means that we have begun to change the psychology. I think it is less important whether it is chapter 6, Chinese 6 or 7 than the actual mandate to say that, that these people are there to protect the citizens, and their human rights.

When we get into the actual negotiation in the U.N., we certainly will be pressing hard for that. It is a little premature to go beyond that because we are not there yet, and we don't know the details, but that is what our thinking is.

Mr. ROYCE. I thank you for clarifying that, Secretary Snyder. We are going to go to Mr. Payne. We have got another panel, so we are going to try to rapidly go through the questions here.

Mr. PAYNE. Thank you very much. I will try to be brief. Let me ask you, Assistant Secretary Snyder, the Government of Sudan still remains on the State Department's state sponsor of terrorism list. Correct me if I am wrong that the government has refused to disassociate itself from terror groups such as Hamas and Hezbollah, which openly maintains offices in Khartoum and which the government pointedly refuses to close.

Congressman Tancredo and I sent a letter to Secretary Powell last month seeking answers to several of the questions. I wonder if you know, one, what the status of our letter to the Secretary is, and what is your assessment of the connections with terrorism? As you know, there are allegations that Sudanese officials played a role in the first World Trade bombing, the attempted assassination of President Mubarak, the bombings of the United States missions in Kenya and Tanzania. I wonder if any of these persons who were in office then have been removed, whether any have been jailed, have any of them been chastised from the Government of Sudan to your knowledge?

Mr. SNYDER. On the generic issue of terrorism, they are about 90 percent of the way there. The two pieces that are in question, beyond individuals and what they have done in the past, are Hamas and the Palestinian Islamic jihad. I checked on the status, on the Palestinian Islamic jihad. We are less concerned about that. That may be an anomaly. Hamas concerns us, and the President's relatively recent embrace of a new Hamas representative resulted in a demarche, another action I just signed off on this morning. Depending on their response, you will get a different answer to the letter you sent. I literally just sent it out this morning.

On the question of the broader culpability over time, your letter has clearly prompted us to take a hard look at that kind of thing. In an open hearing like this, I can't get into details, but I can answer your question, has anybody on that list been punished, reprimanded or otherwise for that? Clearly not. The only one that has really suffered, or not the only one, but the major figure that suffered any consequences for this was Turabi, and he was expelled for internal political squabbles as opposed to his role as a terrorist sympathizer.

It is an open question and one that we will pursue when we feel the time is appropriate with due vigor, and we will try and get you an answer on the letter you sent us. But I suspect for now and given the sensitivity, it will have to come in a closed forum.

Mr. PAYNE. Thank you very much. I would appreciate more information at a closed forum. The question of power sharing and the sharing of the resources, where does that stand right now in the negotiations?

Mr. SNYDER. There have been side discussions by the secondary figures, people like Pagan Amum and Nhial Deng and others for the SPLM and General Yaya and some others, now State Minister Yaya. They have danced in a preliminary fashion. They have got bracketed text, for instance, on the parliament that will be set up, what is a fair percentage for the SPLM. I think they are in the 30s somewhere separated by a couple of points. I think the government's offer is on the order of 32 and the SPLM ask is on the order of 40 percent, 38 percent. That is clearly a bridgeable kind of difference, once Taha and Garang actually engage on this. The other concern is how they make more concrete their agreement that the national capital should reflect the national character. There will be a great deal of devil in those details.

But again, if we can get these talks to end on the right note, in which they literally take a leap of faith for peace and do become partners, one of the side discussions that is going on is, in fact, a partnership discussion between the SPLM and the national Congress party of a political nature, how do they, in the new Sudan, stand behind this deal to see that politically it moves forward. That may turn out to really be the ultimate answer to your question as to how they resolve the power sharing. Those talks have been rightly fairly closed to us, but from the tone and output that Roger Winter, I, and others have gotten in side conversations, they both tell us they are serious, productive and fairly direct and they have been lengthy. These are serious conversations. It is hard to speculate what is in that box until they actually get to it but I think since they both reassured us, we intend to hold them to the idea that this will not delay these talks.

Mr. PAYNE. Just the last quick question to Mr. Winter about the refugee situation in Chad. They say they need about \$20 million. About \$1 million has been appropriated by USAID. Chad of course is going through perhaps a little problem with the attempt to change the constitution and attempt to have a President for life, I guess, now that they have found oil. What is the situation there in Chad with the Sudanese refugees, about 110,000 who are there?

Mr. WINTER. When I was actually in Chad up on the border in January, it was difficult. The U.N. High Commissioner for Refugees operation had not yet been fully deployed there. It is now. The U.S. has made available to UNHCR about \$10.5 million so far to empower them. It is not all on line yet. I think that is why you get some of the indications like in the press today. But the money has been made available. UNHCR is now fully deployed. I haven't been back since January, but things ought to be steadily improving. I actually do expect to be there in another 2 weeks now to give you a follow-up report from my personal experience there.

Mr. ROYCE. Mr. Tancredo.

Mr. TANCREDO. Thank you, Mr. Chairman. What does the government in Khartoum think anybody in the whole world is thinking about what is happening? What I mean by that is how can they assume for a moment that everything that is going on would not be observed and would not be reacted to? How can we possibly think about them being even remotely concerned or interested in bringing this to a true successful and peaceful conclusion? Look at what we are facing here. I just am fascinated by what you think they think about how all this is going to be perceived, what is happening in Darfur and Abyei. That nobody would notice it? That nobody would respond to it?

Mr. WINTER. I don't know how to answer that, frankly. I don't mean to oversimplify. I do think that they thought, for a variety of reasons, that we were primarily interested in the south, I think perhaps because some of the church connections and that kind of thing. Perhaps they thought that somehow they could react violently to the political opposition there and that somehow by rolling up the civilian population and almost dealing with them as if those civilians were themselves the opposition because of their tribal affiliations and so forth that a non-understanding West, which didn't know much about Darfur and didn't have much in the way of religious connection to the population there just wouldn't care.

Frankly, I have had a couple of people say to me, why do you care about Darfur? That is sort of the same kind of question that you are getting at. We have tried exceedingly strongly to convey to them that unfettered humanitarian access has been for all Sudanese, and that from the beginning of this United States initiative to promote peace in Sudan, access has always been one of our top three goals. It has been counterterrorism and it has been ending the war in the south, but it has also been humanitarian access to all vulnerable populations. Frankly, they don't fully understand that, I guess. There is just a different perspective. I don't know how to say much more than that.

Mr. TANCREDO. A different perspective. That is certainly undeniably true. Charlie, any guess as to what they really think we think about this?

Mr. SNYDER. I wouldn't attempt to be an apologist for what is unspeakable action but I think one of their motivations was the political presence of Turabi, who is politically connected to the JEM faction, the smaller of the rebel factions, in Darfur. For the Government of Sudan, Turabi is the ultimate bete noire. I think they would have reacted—the fact that they have reacted the way they have is insane, but the political motivation goes into that Turabi connection to JEM.

It is totally disproportionate. I am not saying differently. But it is one of the pieces and it goes to the fact of why we are going to have to be very rigorous in any kind of safeguard package, U.N. presence, international guarantees in all of this at the end of the day because of this kind of pattern. I just think anything short of it would be not due diligence.

Mr. TANCREDO. We just received some reports that Chinese oil workers and Government of Sudan soldiers have penetrated 8 hours and 40 kilometers into SPLA territory in eastern upper Nile, in Wudeir, actually even some indications that there may be Chi-

nese military involved. If this is accurate, what is your estimation of the possibilities that could accrue from this if there is some sort of confrontation with SPLA forces? How do you think this would affect the peace process?

Mr. SNYDER. We will have to look into that report. I haven't seen that one before. But clearly, the CPMT and somebody else would issue us an official report. Depending on what we find, we will take appropriate action. To my knowledge, there are no Chinese troops in the country. There could be Chinese security people around the oil field, but it wouldn't be the large numbers. I certainly will check on that, but that is my understanding.

Mr. TANCREDO. Thank you, Mr. Chairman.

Mr. ROYCE. Thank you, Mr. Tancredo. We are going to go to Congressman Frank Wolf of Virginia. If you should have any questions, Frank.

Mr. WOLF. Thank you, Mr. Chairman. Just one or two. I want to thank you for having the hearing and thank both of the witnesses for their good work. Just listening to you just very quickly, since I don't serve on the Committee and don't want to take much time, one, are you hopeful, both of you, are you hopeful?

Mr. SNYDER. I think the short answer is yes, because we are going to bring everything we have got to bear on this in the end game. And as the Secretary said the other day, we are not going to accept failure in this regard. Success is the only answer. A just peace is what we are going to get. How we are going to get there may change depending on what happens in the next few days, but that is what we are after and we are not backing off it.

Mr. WINTER. I am hopeful, but lately a little less hopeful than I have been for the last few months. I think the Darfur situation has a possibility of contributing to the unraveling of this process. I think, that hasn't fully happened yet. And Charlie is right. We are upscaling in every possible way to make sure there isn't a failure. So I am not devoid of hope at this point.

Mr. WOLF. What is the final day that you are saying on the calendar that you believe that you would just say—because this has moved obviously from last summer, from last fall, from Christmas, you bought the cow that you were going to slaughter in honor of, and now we are into March. Is there a day? Is there a time? Is there a time? Is it like when you say to your children, one more time you do it, and then next time comes and you don't. One more time you do it. Is there a time that you would say, I think we would know success if we saw it? Is there a time that you would say it is not going to happen? Or do you not have a timetable?

