

**Statement of Ambassador Princeton Lyman
Special Envoy to Sudan
before the
House Subcommittee on Africa and Global Health
“TOWARD TWO SUDANS”**

June 16, 2011

Chairman Smith, Ranking Member Payne, Members of the House Subcommittee on Africa and Global Health, thank you for the opportunity to be here today to discuss progress in Sudan, remaining challenges, and the road ahead as we look to the independence of South Sudan in just a few short weeks.

We meet at one of the most critical moments for the Comprehensive Peace Agreement that was signed in 2005 and brought an end to Sudan’s bloody North-South civil war. If we look back at the beginning of this year, we recall how much hope and optimism we had following the peaceful and successful Southern Sudan referendum and the acceptance of its results by the Government of Sudan. At that time, President Bashir recognized the results and vowed to be the first to recognize the South. In the months since, the relationship between the parties has deteriorated and they have returned to the brink of full-scale conflict. In May, after both sides failed to implement security agreements, the Sudanese Armed Forces (SAF) invaded the long disputed area of Abyei and continue to occupy the area. This month, heavy fighting broke out in the northern border state of Southern Kordofan between the SAF and the Sudan People’s Liberation Army (SPLA) undermining the delicate process of political reform in this part of north Sudan as envisioned in the CPA. These conflicts in Abyei and Southern Kordofan have brought misery to more than 100,000 Sudanese, forcing them from their homes and straining the ability of humanitarian organizations to provide them needed relief and support.

Mr. Chairman and members of the Committee, we have been engaged around the clock trying to bring this situation back under control and to restore the negotiations on key issues before the South achieves independence July 9. President Obama and his national security team have reached out to and mobilized leaders from around the world to urge the Government of Sudan to reverse its military actions. At the G8 Summit, world leaders stood up and expressed their consternation at the Sudanese government’s behavior in recent weeks. The UN Security Council has also taken a united stand in calling for the Government of

Sudan to withdraw its forces from Abyei. We also continue to press for an end to military operations in Southern Kordofan and urge the GoS to undertake talks with local political leaders to determine post-CPA security and political arrangements for Southern Kordofan and Blue Nile states. As you know, the United States has told the Government of Sudan that we are prepared to take steps toward normalizing our bilateral relations if they follow through on their commitments. These actions put that roadmap at serious risk.

In early June, I joined my envoy colleagues from the UK, Norway, and the EU in a series of meetings with both Northern and Southern officials and with Prime Minister Meles Zenawi in Ethiopia to promote a return to the negotiating process. I also traveled to Cairo earlier this month to engage with the Egyptian government on Sudan and ask for their help.

I just returned yesterday from Addis Ababa, where the African Union High Level Implementation Panel (AUHIP), led by former South African president Thabo Mbeki, and Ethiopian Prime Minister Meles brought together Sudan's President Bashir and First Vice President and President of the Government of Southern Sudan Salva Kiir to address these crises. We support the efforts of the AU Panel to push for agreements on the withdrawal of SAF from Abyei and the establishment of a cessation of hostilities for Southern Kordofan.

After two days of summit meetings, final agreement had not been reached and staff level talks continued. To boost the process, Secretary of State Hillary Clinton met earlier this week in Addis Ababa with Prime Minister Meles and senior Sudanese officials and also pressed for progress. We will continue to intensify our diplomatic efforts in support of the negotiations in these final weeks before the South gains its independence.

Background

Let me now step back from this immediate situation and discuss the background to these latest developments and the challenges that face us ahead. If we look back at the beginning of this year, we recall how much hope and optimism we had following the peaceful and successful Southern Sudan referendum and the acceptance of its results by the Government of Sudan. Nevertheless, the parties made relatively slow progress on the key issues to be negotiated to complete the stipulations of the Comprehensive Peace Agreement (CPA). Partly this was because the issues to be negotiated are technically complicated and had to be fully understood before political decisions could be made. But also the two parties

generally followed a policy that “nothing was agreed until everything is agreed,” a plan that left all other issues hostage to resolution of two of the most important, but contentious issues, the future status of Abyei and the division of revenues from oil in the South. During this period, both parties accused each other of supporting militias with the aim of destabilizing the other, and there were disputes over how the negotiations should proceed. There has been a distinct souring of the mood in Khartoum, partially borne of a frustration that it has not received significant rewards from the international community or the South for acceding to southern secession, although this was a key item in the CPA. This has hardened the GOS position on Abyei in particular.

