SOUTHERN KORDOFAN: ETHNIC CLEANSING AND HUMANITARIAN CRISIS IN SUDAN

HEARING

BEFORE THE

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS

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SOUTHERN KORDOFAN: ETHNIC CLEANSING AND HUMANITARIAN CRISIS IN SUDAN

THURSDAY, AUGUST 4, 2011

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

The subcommittee met, pursuant to notice, at 10:02 a.m., in room 2172, Rayburn House Office Building, Hon. Christopher H. Smith (chairman of the subcommittee) presiding.

Mr. SMITH. The subcommittee will come to order. And good morning to everyone. We have called today's emergency hearing because of the escalating crisis in the Sudanese State of Southern Kordofan. This crisis first arose in June of this year, shortly after the military forces of the Republic of Sudan attacked the Abyei region, apparently as a provocation to South Sudan's Sudanese People's Liberation Movement, or SPLM. South Sudan was about to become independent and these attacks may have been intended to provoke a fight that could derail their independence.

At the same time, Sudanese attacks on SPLM North members in the Sudanese State of Southern Kordofan were increasing. Because of the fighting and the displacement of Sudanese and foreigners from Southern Kordofan, no one is estimating how many people are being killed in the area. We do know that more than 73,000 people have been displaced. Whatever the numbers involved, we can be sure that the suffering of the people of Southern Kordofan, especially the Nuba people, has been catastrophic.

This latest violence is a tragic resumption of a prior war by the Khartoum government on the Nuba. Beginning in the 1980s, Islamist elements of the North began an eradication campaign against the Nuba, pitting northern Arabs against Africans in the South. Unfortunately for the Nuba, they are not Southerners, even though they have fought with the Southern army during the North-South civil war. But neither are they accepted by the elements ruling the North, even though many of them are Muslims.

This left the Nuba on their own to suffer the onslaught of the Khartoum government. The strategy of cultural cleansing pursued by the government involved harsh attempts to depopulate vast areas, killing potential combatants as well as many others, and herding survivors into tightly controlled government so-called refugee camps.

When jihad was declared by the Government of Sudan in 1992, even Nuba Muslims were targeted with the rationale that Muslims

in SPLM areas were not true Muslims. Rape of Nuba women has been a central component of the government's strategy aimed at destroying the social fabric of Nuba society. Almost every woman who has been in one of Khartoum's so-called peace camps reportedly was either raped or threatened with rape. According to the United Nations Office for the Coordination of Humanitarian Affairs, between 30,000 and 40,000 people out of a population of 60,000 in Southern Kordofan, capital of Kadugli, have fled the town. Many of the attacks in Southern Kordofan were indiscriminate, including aerial bombardments and artillery fire by Sudanese Armed Forces. Bombings have been reported in five villages south of the state capital of Kadugli, as well as Talodi, Hebon and Kaudo and other towns.

The U.N. Office of the High Commissioner of Human Rights told the U.N. Security Council on July 29th that there were reports as recently as July 27th of aerial bombings, forcing civilians to flee into the Nuba Mountains.

I would point out that one of our witnesses today, Bradford Phillips of the Persecution Project, earlier this week, on Monday, brought with us very, very troubling evidence, eyewitness evidence that he had gleaned being there for almost 2 weeks. So when we hear about the reports, here is a man who actually saw it and it is the reason, frankly, it was the genesis of this hearing today: His sense that we need to do something to bring focus and scrutiny and hopefully action to this terrible plight.

Some today are trying to downplay the overwhelming responsibility of the Sudanese Government for the devastation taking place in Southern Kordofan by referring to the refusal of the SPLM North to lay down their arms to negotiate with Khartoum. But there is no moral equivalence between the SPLM North actions and those of the Bashir government. SPLM-North members are not bombing people indiscriminately, not driving Arabs off their lands and out of their homes, nor going door to door to identify their perceived enemies in order to execute them. The Government of Sudan's military forces are. And we will soon see photographic evidence of these atrocities.

In addition, the recent attacks on Southern Kordofan have disrupted the planting season and will have a long-term negative impact on the ability of its people to feed themselves. In parts of Somalia, Ethiopia, and Kenya, people suffer from drought made worse by conflict. In Southern Kordofan, the national government is creating a similar humanitarian crisis. The death and destruction to which Sudanese Africans have been subjected was thought to have ended with the signing of the Comprehensive Peace Agreement in 2005 to end the North-South Civil War. However, the genocide in Darfur diverted the international community's attention away from the unresolved issues between North and South.

These lingering points of contention threaten to derail independence for South Sudan just as the independence process was coming to a conclusion. And now the struggle over Abyei threatens to stifle the suffering cries and pleas for help that are arising from the Nuba people as they are dragged into a resumption of the Northern war against them.

We discussed this war during the subcommittee's June 16th hearing of South Sudan. At that time, the fighting in Southern Kordofan was as horrific as any attacks waged by the Khartoum government. The testimony that will be presented today by witnesses who have seen the carnage firsthand will reveal the horrific extent of this situation.

Again, I welcome today's testimony to reveal the depth of this tragedy and to discuss ways to address the suffering of this particular region of Sudan.

I would like to now yield to my good friend and colleague, Mr. Payne, for any opening comments.