Mr. SNYDER. For one, I think the cow is on ice, it is not in the refrigerator. But there are internal deadlines in these talks. One of them is coming up in terms of what the Kenyans—they are running the process—have said. The 16th of March was supposed to end the discussion on the so-called three areas. My guess is that they are not going to make it. Slipping 4 or 5 days because of Taha's absence would be acceptable.

I think in our own mind, and I obviously don't want to set a marker down that I then have to eat, but I personally don't see how we get past the next Sudan Peace Act report without a major

breakthrough. We can't be where we are today on April 21st. That is my personal view.

Mr. WOLF. The last two questions. I won't put you on the spot. Just the last one. Should it fail, and we hope and pray, because there a lot of people that are praying that it will not fail, that it would be a success, but should it fail, and maybe you don't want to say publicly, but what then? Should 20 years go by, slavery go by, bombing go by, Darfur go by, 2 million people go by, Osama bin Laden, as the Chairman said, go by, and, as Mr. Payne said, assassination—what then? Or would you rather do that in closed session and tell us?

But I hope you have a plan, because should it fail, what then? Do you want to say publicly, or do you want to wait and do that privately?

Mr. SNYDER. I think we would say that, to get into any kind of details, privately. Again, the key thing is to realize that we are not going to accept this failure. If we wind up being confronted with it, because of the history you have described, we will take a very hard look at some tough choices. We are not there yet, but we are obviously taking a look at various contingencies, et cetera.

It somewhat would depend on how it fails. In other words, if this breaks down over Abyei, and we are take making progress, for instance, on Darfur so that I can with a straight conscience say to myself, well, we have got that one back under control, and the ceasefire doesn't break down, then our reaction is different than if Darfur is aflame, they violate the ceasefire in the south. So I don't want to publicly get into it until we know the facts.

Mr. WOLF. Thank you, Mr. Chairman.

Mr. ROYCE. Thank you, Mr. Wolf.

I think Congressman Nick Smith from Michigan might have had a question.

Mr. SMITH. If I may, Mr. Chairman. I just returned from Libya and a meeting with Ghadafi. Do you see any kind of consequences or influence, what is happening in Libya, as far as its effect in the Sudan?

Mr. SNYDER. Fortunately Libya is in another bureau, but as an example of potential regime transformation may be instructive in Sudan. Clearly we have been trying to say that if somebody like Ghadafi can walk back, you can count on us to do what we can in your case, if you think that we are misleading you.

One of the accusations that the government makes to us, to be frank, is that we are leading them down the gilded path, that we are promising them these changes. So there is a mirror image problem. That is where the Ghadafi "rehabilitation" really comes into play a little bit. They are looking at that. And I think some of the peace action at least looks at that as a hopeful sign. Here was someone that was on the top of the list, but once he did the right thing, there is some hope for him, and therefore there is hope for us ultimately. But there is not a direct correlation between the two. It is more an example of possibilities.

Mr. SMITH. I have an interest in GMOs, the technology to develop food products that can grow in arid soils, that can grow in climates where food production traditionally has been more difficult. Some countries have been resistant to using that technology

because of their customers, such as Europe, which refuses to purchase genetically modified products. To me, this is nothing short of a decision that is resulting in the starvation and death of a lot of people throughout Africa and the Sudan.

Can you give me any ideas or thoughts about the attitudes as far as accepting this new technology for producing the food and feed that is needed?

Mr. WINTER. There is a significant problem. We have been confronted quite surprisingly about a year or so ago with a directive from an office that reports to the President of the country, which flat out would bar genetically modified products from importation to Sudan. That is a problem for the humanitarian programs because the United States provides 70 to 80 percent of all of the food aid to Sudan that is required for the humanitarian programs, and some of our commodities are genetically modified. But the way our program works is we buy our commodities on the open market, and then we ship them.

What we have done is we have held endless number of meetings with the government. We have sent a team of scientists over to meet with their scientific community to talk about whatever their concerns are that we might be able to satisfy. We have provided a variety of technical materials and so forth so that they would understand what our commodities are all about.

They have twice delayed the implementation of their very restrictive policy. Over the last 2 weeks meeting with the Foreign Minister and a variety of other officials, I have told them that we would cut off food delivery—new food procurement as of March the 7th, because we won't be able to deliver it before the restrictive rule goes into effect again.

And just before this hearing—which shows you the value of these hearings—I got a call from the Ambassador of Sudan saying that—we haven't seen it in writing yet, but they are going to postpone the implementation of that regulation for another 6 months. That only applies to the food aid humanitarian programs. It doesn't apply to general imports, however. That is the story.

Mr. SMITH. Thank you.

Let me ask you one quick question.

Mr. ROYCE. Your time has expired, Mr. Smith.

Mr. SMITH. I can say it quickly.

Mr. ROYCE. Okay. Let us see how quickly.

Mr. SMITH. What role can the American faith-based organizations play in promoting the Christian-Muslim dialogue in the Sudan?

Mr. SNYDER. I think this is something that has been near and dear to Senator Danforth's heart all along. I think there is a major role there. And I think the fact that we are now standing up to the Muslim population in Darfur and making the point that this isn't just about protecting the Christians gives us an opportunity to walk down that door.

I would encourage them to be in contact with Senator Danforth, who is personally interested in this, and he has some ideas on the subject for private initiatives and other things that might actually result in some significant binding up of wounds here.

Mr. ROYCE. Well, we want to thank our witnesses for their candid responses today, and we thank you gentlemen very much for your efforts on this challenge.

We are going to ask our next panel to come up at this time. Let me introduce our three witnesses here. Dr. J. Stephen Morrison directs the CSIS Africa Program. He co-chaired the reassessment of the U.S. Policy to Sudan in 2000, and in the summer of 2002, he organized an energy expert mission to the Sudan peace negotiations in Kenya. Prior to joining CSIS he worked for the Secretary of State's policy planning staff, the USAID Office of Transition Initiatives, and the House Foreign Affairs Subcommittee on Africa.

Next we have Dr. Eric Reeves, a professor at Smith College. He has written and published extensively on Sudan, served as a researcher and consultant in numerous human rights and humanitarian organizations. His work is published in a variety of southern Sudanese magazines and newspapers and Web sites. He provides commentary on Sudan to international news services. He is presently at work on a book-linked study of Sudan's civil war and American policy responses to Sudan over the last decade.

And Pastor Gary Kusunoki is the founder and Chairman of Safe Harbor International Relief, a church-based relief and development agency. Since 1994, Safe Harbor has worked in more than 20 different nations, bringing physical, spiritual and emotional aid to those in need. Pastor Gary has worked in war-torn areas such as Rwanda and Sudan. Since 1996, he has made more than 25 trips to South Sudan. Now, that is a commitment, 25 trips to Sudan, which I would like to thank him for making. In November 2002, Pastor Gary accepted an invitation to travel to Khartoum to meet with the President of Sudan, General Bashir.

So we are going to hear from each of our witnesses. We are going to start with Dr. Morrison.

And before we do that, before proceeding, I would like to recognize one of the many distinguished guests that we have in the audience, Reverend Francis Campbell Gray. If I can ask you to stand.

The Reverend Gray serves as assistant bishop in the Episcopal Diocese of Virginia. And Bishop Gray has served on the House of Bishops Committee on World Missions for the past 14 years and on the Standing Commission on World Mission for 6 years. In 1999, he was elected President of the Compass Rose Society, an organization supporting worldwide Anglican mission efforts.

Reverend Gray recently returned from Sudan. The Episcopal Church is doing very good work throughout all of Africa.

So I would like to thank you, Reverend, for again joining us today and monitoring our work here.

Dr. Morrison, if you would proceed. Again, summarize your testimony, please, in 5 minutes. Thank you.

**STATEMENT OF J. STEPHEN MORRISON, PH.D., DIRECTOR, AFRICA PROGRAM, CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES**

Mr. MORRISON. Thank you, Chairman Royce, and thank you, Congressman Payne and Congressman Tancredo, for the chance to be here today. I also want to acknowledge the prodigious effort



made by Malik Chaka, Tom Sheehy and Greg Galvin in putting this hearing together.

Many of my remarks will be drawn from a report that the CSIS Post Conflict Reconstruction Project produced in January looking at what the challenges in the post-peace accord period will be. That report came about because of the initiative taken by Congressman Wolf. For that we are grateful. We've brought plenty of copies of that report along today.

I have five key points. First, we need to reemphasize that peace, a successful negotiated peace accord in Sudan, is very much in United States national interests—the discussions oftentimes assume that but don't state that explicitly—and that a failed peace accord will be very detrimental to U.S. interests, be it promotion of democracy and human rights, humanitarian access, regional security or counterterrorism.

We need to keep our eye on the prize, the peace accord that is close but at risk. And without that peace accord—I think Roger Winter made this point quite eloquently—without that peace accord, it will not be possible for Sudan to begin to move forward on many of these other major challenges.

I also wish to comment on the time invested in the peace process. It is not fully yet 2 years that the IGAD negotiations have been under way. They have had three major agreements in that period. A ceasefire has held for over a year. In comparative terms, if you were to look at the Cambodian peace process, the Salvadoran peace process, or the Mozambican peace process, the time line and achievements of the Sudan Peace Process compare pretty favorably.

That doesn't mean that we shouldn't be bringing intensified pressure to bear on the parties to close this deal, and I agree with the remarks from Charlie Snyder and Roger Winter in that regard. But I think we need to give very serious consideration as to whether we deliver ultimata that leave us with no options in a premature fashion. That is a call that I am not clear on how to make. We are approaching the point where that difficult call is before us.