As you know, the referendum on the future status of Abyei has not taken place as mandated by the CPA. The parties were unable to agree on members of the Abyei Area Referendum Commission which would have determined residency and voter eligibility for the Abyei referendum, particularly those from nomadic tribes who would be eligible to vote among the Ngok Dinka and the Misseriya. The parties then determined that they would try to agree on a political solution to Abyei’s future at the negotiating table. Under the leadership of the African Union High Level Implementation Panel, the two parties have engaged in periodic political discussions on the status of Abyei. Based on these discussions, former South African President Thabo Mbeki presented the leaders with several options for resolving the matter. Nevertheless, despite pledges by President Bashir and First Vice President Kiir to resolve the Abyei issue first by the end of March then by the end of April, they failed to do so. Tensions remained high on the ground, however, with both parties maintaining unauthorized armed forces in violation of the CPA and of recently-agreed security arrangements. Violence in Abyei erupted on a number of occasions in both the pre- and post-Sudan referendum period due to a combination of factors. These included increased frustration among the Ngok Dinka over the politicians’ failure to resolve the Abyei issue, in line with the CPA which defined Abyei as the area of the “nine Ngok Dinka Chiefdoms,” their blocking as a result the annual Misseriya migration, the presence on the other side of armed Misseriya militia who were involved in several armed incidents, and the introduction of SPLA units into the police forces to protect Ngok Dinka from those attacks. In this period, both sides blocked UNMIS from full access to areas under their control.

On May 1, the Southern Sudan police attacked a Joint/Integrated Unit of both SAF and SPLA soldiers and killed eleven SAF members. The GOS responded by mobilizing some 5,000 soldiers across the Abyei border in Southern Kordofan. Recognizing the immediate danger, I accompanied AUHIP member, former

Burundi President Pierre Buyoya, and UN Special Representative of the Secretary General (SRSG) Haile Menkerios, for a meeting with Salva Kiir to reinvigorate a previously signed, but unimplemented agreement – the Kadugli agreement -- to have the armed forces from both sides withdraw from Abyei, to permit the migration to proceed, and to reestablish joint policing. As a result, the parties agreed to hold a long-overdue meeting of the Joint Technical Committee on Abyei to make detailed arrangements for these matters.

Unfortunately, on May 19, just as the first steps of withdrawal were being taken, an SPLA unit fired on an UNMIS convoy carrying members of the SAF, killing SAF soldiers and wounding an UNMIS peacekeeper. The North responded disproportionately and with overwhelming military force, taking control of Abyei south to the Kiir River, a strategic waterway that is a gateway to the South, and unilaterally dissolving the Abyei Area Administration. Extensive looting and destruction of homes and buildings occurred under SAF control. SPLA soldiers were pushed south of the river and civilians fled to Southern Sudan, leaving more than 100,000 people displaced from their homes. I would like to commend the quick response of international and local organizations that mobilized resources and continue to assist these IDPs.

We have been clear in stating that the SPLA was wrong to attack the convoy on May 19, but the North's response was disproportionate and irresponsible. The continued presence of SAF in Abyei 26 days later continues to threaten the long-term peace between North and South, as well as relations between Sudan and the international community. We, along with the United Nations Security Council and other members of the international community, continue to call on the North to agree on new security arrangements with the South and to withdraw all SAF forces from Abyei. It is clear that the parties cannot return to the status quo that existed before conflict erupted last month. There must be a significant augmentation of the current peacekeeping presence in Abyei to ensure that no armed forces from either side return to Abyei. We applaud the offer by Ethiopian Prime Minister Meles Zenawi to dispatch Ethiopian troops to Abyei to bolster the UN presence in Abyei, and are glad that President Bashir has agreed in principle, but with conditions, and at President Mbeki's urging, to allow these troops in. We urge all involved in this deployment to act quickly in determining a sound mandate and standing up this critical force, setting a firm schedule for the SAF's withdrawal, and making arrangements for the IDPs to return home.

Once these arrangements have been made, it is imperative that the parties address the future political status of Abyei. The parties have asked President Mbeki to

table a single political option that accounts for the needs and rights of both local populations and lead to lasting peace. We remain engaged with President Mbeki and his team as they draft such a proposal and will work to obtain needed international support for such a deal.

In addition to Abyei, the critical North/South border state of Southern Kordofan is currently in crisis. A frontline state during Sudan's Second Civil War, Southern Kordofan has experienced relative peace since the signing of the Comprehensive Peace Agreement in 2005. The CPA called for a process of popular consultations in both Southern Kordofan and Blue Nile states to address the political issues in those states that fueled their participation, most on the side of the SPLM/SPLA (northern) in the civil war. The consultations are under way in Blue Nile, but they were delayed in South Kordofan until elections could be held there. The elections that took place in May were also contested—but the SPLM refused to accept the announced result that the NCP candidate had won. It was in this atmosphere that the Government of Sudan, rather peremptorily, issued an order to the SAF to dissolve the Joint/Integrated Units in Southern Kordofan and disarm the SPLA units there. This despite the fact these very issues were under discussion as part of the negotiations between the parties. Movement of the SAF into the area for this purpose touched off intense fighting throughout much of the state, which could spark a much wider conflict. Tens of thousands of civilians have been displaced and we have received reports of serious human rights abuses.

The states of Southern Kordofan and Blue Nile, known as the “Two Areas,” are home to many people aligned with the SPLM whose home and place of origin are in the North, and who will remain in the North after July 9 because they were not granted a referendum to determine their future status. The complicated status of these people cannot be resolved by military means. We continue to press for an end to military operations and urge the GOS to undertake talks with local political leaders to determine post-CPA security and political arrangements for Southern Kordofan and Blue Nile residents.

It is crucial that the North and South return to negotiating key arrangements that will help define the relationship between the parties as they look toward a future as neighboring independent states. These issues include the status of the oil sector, transitional financial arrangements such as oil revenue sharing, debt, citizenship, border issues, and security arrangements. We support President Mbeki's and the AUHIP's facilitation of these issues and continue to engage with the Panel and the parties as they seek to resolve key issues in the coming weeks before independence.

The Consequences for the Government of Sudan

The Government of Sudan's decision to resort to military action rather than resolving problems exclusively through negotiation, if not quickly reversed, will have major consequences for the government and people of Sudan. Following the independence of South Sudan, Sudan faces difficult economic conditions as it adjusts to a significant loss of oil revenue and continues to shoulder nearly \$38 billion of debt. Sudan needs to come out of sanctions and international isolation to receive debt relief, obtain access to the resources of the International Financial Institutions, and seek private investment. These are essential if Sudan is to be one of two viable states, the objective of the United States and all other concerned nations, coming out of the CPA. Sudan can only obtain this support if it meets the obligations of the CPA and makes progress on bringing peace in Darfur. This is not just the position of the United States. It is also that of other members of the international community and international creditors. Sudan risks the international support it needs, and which would be readily available, if it does not return to the path of peace and negotiations.

As for the United States, President Obama set forth a roadmap to improved bilateral relations last fall if the Government of Sudan lived up to its commitments on the CPA and with regard to Darfur. Despite Khartoum's perception that we have not followed through on implementing the roadmap, we have, in fact, taken significant steps, including the following: We have initiated the review of the decision to rescind Sudan's designation as a state sponsor of terrorism, a review that is ongoing. The recent visit of White House Deputy National Security Advisor John Brennan to Khartoum was a demonstration of the seriousness of this process. Additionally, we have been working with the World Bank technical working group that is addressing the need for relief of Sudan's debt. Third, we approved licenses for several American companies wishing to participate in agricultural development in the north. There has been no decision yet on the matter of the State Sponsor of Terrorism listing, and reaching final agreement on debt relief will of necessity be a long term process taking two or more years. The Government risks a great deal if the processes are delayed or interrupted. We have made clear to the Government of Sudan, however, that it will be impossible for us to continue with these processes if current military actions in Abyei and Southern Kordofan continue. We cannot progress further until the Government of Sudan completes the conditions of the roadmap and fulfills its commitments under the CPA.

I still believe it is still possible to get the peace negotiations back on track. The fundamental geographic, economic, and political realities between North and South have not changed – each of these independent nations will be better off if the other is stable, secure, and economically prosperous. More than that, both states will depend on the other to achieve this. And so there remains an urgent need for the parties to go back to the negotiating table and reach and implement agreements that ensure a long-term peaceful and cooperative relationship between them. This includes both building positive economic and political relations, but also means neither side can support proxy militias to destabilize the other. I still believe this can be achieved, and the United States remains committed to assisting them in this effort.