Third, we need to remind ourselves that sustained high-level U.S. leadership has been essential to the progress that we have seen thus far. If United States leadership wanes or is withdrawn, or eclipsed for some reason, the other members of the troika, the U.K. and the Norwegians, and our regional partners in East Africa will not be able to carry this process forward.

To close the deal requires more innovative high-level U.S. diplomacy. President Bush at important points has intervened quite positively. More calls, I believe, in coming weeks are warranted. As well we should be pressing Blair, the Presidents of Ethiopia, Uganda, Kenya, and U.N. Secretary Kofi Annan to begin to vocalize very publicly the need for the parties to come forward and close the deal.

We have talked at length about Darfur. I don't think I have in my comments much to add to those comments provided by earlier witnesses. I think there has been a very extensive discussion. Finally, we need to prepare, as we have attempted to do in this document, for what comes after peace negotiations.

Three quick points in this area. One is the threat to peace that will persist in Sudan, and that will require a large and robust U.N.

peacekeeping force. Secretary Powell speaks about 8- to 10,000 troops. It will require a Chapter 7 mandate, a quick reaction force, and possess strong leadership, strong intelligence capacities, and should be led from a core force from an industrial power. None of those pieces are in place today. If we were to get what we want this month or next month, we would not be prepared today to bring forward these essential pieces.

The second formidable challenge will be normalizing Sudan's status with international financial institutions, with other bilateral donors, and with ourselves. We have a complex mix of arrears, of debt and of sanctions that are going to have to be sorted through. On an interagency basis much work recently, I understand, has gone forward in trying to think through what the road map would look like, but it has not been signed off or finalized at high levels, and we cannot afford delay in moving that forward.

Third, it has been made clear by the Administration that there will not be a supplemental this year, in 2004. That means on peacekeeping, on debt relief, on ample additional reconstruction assistance, three key items that the U.S. will need to bring to the table to support a peace, that it is really going to be incumbent upon Congress to take the initiative at this moment.

Thank you very much.

Mr. ROYCE. Thank you, Dr. Morrison.

[The prepared statement of Mr. Morrison follows:]

PREPARED STATEMENT OF J. STEPHEN MORRISON, PH.D., DIRECTOR, AFRICA PROGRAM, CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES

Chairman Royce and ranking minority member Congressman Payne, I commend you for calling this timely hearing on a subject of such importance to U.S. foreign policy in Africa, namely, what are the near-term prospects for concluding a durable and just negotiated settlement to Sudan's protracted civil war. Your leadership has been, and remains, essential in informing debate here in Washington on what is happening in the Sudan peace process, and more important, what is possible and what more needs to happen to achieve peace in Sudan.

I am grateful for the opportunity to contribute to these deliberations, both on personal grounds, and on behalf of the Center for Strategic and International Studies, which has in the past four years become significantly invested in Sudan and intends to remain intensively engaged into the future.

We are proud of the Center's record on Sudan.

In late January, the CSIS Post-Conflict Reconstruction Project, headed by Rick Barton and Sheba Crocker, with substantial input from Dina Esposito and myself, issued a detailed analysis of the critical challenges that will lie ahead, should a peace agreement be concluded in Sudan. It is titled "To Guarantee the Peace: An Action Strategy for a Post-Conflict Sudan" and is available on the CSIS web site. In my comments here today, I will draw upon the major findings of this excellent work.

In early October of last year, CSIS brought to Washington senior health officials of both the Government of Sudan and the SPLM to discuss the challenges they confront, especially in terms of infectious diseases, and how they intend to collaborate in post-war Sudan. A little over a year earlier, CSIS fielded an expert team to the Machakos negotiations to present an analysis of the present and future of Sudan's energy sector, along with models for wealth sharing. Finally, as the Bush Administration was just settling into office in early 2001, CSIS issued its Sudan Task Force report, "U.S. Policy to End Sudan's War," which laid out a strategy by which sustained, high-level U.S. leadership might bring Sudan's war to a just, negotiated conclusion.

I will confine myself to brief comments here today. I can elaborate, as needed, during the question and answer period.

*First, we need to remind ourselves that vital U.S. national interests are at stake in Sudan.*

U.S. interests are concentrated in humanitarian values, religious and cultural tolerance, democratic norms, counter-terrorism, regional stability and economic growth. The U.S. engagement in pursuit of peace in Sudan is neither a charitable nor an ill-conceived act. It is a clear-eyed pursuit of results that can benefit the United States.

A failed peace effort that reignites Sudan's devastating war between the North and South will hurt the Sudanese people profoundly, set back its neighborhood, encourage a radicalization in north and south, and damage U.S. interests. A successful peace effort holds the promise of changing the history of Sudan, restabilizing the Horn, and advancing U.S. interests. It could test the viability of a unified, liberalized Sudan, facilitate the reconstruction of society in north and south, demonstrate multilateral success in ending a chronic war that has pitted Muslim and Christian, Arab and African, populations against one another, remove Sudan from the list of state sponsors of terrorism, and normalize Sudan's international status. If successful, it would be the Bush administration's signature diplomatic achievement in Africa.

Such a peace, and only such a peace, can create an environment in which it becomes possible to tackle Sudan's other formidable governance problems—and they are many and severe.

Stated otherwise, we need to keep our eye on the prize—the successful conclusion of a Sudanese peace accord between the Government of Sudan and the SPLM/SPLA. Will a negotiated settlement between the SPLM/SPLA and the Government of Sudan resolve all Sudan's ills? No, but it is an absolutely critical first step and we cannot afford to become distracted, nor squander the important progress made so far in realizing this first step.

*Second, we need to remind ourselves that the Sudanese parties are indeed very close to a final framework agreement.*

They have completed three major agreements: the breakthrough Machakos framework, which separated church from state and granted the south the right of a referendum after six years; the security accord of late September 2003; and the wealth-sharing agreement of early January 2004.

While the issues surrounding Abyei are complex and highly contentious, and power-sharing arrangements still have to be concluded, I don't believe these remaining hurdles are insurmountable, certainly not if the consequence of failure is a return to war and the collapse of the peace process. With sufficient will on both sides, and concerted pressure applied to both sides by key external partners, there can be closure on these issues.

*Third, we need to remind ourselves that sustained, high-level U.S. leadership is essential.*

U.S. leadership has been, from the very beginning of the Sudan peace process, essential to achieving the results seen thus far, and remains essential to closing a deal.

Without President Bush's direct engagement, that of Secretary Powell, and that of Special Envoy Senator Danforth, the Sudan peace process would not be at the advanced point it is today. And that progress has been secured through the perseverance of a very committed interagency team, led by Acting Assistant Secretary Charles Snyder, and including USAID Assistant Administrator Roger Winter, Ambassador Michael Ranneberger, former Assistant Secretary Walter Kansteiner, and former Ambassador Johnnie Carson.

Congress, advocacy groups, and others should insist upon high-level U.S. engagement and carefully avoid any steps that might weaken it. If U.S. high-level leadership were to slacken or be withdrawn at this delicate moment, the Sudan peace process would likely collapse. Neither the other troika members, the UK and Norway, nor regional partners will be able to sustain the peace process, without U.S. leadership.

To close a peace deal will require additional innovative, high-level U.S. diplomacy.

Secretary Powell has repeatedly been in direct communication with Sudanese President Bashir and Dr. John Garang, head of the SPLM, and we commend him for his tireless engagement.

President Bush too has at important moments communicated his views to the parties. In the near term, well-timed telephone calls from President Bush to President Bashir and Dr. Garang may prove essential as a peace deal approaches.

At the same time, the United States should aggressively encourage other key partners—British Prime Minister Blair, heads of state of Ethiopia, Uganda, and Kenya, and UN Secretary General Kofi Annan—to publicly and privately communicate to the Sudanese government and the SPLM that the time has come for them to reach a workable compromise on Abyei, finalize power-sharing arrangements, and expedite a final framework document. Their common message: we have entered a

phase in which the longer the stalemate in the Naivasha peace talks persists, the higher the probability that the will and coherence of the two sides will fray and the process break down.

*Fourth, the United States needs to continue confronting the recent, steep escalation of horrific violence against civilians in Western Sudan.*

U.S. leadership should emphasize sustained action to quell violence, open humanitarian access, encourage political dialogue, and consciously ensure that events in Darfur do not destabilize the Sudan peace process.

It is not altogether surprising that Sudan should experience an upsurge of violence as the possible endgame to the peace process approaches. In many other similar situations, that has been the pattern. Spoilers come forward in hopes of destabilizing the process. Aggrieved parties left out of the process come forward suddenly, seeking to win a place at the negotiating table through armed violence.

In the case of Darfur, government-backed militias are behind most of the scorched-earth violence. The government has allowed only limited humanitarian access and resisted genuine political talks. Armed rebel movements reflect multiple factors: the brutal disenfranchisement and neglect of Western Sudan's citizens by the government in Khartoum; longstanding local ethnic rivalries; and a meddling by neighbors and by the radical Islamist Hassan Turabi, each of whose actions has significantly stoked the violence.

The situation in Darfur is fluid, murky, and dangerous. It hangs over the Naivasha talks, and has contributed directly to the stall seen there. It has the potential to rapidly escalate, to destabilize neighboring Chad, and to create dramatic new space for radical Islamic influence.