Darfur

Turning to Darfur, the challenges are equally daunting. There is ongoing conflict, lack of a political agreement, and approximately 2 million people still displaced from their homes. We invested heavily politically and provided dedicated senior level participation in the Doha peace process. We worked hard to convince the Justice and Equality Movement (JEM) and the Government of Sudan to engage in negotiations there in addition to those between the Government and the Liberty and Justice Movement (LJM), and we are pleased that both have done so. While a comprehensive and inclusive settlement that will bring an end to the fighting remains elusive, the government and two armed movements – the LJM and the JEM – came to the table in Doha and reached broad consensus on the pillars to a durable and just agreement. The draft document that emerged, which addresses the root causes of the conflict, was endorsed by a wide range of Darfuri stakeholders in the recently held All-Darfur Stakeholders Conference. The Government of Qatar deserves enormous credit for its patient dedication to this peace process over more than two years. So too does Djibril Bassole, the principal mediator, and his staff. Unfortunately, some armed movements – notably the Abdel Wahid Al Nur and Minni Minawi factions of the Sudan Liberation Army (SLA/AW and SLA/MM) – continue to boycott the peace process, and instead have begun calling for the overthrow of the central government.

The Doha process is now winding down without a signed agreement between the government and all of the armed movements. We are appreciative that the Government of Qatar will remain engaged as chair of a new International Follow-up Committee (IFC). We are also working with the AU, UN and other interested parties on the way forward. We know that more Darfuris need to have a role in the process, as many issues driving the conflict are locally-based and will never be

resolved around a negotiating table. If the GOS can create appropriate enabling conditions, including security as well as free movement, speech and assembly, a Darfur political process on the ground has the potential to involve civil society more directly in the peace process. At this time the conditions do not exist for such a process. Moreover, we remain concerned about the recent increase in violence in parts of Darfur. The final collapse of the Darfur Peace Agreement between the GOS and the SLA/MM in December 2010 have led to clashes that displaced an estimated 70,000 civilians. The GOS also continues to rely on aerial bombings to target rebel positions, especially around the SLA/AW outposts in Jebel Marra. These aerial bombings harm civilians and contravene United Nations Security Council Resolution 1591, which forbids such action. In addition, the evolving situations in Libya, Southern Kordofan, and Abyei have direct implications on the resolution to the Darfur conflict which we will need to watch closely.

Fortunately, the security and humanitarian situation is not declining across all of Darfur. There are pockets of security and thereby better opportunities for at least some of the displaced. Ambassador Dane Smith, our Senior Advisor on Darfur, has recently returned from a trip to localities in West Darfur where we, in concert with some actors in the humanitarian community, believe that early recovery projects could now be undertaken. In these cases, we must look for ways to improve the livelihoods of communities there that have lived under abnormal conditions for far too long. In doing so, we will be careful that all such activities are based on the voluntary cooperation and are reflective of the desires of the IDPs themselves, and are in no way suggestive that the fundamental problems of Darfur are yet on the way to being resolved.

South Sudan

Finally, I want to report that the United States is far along in planning for support of the new nation of South Sudan. This new country will face exceptionally difficult challenges after decades of civil war. USAID will brief you on plans to help South Sudan meet these challenges, especially in creating the foundation for sustained economic growth. Other donors and the UN will be playing important roles as well. We plan to support a UN Security Council resolution that establishes a new peacekeeping operation based in South Sudan. The strategic goal of this mission should be to support the Government of the Republic of South Sudan (GOSS) to manage its internal and cross-border disputes peacefully and to provide legitimate rule of law, governance, security and protection for its people and

establish the basis for longer-term development and state-building. Together, we must pay close attention to the strengthening of state institutions, security sector reform, development of a strong human rights culture, and continued development of South Sudan's cooperative and productive relations with all its neighbors, including Sudan.

Chairman Smith and other Committee members, I would like to thank you for your continued engagement and support. Without bipartisan Congressional support, we would not have been able to play so strong a role in the peace process. The way forward in Sudan continues to be challenging, and we look forward to working closely with you in forging policies and practices that help bring conclusion to the long and painful conflict in Sudan and thereby creating the opportunities for peace and economic progress for all its people.