We should resist facile characterizations, and instead focus aggressively on expanding humanitarian access, curbing weapons flows, improving intelligence, and pressuring the parties to enter renewed political talks. In concert with UN Special Envoy Amb. Vraalsen, the EU, and neighboring states, the United States, to its credit, recently dispatched a senior U.S. interagency team to Khartoum and Western Sudan. Follow-on investigative missions and further innovative diplomacy, bilateral and multilateral, will be essential.

*Fifth, the United States needs to prepare more systematically now for the peace implementation phase in Sudan, especially with regard to security, normalizing Sudan's relations with international and donor institutions, and ensuring a balanced, dynamic reconstruction effort.*

Insecurity will be the gravest immediate threat to a peace accord: from Sudan's multiple armed militias; from breakaway military elements within either party; from rebel or proxy forces supported by Sudan's neighbors; or internal spoilers such as Hassan Turabi.

It is not inconceivable that outside terrorist groups will be attracted to assault the UN operation and expanded Western donor programs.

We will invite disaster—and risk repeating the initial UN peacekeeping failures in Sierra Leone and the Democratic Republic of the Congo—if we assume the Sudanese parties themselves will have the will or capacity to police themselves adequately, or that a light UN peacekeeping force with a Chapter VI mandate simply to monitor events will be adequate.

A large UN peacekeeping force will be required—Secretary Powell has spoken of 8–10,000 troops—with a robust Chapter VII mandate. That force should include a small, quick-reaction force, possess strong intelligence capacities, and should be led by a core force from an industrial power. It will need careful forward planning, sufficient funding, a strong focus on advising and training the joint/integrated units of Sudan's armed forces, and an international civilian police element with sufficient means to train Sudanese police.

None of these pieces are in place today. Further, what is proposed here will be a tough sell: with the Sudanese parties themselves, internally within the Administration, within Congress, and within the UN Security Council. Unfortunately, there are no good, credible alternatives.

The administration should move expeditiously to lead on these issues: it should work with Congress to line up adequate funding; press within the UN Security Council for a robust mandate; enlist a lead troop-contributing country, and offer extensive logistical, intelligence, and other forms of support.

A second formidable challenge will be normalizing Sudan's status with the United States, international financial institutions (e.g. IMF, World Bank, Africa Development Bank) and other major bilateral donors. That will involve clearing accumulated arrears (in excess of \$1 billion), concluding multilateral agreement on a debt relief/debt forgiveness package (Sudan's debt is estimated at \$21 billion, of which it can be reasonably expected to afford payback on \$3 billion), and lifting U.S. sanctions.

This process promises to be highly complicated and contentious, will require intensive, protracted multilateral negotiations—for which U.S. leadership will be essential—and will carry substantial financial costs for the United States and other bilateral and multilateral donors. Each step will require extensive consultations with Congress.

Though some promising interagency work on these issues has accelerated in recent months within the administration, the administration has not settled upon a clear road map detailing how it intends to manage arrearages, treatment of debt, and sanctions. The administration has made clear it has no plans for a supplemental appropriation in 2004; hence, if a peace agreement is concluded soon in Sudan, and arrearages and debt become urgent priorities, it will be incumbent upon Congress to lead.

Finally, the United States will need to lead on the diplomatic and reconstruction fronts.

It will be important that the high-level, multilateral engagement that helped drive the negotiations forward be sustained during the peace implementation phase. That will require a strong, and well-staffed U.S. embassy in Khartoum, the appointment of a prominent, respected personality to be the Secretary General's Special Representative, and the structuring of an international implementation body, linked to external powers, key international bodies such as the World Bank, and the Sudanese parties themselves.

It will be critically important that the United States be able to act quickly to support reconstruction in both the north and south alike. Substantial U.S. emergency, transitional and development funds are already flowing to southern Sudan (some emergency relief also goes to the north.) In FY04, USAID is intending to allocate \$210 million to Sudan; that figure could rise if the situation in Darfur worsens. The request for FY05 is \$386 million. The administration has yet to present a reconstruction strategy and budget to Congress that spells out how it would enlarge its programs in the north and south alike. At present, no monies for postwar reconstruction are in the FY05 request and, as indicated earlier, the administration has no plans for a supplemental in 2004. Hence, should a peace be concluded soon, a U.S. reconstruction package will become an immediate, urgent priority, which will require proactive Congressional initiative.

In closing, I wish to reiterate that through the leadership of President Bush, Secretary Powell, and others the United States has made a substantial investment in the pursuit of a just, negotiated peace in Sudan. This commitment attests to the vital stakes—both humanitarian and strategic—that the United States has in a stable, peaceful, well-governed Sudan. U.S. leadership has been the key pivot to achieving the three breakthrough agreements concluded thus far. Now we are at a delicate moment, when a final framework accord is within reach, but when break down is also quite possible. Again, careful use of U.S. leadership will be essential. And if an accord between the SPLM and the government of Sudan is realized, continued U.S. leadership will be needed to guarantee security, normalize Sudan's relations with international donors and financial institutions, and bring quick reconstruction benefits to all Sudanese.

Thank you.

Mr. ROYCE. Dr. Reeves.

#### **STATEMENT OF ERIC REEVES, PROFESSOR, SMITH COLLEGE**

Mr. REEVES. Thank you, Mr. Chairman and distinguished Members of the Committee. The question of the hearing title could not be more urgent, for I believe if a just peace agreement for Sudan is not reached very soon in Naivasha, Kenya, it will not be reached at all.

The main outstanding issue, Abyei, one of three contested areas along the historic north-south border, is a diplomatic placeholder for Khartoum, a device for stalling these historic talks.

Why is the regime so intransigent, knowing that historical and moral equities dictate that the Dinka district at Abyei should be part of the south; why, with the peace agreement clearly within reach, is the regime failing to take the last steps?

For an answer we must look again to Darfur, in far western Sudan, where the regime is conducting a vast new military cam-

paign directed primarily against civilians, among the African tribal groups of the region. This conflict emerging out of longstanding grievances is marked by unspeakable savagery on Khartoum's part, has precipitated perhaps the world's greatest humanitarian crisis.

Darfur demands urgent preparations for humanitarian intervention. Without such, we will likely be helpless witnesses to incalculable human destruction. Believing that the world will not respond with an appropriate urgency to the catastrophe in Darfur so long as an agreement in Naivasha can be made to seem imminent, Khartoum hopes first to resolve the crisis in Darfur militarily.

Reports from U.N. officials and human rights organizations clearly suggest that what is occurring in Darfur is genocide; that the military actions of Khartoum and its Arab militias amount to the destruction of these various African peoples because of who they are.

Amnesty International has recently reported on the deep racial animus and the civilian destruction. Among the many chillingly similar interviews with persons displaced into Chad, we hear a farmer from the village of Kishkish, reporting the words of his militia attackers, and I quote: "You are black, and you are opponents. You are our slaves. The Darfur region is in our hands."

A civilian from Jafal was told by Arab militia, you are opponents of the regime. We must crush you. As you are black, you are like slaves. The government plan is on our side to give us ammunition and food.

In this context, I would remind the Committee of the key finding of the Sudan Peace Act, passed virtually unanimously by the Congress. The acts of the Government of Sudan constitute genocide as defined by the U.N. Convention on the Prevention and Punishment of the Crime of Genocide.

A formal peace agreement may be right around the corner, if Khartoum finds it expedient, but we will be still far from seeing such an agreement translated into a just and sustainable peace. Indeed Khartoum's characteristic brutality and cynicism should make clear that the necessary planning for internal peacekeeping is far behind schedule.

Nor is there meaningful U.S. funding for emergency transitional aid. The State Department's promise of a large peace dividend for Sudan following the peace agreement has so far proved empty. There is no U.S. commitment to provide critical resources for transitional aid in the south. Perhaps one million internally displaced persons will attempt to return to this war-ravaged region in the first 6 months following an agreement. This will overwhelm available food and medical relief efforts.

There is another key obstacle in making and sustaining a just peace: The assertion of moral equivalence between the southern opposition and the Khartoum regime both in the conduct of war and in diplomatic commitment to peace. Let us be decisively clear here. Though the SPLA has been guilty of serious human rights abuses, there is nothing that compares with Khartoum's genocidal conduct of war.

Whether there is agreement in Naivasha or not, United States policy must not be guided by a presence of moral equivalence, for only one party in Sudan's conflict has relentlessly bombed civilian

and humanitarian targets in southern Sudan for many years. Only one party has precipitously denied humanitarian access to many hundreds of thousands of civilians with many tens of thousands of attendant casualties. Only one party has deployed, as a barbaric weapon of war, the enslavement of human beings. We must keep this in mind if Naivasha fails, for failure will surely derive from Khartoum's intransigence. There must be no subsequent assertion of equivalent diplomatic responsibility or Khartoum will rightly feel that it has prevailed.

Largely unchanged since coming to power by military coup in 1989 and derailing the peace process, the Khartoum regime has long been deeply complicit in international terrorism, is guilty of genocide, and every day thwarts the ghastly realities of Darfur.

Khartoum's cynical lies about massive human destruction in Darfur signal how difficult it will be to make anything meaningful of a mere signature in Naivasha. If an agreement is indeed around the corner, this marks only a beginning in a real job of building a just and sustainable peace.

Thank you very much.

Mr. ROYCE. Thank you, Dr. Reeves.

[The prepared statement of Mr. Reeves follows:]

PREPARED STATEMENT OF ERIC REEVES, PROFESSOR, SMITH COLLEGE

Mr. Chair and distinguished members of the committee.

The timing of this hearing could not be more auspicious—the question posed in its title could not be more urgent. For there can be no mistaking that this is Sudan's moment of historical truth. If a just and comprehensive peace agreement is not reached in the very near term at talks in Naivasha (Kenya), it will not be reached at all.

The main outstanding issue of Abyei—one of three contested areas along the historic north/south border—is little more than a diplomatic place-holder for Khartoum's National Islamic Front regime in these historic peace talks, a device for stalling negotiations. This is hardly surprising, since such stalling continues a pattern of diplomatic evasion, foot-dragging, and bad faith that goes back many years—certainly over the past decade of efforts by the East African Intergovernmental Authority for Development to negotiate an end to the Sudan's catastrophic civil war.

Khartoum knows full well that all historical and moral equities dictate that the Ngok Dinka district of Abyei should be part of the south. Yet the regime refuses to acknowledge these realities, preferring instead to use the issue of Abyei as a means of retarding further progress on a comprehensive peace agreement. For Khartoum also knows the critical significance of Abyei to the southern cause, and the impossibly unjust nature of an agreement that simply abandons Abyei to northern Sudan.

But why is Khartoum remaining so intransigent? Why with a peace agreement so clearly within reach is the regime failing to take the last steps?

For an answer we must look to Darfur, in far western Sudan, where the regime is presently conducting a vast military campaign directed primarily against civilians among the African tribal groups of the region—the Fur, Zaghawa, Massaleit, and others. War in Darfur has escalated rapidly over the last year, and especially the last four months. Militarily, Khartoum has been badly surprised and only now feels that it is making progress. The present pursuit of a military solution has come even as the regime has repeatedly refused to entertain the possibility of a negotiated political settlement to what are finally longstanding political problems, and has refused meaningful international auspices for the negotiation of a humanitarian ceasefire.

Believing that the international community will not respond with appropriate force or urgency to the catastrophe in Darfur so long as an agreement in Naivasha can be made to seem "imminent," Khartoum now hopes to resolve the crisis in Darfur militarily prior to any final peace agreement with the Sudan People's Liberation Movement/Army. Tragically, the international community has given Khartoum all too much reason to believe that the costs of an intransigent pursuit of military victory in Darfur will not be excessive.

This is so despite reports from many UN officials, human rights organizations, and journalists—reports clearly suggesting that what is occurring in Darfur is genocide, that the military actions of Khartoum and its Arab militia allies (the “janjaweed”) amount to the destruction of these various African peoples because of who they are—“as such,” to borrow the key phrase from the 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide.

The current phrase of choice among diplomats and UN officials is “ethnic cleansing”; but given the nature and scale of human destruction, and the clear racism animating attacks systematically directed against civilians from the African tribal groups, the appropriate term is genocide. Amnesty International has recently reported authoritatively on this ghastly reality. Among the many chillingly similar interviews from persons displaced from Darfur into Chad, we hear:

“A refugee farmer from the village of Kishkish reported . . . the words used by the militia: ‘You are Black and you are opponents. You are our slaves, the Darfur region is in our hands and you are our herders.’” (Amnesty International Report, page 28)

“A civilian from Jafal confirmed [he was] told by the Janjawid: ‘You are opponents to the regime, we must crush you. As you are Black, you are like slaves. Then all the Darfur region will be in our hands. The government is on our side. The government plane is on our side to give us ammunition and food.’” (Amnesty International Report, page 28)

There is a terrible prescience in comments made by an African tribal leader to a UN news service several months ago:

“‘I believe this is an elimination of the black race,’ one tribal leader told IRIN” (UN Integrated Regional Information Networks, al-Geneina [Darfur], December 11, 2003)

It is in this context that I would remind the subcommittee of a key finding from Section 2 of the Sudan Peace Act, passed virtually unanimously by both houses of Congress:

“The acts of the Government of Sudan . . . constitute genocide as defined by the [UN] Convention on the Prevention and Punishment of the Crime of Genocide (78 U.N.T.S. 277)” (Sudan Peace Act, Section 2. Findings. Number 10. October 2002)

The Sudan Peace Act was of course signed into law several months before the conflict in Darfur began to accelerate into the massive human catastrophe that is now all too fully in view. But this only makes it more urgent that we face the disturbing reality before us: the Khartoum regime, one of the negotiating parties in the Naivasha peace talks, has already been condemned for genocide in southern Sudan, the Nuba Mountains, and Southern Blue Nile—and now it stands clearly guilty of the same monstrous crime in Darfur. We must assess, soberly and realistically, the value of a signature from a regime guilty of such unspeakable crimes.

We must also remember that Khartoum’s actions in interfering with humanitarian access to Darfur, actions that have been castigated by many international humanitarian organizations—most recently the International Committee of the Red Cross—contravene obligations spelled out in the Sudan Peace Act. The Act requires the President to certify that “the Government of Sudan . . . has not unreasonably interfered with humanitarian efforts” (Section 6 [b]). Under present circumstances in Darfur, such certification cannot possibly be made in good faith.

To be sure a formal peace agreement may well be right around the corner, if Khartoum finds it expedient to reach such agreement. But even if we have a signing ceremony tomorrow, we will still be far from seeing that such an agreement is translated into a just and sustainable peace. Khartoum’s brutality and cynicism should make clear to all that the urgent planning and deployment of an international peace support mission is far behind schedule. Indeed, to date such planning seems to have been undertaken without a clear understanding of how much will be required—logistically, materially, organizationally, and perhaps militarily. Nor has the international community begun to respond to the urgent task of funding the redeployment and demobilizing of Khartoum’s military forces in southern Sudan—a critical task if the terms of the breakthrough agreement on security arrangements (September 25, 2003) are to be realized in timely fashion.

On another critical front, there is no meaningful US funding commitment to provide transitional aid following an agreement. The State Department committed to a “large peace dividend” for Sudan following a peace agreement; these critical resources were promised in testimony by then-Assistant Secretary of State for African Affairs Walter Kansteiner on May 13, 2003, in a hearing very much like this one. So far, the promise has proved thoroughly empty.

There is nothing that begins to approach an adequate US commitment to the urgently needed resources for emergency transitional aid in southern Sudan following a peace agreement. Reliable estimates suggest, for example, that as many as 1 mil-



lion internally displaced persons will be attempting to return to the war-ravaged south in the first six months following a peace agreement. The consequences of such massive migration may well be catastrophic, perhaps violent, and may even serve as a pretext for resumed war, especially in the oil regions of Western Upper Nile. Additional resources are also needed for further efforts at encouraging south/south dialogue and in providing incentives for armed militias of Upper Nile to own the peace.

We must recognize that there is yet another major obstacle to a sustainable peace. It is the same obstacle that has heretofore made securing peace so difficult: the assertion, direct and implicit, that there is somehow a "moral equivalence" between the southern opposition in the form of the Sudan People's Liberation Movement/Army and the Khartoum regime of the National Islamic Front, both in conduct of war and in diplomatic commitment to peace.

Let us be decisively clear here: *there is no equivalence*. Yet repeated suggestions to the contrary appeared in last April's woefully inadequate State Department certification per the terms of the Sudan Peace Act. Troublingly, even the most recent State Department interim report on the peace process (February 2004) suggests a continuation of this intellectual, finally moral failure in assessing events. Though the SPLA has been guilty of serious human rights abuses, including the diversion of food aid for military use and forced conscription, there is nothing that compares with the relentless, brutal, finally genocidal conduct of war by Khartoum.

Whether there is peace or war, an agreement in Naivasha or not, US policy simply must not be guided by a premise of moral equivalence. For only one party in Sudan's conflict has deliberately, relentlessly bombed civilian and humanitarian targets in southern Sudan and other parts of Sudan for many years; only one party has deliberately, repeatedly, and precipitously denied humanitarian access to many hundreds of thousand of civilians, with many tens of thousands of attendant casualties; only one party has conducted massive scorched-earth warfare in the oil regions of Upper Nile; only one party has deployed as a barbaric weapon of war the enslavement of human beings.

We must keep all this in mind if talks at Naivasha fail. For failure will surely have derived from Khartoum's intransigence—from the deliberate collapse of the peace process by means of a contrived and wholly unjustified assertion of control over the Ngok Dinka district of Abyei. Here, by way of explanation, we may speculate about political divisions within the National Islamic Front, greed for Abyei's oil reserves, or pressures coming from the Misseriya tribal leaders in the larger Abyei area—but we will know in any event where responsibility for failure lies and we must respond accordingly. The first opportunity for such response will come in April, with the next reporting requirement stipulated by the Sudan Peace Act. There must be no assertion of equivalent responsibility for the collapse of the Naivasha talks, should this occur. For such equivalence is, in the minds of the National Islamic Front regime, the necessary diplomatic victory.

Further, if there should be a final peace agreement, it is critically important that the immense tasks of construction/reconstruction and peacekeeping in the south and the contested areas be shouldered immediately. They are daunting in the extreme, and the danger of renewed fighting will be present for years. Here again we must not succumb to the fiction of moral equivalence: for it is the south that has endured catastrophic human destruction and suffering over the past 20 years of war, indeed over the past half century of Sudanese independence and central rule in Khartoum. This has been overwhelmingly the responsibility of successive governments in Khartoum—and none bears greater responsibility than the present National Islamic Front regime. US policy toward and assistance to Sudan should be informed by this fundamental asymmetry in responsibility for human suffering and destruction.

To this end, current US sanctions against the Government of Sudan should be lifted gradually, and should be tied to clearly articulated benchmarks—in the implementing of a peace agreement, in expediting military redeployments, in disarming allied militia, and in upholding provisions for revenue- and power-sharing. Thorough scrutiny of Khartoum's long record of supporting terrorism should continue even if there is a decision later this spring to remove the regime from the State Department list of supporters of international terrorism. And finally, members of the Khartoum's National Islamic Front regime must be held accountable for their actions over these many years.

For history obliges us to keep clearly in mind the character of this regime, largely unchanged since it came to power by military coup in 1989 and deliberately aborted a nascent peace process. Khartoum has been deeply complicit in international terrorism, indeed hosted Osama bin Laden during the formative years for al-Qaeda, and continued to provide very substantial support to al-Qaeda years after bin Laden left Khartoum in 1996. The regime is guilty of genocide, as the Sudan Peace Act

has unambiguously found. The regime is now, every day, lying repeatedly, egregiously, shamelessly about the realities of Darfur, about the nature of the military conflict, and about the extremity of the humanitarian crisis. This is so even as Khartoum's cynical assurances are fully confounded by reports from Doctors Without Borders, Amnesty International, a wide range of UN officials, Roger Winter of USAID, a recent European Union assessment mission, and all too many horrific accounts from within Darfur and along the Chad-Sudan border.

I believe that this latter crisis must be considered immediately, urgently, and outside the context of negotiations at Naivasha. For we may be all too certain that without an international willingness to begin the most urgent preparations for humanitarian intervention in Darfur, we will be forced to witness helplessly a disastrous increase in what Doctors Without Borders/Medecins Sans Frontieres recently described (February 17, 2004 press release) as "catastrophic mortality rates" in Darfur.

Khartoum's ongoing, cynically cruel willingness to lie about so much human suffering and destruction should remind us how difficult it will be to make anything meaningful of the regime's signature on an agreement in Naivasha. If a comprehensive agreement is indeed "around the corner," we must fully accept that this marks only a beginning in the real job of building a just and sustainable peace.

Mr. ROYCE. We now go to Pastor Gary Kusunoki.

**STATEMENT OF PASTOR GARY KUSUNOKI, FOUNDER/  
CHAIRMAN, SAFE HARBOR INTERNATIONAL RELIEF**

Pastor KUSUNOKI. Thank you, Mr. Chairman and distinguished Members of the Committee. Your assistance in this current situation in Sudan is critical. Three years ago I appeared before you asking for your help for the helpless men, women and children who were suffering and dying because of the fighting, food shortages, water shortages and diseases.

Jesus in the Sermon on the Mount said blessed are the peacemakers. That is certainly what this Committee has been, our current Administration and President Bush in particular. The response of this Committee and the Bush Administration to the plight of the suffering in my view has been exceptional.

I come here today with four perspectives. As a realist, I have great concerns and doubts and have in the past said that constructive engagement cannot work. As a pastor, I am an eternal optimist who must believe that anyone is redeemable. As a Christian, I am called to have love and forgiveness for all, regardless of faith, and desire to see transformation in personal lives and then, through that, in the leadership structures of government. As a father, my heart is breaking. As I look over at the pictures that are being displayed here, I think back on my own two adopted children who are from Sudan and the horrors that they have been through, and even holding my own daughter in my hands at 9 months old when she weighed just 6 pounds after her mother had been brutally murdered by the militia in the region.

Since my last appearance here, I have met many times with Dr. John Garang, the leader of the Sudan People's Liberation Movement, and twice with President Omar Bashir. While I have seen movement on the part of the government in the area of religious freedom, there is much work to be done. There is a need for even greater freedom and greater communication between the Christians and Muslims of Sudan.

Since the cessation of hostilities was signed, the humanitarian situation on the ground in much of South Sudan has changed dramatically. I say that, but I don't mean that there is no longer a

need for humanitarian assistance. Really from what I have seen, the need has grown even larger.

Dr. Reeves has already indicated that there will be a problem when the returnees come back to their home areas. In the areas that we are working in, in Bahr al-Ghazal and the oil fields of the western Upper Nile and other regions that we have influence in, we are already seeing a large number of returnees coming back to the areas. The areas are already depleted in their resources and cannot respond to the needs or to the influx of people that are coming in at the current time. This is already a critical situation, and it is already a problem that is being faced with the aid workers that are working on the ground.

As I prepared for this hearing, I had the opportunity to speak personally to Dr. John Garang as well as officials very close to President Bashir. I received assurances that both parties remain committed to the process and still hope for an agreement on all of the issues in the near future. I would not expect them to say anything less. And I do believe that much ground has been gained in the negotiations, with agreements being reached in the area of security arrangements during the 6-year interim period, wealth sharing and other ideas, I previously thought might have been impossible to even get.

However, my assessment of the current situation is that the talks are in a very precarious position, and in great need of immediate outside encouragement and intervention. We currently have a team in the oil fields of the western Upper Nile, and we are working on implementing a grant with World Relief to establish primary health care centers and provide extensive medical training for medical workers in that region. We are already beginning in the hopes and the prayer of a peace to shift toward development while still understanding that relief is a necessity.

I have four recommendations. I recommend, first of all, that a delegation of U.S. Congressmen and Senators proceed as soon as possible to both North and South Sudan as well as the site of the peace talks in Naivasha, Kenya, to give encouragement to the people on both sides of the conflict and reassure them of our commitment and desire to assist in the peace process. I also recommend that a follow-up hearing be scheduled in the near future to determine what milestones have been achieved in these areas.

I recommend that Secretary of State Colin Powell return to the peace talks as soon as possible to spend extended time encouraging the participants to come to a swift and comprehensive agreement. I believe we need to make it clear to both sides that the United States is committed to helping in the peace process long after the agreement is signed.

I also recommend that extensive funding be immediately appropriated by Congress for the recovery of North and South Sudan to be granted by USAID immediately upon the signing of a peace agreement, and emergency funding be provided for aiding in the growing humanitarian disaster in Darfur.

This is a crucial time in the peace process. My oldest daughter Rebecca prays continually for peace to come to her nation and for her brother and sister to be able to live unafraid and free. I pray, as well as many as millions of Americans pray, that God will give

you the courage, wisdom and discernment necessary to help to make those prayers a reality.

Thank you.

[The prepared statement of Pastor Kusunoki follows:]

PREPARED STATEMENT OF PASTOR GARY KUSUNOKI, FOUNDER/CHAIRMAN, SAFE  
HARBOR INTERNATIONAL RELIEF

Mr. Chairman, and Distinguished members of the committee. Three years ago I appeared before you asking for your help in caring for the helpless men, women and children who were suffering and dying because of the fighting, food shortages, water shortages and disease in Sudan.

In my testimony I asked Congress and President Bush in particular to intervene in this critical situation. I added my voice to those calling for President Bush to appoint a special envoy to Sudan, which he did by appointing former Senator Danforth on September 6, 2001. I also asked for the United States government to step up its humanitarian assistance to South Sudan and specifically to non-OLS NGO's operating in some of the worst effected areas. Your response was swift as funding for USAID's work in Sudan has increased from \$93.7 million in fiscal year 2000 to \$162.9 million as of November of 2003, that is a 73.8% increase. I recommended increased pressure on the government of Sudan (GOS) to bring about a just peace. The response was the Sudan Peace Act which came out of this committee and was signed into law by President Bush on October 21, 2002. President Bush and Secretary Powell have also spoken repeatedly on this and made personal contact with the main parties in the conflict. In the last four years I have seen more constructive attention being given to the suffering of Sudan than in the previous five years that I had been engaged on this issue. I pray that this will not stop.

Since my last appearance here I have met many times with John Garang, leader of the Sudan Peoples Liberation Movement (SPLM). I have also made two trips to Northern Sudan where I have met at length with President Omar Beshir to discuss the issues of peace and the grievances in the south. On those trips I received an extensive hearing and continue to be engaged with them on various levels. I have seen encouraging movement in the area of religious freedom as the government has aired a documentary that we produced on their national satellite television. This documentary, which talks about what we as evangelical Christians in America believe and why we are helping in Sudan, was aired in all of Sudan, the entire Middle East, Western Europe, North, East and West Africa. In addition to this, upon our request, the government facilitated the release of a pastor who had been imprisoned indefinitely in Sudan for refusing to tear down his church in a peace camp. They allowed me unprecedented personal access to the pastor at the prison and his release was secured the following day. We also sent a professional Christian soccer team to Sudan in October of 2003, they were welcomed with open arms and allowed access to national media. While I praise the Government of Sudan for this progress, there is still much work to be done in this area as well.

Since the cessation of hostilities was signed in October 2002 the humanitarian situation on the ground in much of South Sudan, has changed dramatically. It is not because there is no longer a need, in fact the need for humanitarian assistance is in some ways greater now with peace looming. The need for humanitarian aid during the transition period will be tremendous and must be prepared for immediately. There is a new sense of hope among the peoples of both the north and the south that a just peace can be achieved in the near future. As I have spoken with the average person, I see an intense desire to end the war and the suffering and begin to develop their country. The people want to see oil revenues being used to develop Sudan rather than just fuel the war effort.

In preparation for this hearing I have spoken personally to John Garang as well as officials very close to President Beshir. I have received assurances that both parties remain committed to the process and still hope for an agreement on all the issues in the near future. I would not expect them to say anything less. Much ground has been gained in the negotiations with agreements being reached regarding security arrangements during the six year interim period, wealth sharing and other issues. Currently they are stalled over three disputed areas, the Nuba Mountains, the Blue Nile and Abiyei. Most of the details regarding the Nuba Mountains and the Blue Nile have reportedly been agreed upon. The most contentious area seems to be Abiyei an oil rich area that was given to the North in 1905 by the British. The 1972 Addis Ababa agreement provided that Abiyei be given a right to a referendum to determine their political future. Current negotiations has suggested an Administrative Order returning Abiyei back to Bahr El Ghazal. If agreement can

be reached on the three areas, the question of power sharing and the national capital are the last major hurdles.

In the last six months, fighting in the region of Darfur in Western Sudan has flared up. A humanitarian disaster of tremendous proportions is already underway. This situation also threatens to destabilize the current round of talks. My assessment of the current situation is that the talks are in a very precarious position and in great need of immediate outside encouragement and intervention.

We currently have a team in the Western Upper Nile where we are working as implementing partners with World Relief on an OFDA grant to establish primary healthcare centers and provide extensive medical training for medical workers in that area. We are beginning to shift from a primarily emergency relief type of response, to development. Having said that, it is important to point out that even with the signing of a peace agreement it will take some time to bring many areas of the south out of crisis. They suffered for so long and infrastructure is non-existent. If they encounter natural disasters such as drought, or heavy rains, it will continue to stress their survival abilities. In addition tribal conflicts that have existed for decades if not centuries must be addressed. The current situation in Darfur, while not a part of the negotiations between the GOS and SPLM, must also be concurrently dealt with by the international community.

While I believe that current U.S. policy toward Sudan has been very effective even more is required.

1. I recommend that a delegation of U.S. congressmen and senators proceed as soon as possible to both North and South Sudan, as well as the sight of the peace talks in Naivasha, Kenya, to give encouragement to both sides of the conflict and reassure them of our desire to assist in the peace process. I am confident that John Garang would welcome such a delegation and I have also received assurances from President Beshir that he would personally meet with any such delegation.
2. I recommend that Secretary of State Colin Powell return to the peace talks in Naivasha, Kenya to spend extended time encouraging the participants to come to a swift and comprehensive agreement. I believe he needs to make it clear to both sides that the United States is committed to helping in the peace process long after the agreement is signed. Both the Government of Sudan and the Sudan Peoples Liberation Movement have acknowledged that a considerable amount of foreign aid will be required after the peace to ensure a swift recovery from 50 years of war. Both sides have indicated an openness to such a visit from Secretary Powell.
3. I recommend that extensive funding be immediately appropriated by congress for the recovery of North and South Sudan, to be granted by USAID as a peace incentive immediately upon the signing of a peace agreement.
4. Emergency funding must also be immediately appropriated for aiding in the growing humanitarian disaster in Darfur.

This is a crucial time in the peace process. I believe they are at a crossroad, with one road leading to a just and lasting peace and the other to even further destruction and death. The United States government stands in a unique position to help bring a peaceful end to one of the longest running and most costly civil wars in recent history. As some of you know, I have two adopted daughters from Sudan and consequently have members of their families still in harms way in South Sudan. My oldest adopted daughter, Rebecca prays continually for peace to come to her nation, for her brother and sister to be able to live unafraid. I pray that God will give you the courage, wisdom and discernment necessary to help make those prayers a reality.

Mr. ROYCE. Let me begin by asking Pastor Gary Kusunoki, you did a film on Muslim-Christian relations in the United States, which you had shown on the Khartoum channel or on Sudan television, and I wondered if that had led to any expressions of religious tolerance in the national media; what feedback after your film was shown on Sudanese television, what feedback you received. Do you think religious tolerance is improving with respect to government-controlled areas in the country?

Pastor KUSUNOKI. From what I see, there is some movement in that area among certain people. And I would say that there is a move among certain people toward moderation. And so what I

would have to say is, yes, that is a definite possibility. And we have received feedback on two areas, one official feedback from the government, that they were pleased with the film; and the response from the nation, and then feedback from our people on the ground, and from our pastors in Northern Sudan, that it has made a tremendous difference. And really the documentary was focused on the average person.

Mr. ROYCE. You have spent more time in consultation with people in Sudan than anyone I know outside of some of my Sudanese friends. Could you tell me what impact—what immediate impact this peace negotiations is having on the lives of everyday Sudanese? Let's talk about in Khartoum, and let's talk about in the South.

Pastor KUSUNOKI. Well, both in Khartoum and in the South, we have had the opportunity to basically wander the streets or the trails, so to speak, depending on where we are, and where we have seen the greatest difference is that there is now hope. Even in areas where they have no food, they have no clothing, they have no medicine, they know that there are peace negotiations going on, that there is a chance for a peaceful settlement of this war, that the suffering has stopped, and they also know that the U.S. is engaged, and that has given them just a tremendous sense of hope.

Mr. ROYCE. Thank you, Pastor.

I was going to ask Dr. Reeves a question about the negotiations themselves with respect to the Khartoum government. Is there one government in Khartoum, or are there factions involved in this negotiation?

Mr. REEVES. It is a very good question. I don't think there is any entirely clear answer. The National Islamic Front Regime, that is the Government of Sudan, is essentially unchanged, with the exception of the sidelining of Hassan al-Tarabi, this is the same regime that came to power deposing an elected government in 1989, came to power by military coup and in the process aborted the most promising chance for peace prior to the present one.

Mr. ROYCE. We understand that. But are there people that favor, in your view, in this Administration in Khartoum negotiations at this point?

Mr. REEVES. Let me frame my answer a little differently. I believe all of the people in the National Islamic Front are survivalists. There are different calculations about what is required to survive with so much U.S. and international scrutiny. I believe that the calculations are of those who want the peace, that we will in 6½ years be able to undermine this peace. It will be the task of the U.S. to say to those who have agreed to a peace, you will be proved wrong. We will show you.

Mr. ROYCE. Okay. Then how does the international community empower those who are farthest out on the limb of seeing it in Sudan's interest long term to have this new relationship with the United States and/or the international community?

Mr. REEVES. I agree with Steve. I think one of the most important things is that we don't trust at all a regime that has shown itself utterly untrustworthy, that we have a robust peace support operation of a sort that is not presently being contemplated.

I think we need to look at those security arrangements and make sure that, among other things, we provide for the rapid redeployment and demobilization of Khartoum's troops in the South. The present security agreement lasts for 2½ years. That is too long.

Mr. ROYCE. I see. Thank you.

I wanted to ask Dr. Morrison a question about who would be the beneficiary political, militarily, economically, if the talks remain in limbo? Is the government or is the SPLM building its military right now? Who are the beneficiaries if this does not come to closure soon?

Mr. MORRISON. Well, within both movements you have skeptics, and you have spoilers. A stall will fray the will, unity and determination of the two sides that have driven this process forward. A stall weakens their position and leaves them open to further criticism and erosion of their position. With Darfur hanging over the situation as well, that further raises the risk of the situation collapsing.

The other thing I would say is that we are seeing the possibility, certainly in Darfur, of a reopening of political space for radical Islamic influence. What Charlie Snyder was referencing in terms of the linkages between the JEM armed movement in the West, and Turabi, is a dangerous development, one that fits into a spoiler mode, where the more the conflict in Darfur goes on, the more Turabi is able to demonstrate his ability to shape events in a fairly pernicious fashion.

Mr. ROYCE. I think it calls into question one of the assumptions that you have in your report, that assumption which I hope is true, which is that this is going to earn the United States goodwill in the Arab world if we negotiate out this peace. But I think that we have been somewhat chagrined in the past in trying to anticipate Arab public opinion.

So I guess I would ask, given these circumstances, is that really the case that as we force this negotiation for peace, that that necessarily will translate into support in the Arab world? I would just like to hear what the response is in North Africa and in the Middle East right now to our efforts on pressuring Khartoum to come to the table with the South. What is the response, just to play devil's advocate for a moment here, Dr. Morrison.

Mr. MORRISON. The response to a durable, fair negotiated peace settlement driven by the United States will be mixed, both within East and North Africa. And what is said publicly and what is said privately will at times differ.

A peace settlement that restabilizes the Horn will be much appreciated. You have many governments in East Africa and across West Africa that are struggling with mixed populations of Muslims and Christians, which are unsteady, which face many similar problems, and this will register in a very positive way.

Will this type of achievement overcome or surmount the animosity against the United States borne of Iraq and other such things? Not in the short term.

Mr. ROYCE. But that is not my question. My question is simply how is this processed in terms of our engagement in this peace process in the Arab world, on the Arab street? And I was just going through an assertion that you had made in your report, which I

found interesting. Time will tell whether your assessment is correct or not.

We are going to go to Mr. Payne for his questions.

Mr. PAYNE. Thank you very much.

Just on the last statement, answering the question that the Chairman asked, Dr. Morrison, you said that I think that both sides have people who would like to see the process stalled. Since oil is being pumped, since we have seen the difference in the military armament over the past 3 or 4 years, now that the Government of Sudan has more cash, they have replaced old Antanovs that they used to just simply push bombs out, and very inaccurate when they would do their bombing, to new maneuverable, late-model aircraft that are accurate and deadly.

I am kind of confused. What would be the advantage of the—since both sides have people that want to stall the process, what is the advantage of the SPLM? I mean, they are not getting stronger. They don't have the resources. As a matter of fact, they are getting more weary. It would be more advantageous, it seems to me, for the North to stall, because that is why they are stalling. How do we equate equally people on both sides trying to stall the process?

Mr. MORRISON. I agree with you that the losers in the North, those who will lose from a peace accord, are those who have control over military assets right now, who might see their position diminish, and those that have control of the oil wealth, and those who have political power which might be eclipsed or now have to be shared. And I think if you look in those directions, that is the where you will see much of the resistance. And that is where many of the battles are fought out.

As to the South, I think those who are—I think there are smart observers within the South who look at the situation vis-a-vis Darfur and argue that this phenomenon reflects a weakening of the North and is exposing their vulnerabilities, and to compromise now would be short-sighted. If, in fact, this escalates, it might lead to the South being in a stronger negotiating position in 3 or 6 months. That is not a spoiler logic, that is simply someone looking tactical at a situation on the ground and arguing in favor of slowing the process rather than accelerating.

I think the SPLM, in my discussions with them, I think they project a certain amount of confidence in themselves. I don't think they are weary of war. They don't want to see the breakdown of this process. They don't want to see a return to war. They want to see the best deal that they can secure. The question is a matter of timing and tactics.

Mr. PAYNE. Of course, in the past the SPLM has had victories also. They have been at this for a long time. But at the end of the day, the North with its resources have been able to recapture what was won by the SPLA, the Army. So, it is hard for me to see their being equal interests, even though there are some short-term victories at this time.

I think there is no question that the long haul is definitely—the longer it is stalled in the North is a big advantage.

Let me, though, just ask the pastor a quick question, and time is running out. You have been to Khartoum. I have refused to go,



and someone has to go. Maybe the negotiators have to go, but I think it is a government that does not exist, and so I personally do not feel that it is to dignify the so-called government in even acknowledging that they exist.

But, Khartoum, and Sharia, it currently is, is still the capital of the country. And you are a Christian, a man of God. How do you see—if this solution ever came about, an accord, do you see that the extremists also allow Khartoum to simply be a non-Sharia, open, free religious capital?

Pastor KUSUNOKI. I would foresee a lot of problems in that area, in just some of the discussions that we have had with them concerning religious freedom and whether by our definitions it even exists. And that—I don't know that the extremists would be happy at all with either a partitioning of the capital or any reduction in how Sharia is applied or where it is applied. I think they would have a major problem with that.

We have had very frank discussions about Sharia law and what would happen if there was a peace. And we have communicated to them that we don't see that the two can be compatible with the South coming up to basically operate in the same area.

Mr. PAYNE. Thank you very much. I think my time has expired, but I might squeeze in another one, if I can.

Dr. Reeves, you have been involved so long. How do you, just in a nutshell, see the future, the immediate future? And are the people, in your opinion, in the North for real?

Mr. REEVES. I do believe we will know very shortly. I do believe that if Abyei is not solved as an issue in the very near term, as in this session of peace negotiations in Naivasha, that it is exceedingly unlikely that there will be peace.

The regime has made calculations all along about what happens if the peace process collapses. These have been political, international, and military calculations, and certainly in the time that the ceasefire has been in place since October 2002, it has been repeatedly violated by the redeployment of offensive military assets.

The regime has grown much, much stronger. There is a much larger domestic armaments capacity. The ability to import weapons has steadily increased as oil revenues push toward a \$2-billion-a-year rate. I think all of the military advantage that has accumulated over the last year and a half has gone to Khartoum, and I think they very well may have decided that that this peace process has gone as far as they will let it go.

Mr. ROYCE. Mr. Tancredo.

Mr. TANCREDO. Well, that in a way answers the question I had, because I was going to pose the same question to you as I did the last panel, and the last question. That is, you know, essentially what could they be thinking? The reality is that, I mean, could it possibly be that they have calculated, as was suggested, I guess it was, by Mr. Winter, that we would not respond to something like Darfur because it is a primarily Muslim community, because the attacks are on Muslims as opposed to Christians? I mean, could that matter to them? Could they think that we would actually just ignore that? Maybe just answer that question.

Mr. REEVES. That is a question to me?

Mr. TANCREDO. Yes.

Mr. REEVES. I think Darfur badly surprised Khartoum. I believe that they didn't realize how much military resistance they would encounter. And let's remember that the Darfur catastrophe has flown under the radar screen for many, many, many months. In that sense Khartoum calculated correctly.

Whether or not they believed that they could close out Darfur and then go back to Naivasha, they clearly now would very much want us to believe that a peace agreement is imminent so as to complete the military business in Darfur, which continues on a daily basis, and all of the intelligence I receive from within Darfur and from human rights organizations and from humanitarian organizations suggests that the war is not decelerating at all, but rather is accelerating.

And we have yet to see the full effects of the denial of food, humanitarian aid and the full consequences of exposure and disease resulting from the brutal treatment of the last 13, 14 months. When that happens, we will see what is presently being described by Doctors Without Borders as catastrophic mortality rates, move to a metacatastrophic rate.

Mr. TANCREDO. Could it be that the government—well, how does the rest of the Muslim community in the North react to the fact that the government is making war on Muslims?

Mr. REEVES. I personally have seen not nearly enough commitment on the part of Muslims in this country, or in the Middle East or anywhere else for the plight of people who are in Darfur, all Muslims. We are talking about Arab militia Janjaweed attacks on African tribal groups, who are themselves overwhelmingly Muslim. I have seen no outcry over this.

Mr. TANCREDO. So maybe we can draw a conclusion that it is simply because they are black that this is happening?

Mr. REEVES. I believe that is the inescapable conclusion.

Mr. TANCREDO. Yes. And where—the outcry from the world community, I mean what—it is just—it is deafening by its silence in a way.

Mr. REEVES. I have been writing steadily myself about Darfur for a very long time now, and have felt a great deal of futility until fairly recently. I think only in December when the U.N. began to find its voice, as the international community began to respond with appropriate urgency to what is indeed the world's greatest humanitarian crisis.

Mr. TANCREDO. No other questions, Mr. Chairman. Thank you very, very much. Certainly I thank the panel.

Mr. ROYCE. Let me end by thanking all three of you not only for your trip out here, but I want to just commend your very thoughtful CSIS report, Dr. Morrison.

And you know, Dr. Reeves, you mentioned that the aggression had flown under the radar. Thanks to your good work, the aggression in Darfur is exposed today, and you continue to dedicate your career to trying to organize the international community, and try to encourage us to adopt policies which will put an end to that aggression.

I want to end by thanking Pastor Gary Kusunoki not only for his extraordinary commitment to try to bring closer ties between Christians and Muslims, but to repeatedly go not only in country

and meet with leadership on both sides and try to build these bridges, but on top of it do the work on the ground, and then to adopt the orphans of slave raids there in South Sudan and take them on his shoulders, him and his wife, raising these children. It says something about his commitment to humanity.

I think all three of you really deserve to be thanked for the long-standing commitment you have made for peace in southern Sudan.

This hearing stands adjourned.

[Whereupon, at 4:05 p.m., the Subcommittee was adjourned.]



## A P P E N D I X

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### MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE GREGORY W. MEEKS, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF NEW YORK

I rise today to commend the Government of Sudan and the Sudan People's Liberation Movement (SPLM) for agreeing to a process that demonstrates that the needs of the people of the Sudan are greater than their own political aspirations. While the situation in the Sudan is often characterized as a religious or race war, we all know that it has to more to do with the remnants of colonialism and a fight to control the great wealth and power the country has to offer.

I've been told that if the great minds and wealth of the Sudan were allowed to focus on development instead of war, that the Sudan would have the resources to feed not only the Sudan, but the entire continent of Africa. The leaders of the Sudan have a responsibility to offer food instead of famine to their people.

Throughout the world we are continuing to see death and destruction because leaders continue to choose violent over diplomatic solutions and personal gain over the needs of their people. What is now taking place in the Sudan with the aid of the international community can change that cycle, but time is running out.

None of us here today is interested in seeing the Sudan backslide into a history of war where an estimated 2 million people have died and some 3 to 4 million Sudanese have been displaced from their homes.

So I ask today what the international community can do to ensure that all parties remain at the table until the agreement is signed? The involvement of international players such as IGAD, Kenya, the African Union, the United Nations and others in reaching a diplomatic solution must be commended and noted, as we have been known to have a go it alone policy. Kenya should also be especially thanked for agreeing to host the peace talks.

Until an agreement is signed and implemented however, we and our government especially, as it has been a great leader in this effort, must all remain diligent.

And, even as we are at the negotiating table, we cannot ignore what is going on in Darfur. In Darfur as many as 1 million lives are in danger from armed militia. Thousands are fleeing into Chad where famine awaits them. I urge militia there and their supporters to look to the talks in Kenya as an example of how to resolve the conflict. I say leave your arms and come to the negotiating table. True leaders put the needs and the lives of their people first. Humanitarians workers must be allowed in the region and the violence must stop!

Because I am confident that the Sudanese leaders will honor the needs of their people and complete the peace process soon and help end the violence in Darfur, it is important that considerations for our assistance plans to the Sudan help in the building of strong and transparent institutions and economic stability.

For this reason it is important that we consider what assistance we can provide to ensure that Sudanese leaders will be able to refunnel oil money from military ventures into viable economic ventures that will lead to development and stability, especially in the south.

We must consider what a total aid package to Sudan will look like given that it has oil, and unlike some other African countries can likely support much of its development with its natural resources over time. Will a package include technical and other assistance that will promote transparency in the oil industry during the power sharing transition and beyond? Will microenterprise programs figure significantly given the wealth of resources in addition to oil that the Sudan possesses? To what degree will US investment in the oil sector create business opportunities for Sudanese in ancillary industries that will allow for the creation of a small and me-

dium size business sector? Will OPIC and EXIM resources be available for Americans interested in partnering with Sudanese citizens to create businesses there?

These are all questions that must realistically be considered if peace is to be reached and maintained in the Sudan.

Thank you.