Mr. PAYNE. Thank you very much. And let me commend you, Mr. Chairman, for calling this very important hearing. I just rushed here from an earlier meeting that was called on the problem of Somalia and the drought that is going on there. And so I appreciate the chairman giving the attention to this region, which, of course, because of our pressing problems here in the U.S., and we do know that we have a primary obligation to our Nation to make it strong and to correct some of the errors that we have made in the past, we still cannot forget that we have a world that is really being shattered by unshared bread and that we have a responsibility still, as it says in the Bible, to be our brother's keeper.

And so I know that it is difficult to focus on areas outside of our immediate problems, but I do appreciate the chairman keeping the issues before our Nation, because we do, I believe, have an obligation.

Less than a month ago, the world witnessed the birth of a new nation, the Republic of South Sudan. I was among the delegation present at the ceremony. And I witnessed the joy of the people of South Sudan that day following many decades of struggle; struggle before independence, struggle since the independence in 1956, struggle with the civil war that broke out in 1989, struggles that continued until the CPA was signed in 2005, and struggles up until the conclusion of the referendum on July 9, 2011, when independence was announced and celebrated. So it has been a struggle for the people of South Sudan, and the struggle continues.

The Sudanese people accomplished a great deal and their celebration is well deserved and certainly overdue. The peaceful nature in which 98.8 percent of South Sudanese voted for their independence was commendable and should serve as a witness of what Sudanese people are capable of. As a matter of fact, voter registration was probably in excess of 90 percent also. And it is recorded that this turnout even exceeded the turnout of South Africa when they had their first election, when Mr. Mandela was a candidate for President of a new South Africa. So we have to really commend the people of South Sudan for their determination and their appreciation for democracy.

Unfortunately, though, persistent violence in South Kordofan and other border areas also remind us that the important work still remains to be done to ensure peace within both countries, North and South Sudan, and a peaceful relationship between the neighboring states.

In June, this subcommittee convened to discuss the challenges that the pending nation of South Sudan would face. We are now

on the other side of the independence celebration and are witnessing some of the challenges that Southerners living in the North are facing.

In today's hearing, we will be focusing on the disputed region of South Kordofan and the human rights violations that are occurring at the hands of President Bashir against the Nubian people. As you know, the map was drawn in 1956, or prior to that, and when the British gave independence on January the 1st, 1956, the lines were drawn. Had they been drawn today, we would know that South Kordofan and Abyei and the Nuba Mountains would indeed be a part of South Sudan. The people in those areas fought along with the SPLM and feel a part of the South. However, the lines have been drawn and they find themselves in the North.

However, there was supposed to be accommodation made so there could be a discussion on what type of arrangement could be made in Kordofan, South Kordofan. However, the popular consultation has not taken place. The referendum in Abyei has not taken place. The elections in South Kordofan were not fair and free, and so we have problems that persist today.

In today's hearing, we will be focusing on the disputed regions of South Kordofan and the human rights violations that are occurring at the hands of President Bashir against the Nuba people. In Southern Kordofan, an estimated 1.4 million are being affected by fighting between the South Armed Forces and the Sudanese People's Liberation Movement North. Thousands of innocent civilians have been killed and hundreds of thousands have been displaced. There are disturbing reports of targeted killing of Nuba people and mass graves that the SAF are searching homes for SPLM supporters, and then detaining, torturing and killing them. This is all evidence of ethnic cleansing.

Unfortunately, the SAF are armed to do the job. They are using heavy weapons, including artilleries, helicopters, MiG fighters and Russian-made Antonov bombers to hunt the Nubians like animals, as it was said. The violence that is occurring is by no means an isolated or localized incident. Bashir has done this many, many times before in Darfur and Eastern Sudan and here in South Kordofan.

Our first visit to Sudan in 1993, in a SPLA-controlled town near the Ugandan border at that time, was the front line, and I saw the firsthand suffering of the people in that area. When I returned, I introduced a resolution saying that the people of South Sudan had the right of self-determination, and that began the whole notion of a new nation.

With deep sadness, I remember visiting Abyei in May 2008, just after the town had been attacked and burned to the ground by the Bashir forces and pro-government militia. The atrocity displaced more than 40,000 people. And upon return, I introduced a resolution to highlight this hideous act of violence that continues with the war-indicted al-Bashir.

In late May, at the order of Bashir, Sudanese Army Forces invaded Abyei, killing over 100 and displacing an estimated 100,000. South Sudan's President, Salva Kiir, has shown considerable restraint thus far because he does not want to have a war that would

interfere with a peaceful resolution of the crisis. We must remember the human cost of these acts of aggression.

The people of Abyei, Southern Kordofan, and throughout Sudan have suffered severely after prolonged civil war. For many, the violence and oppression continues, with targeted killings and prolonged displacement.

Let us also not forget the ongoing crisis in Darfur, where many remain in displaced camps, and malnutrition, without any way to support their families due to the oppressive government of the Bashir people and the military tactics.

Along with my fellow Sudanese Caucus co-chair, we are circulating a letter to President Obama urging him to condemn the violence in Southern Kordofan. We must use all available diplomatic and political tools to combat these human rights abuses, including possible sanctions and other accountable measures.

It is also important that the United States properly fund aid programs and peacekeeping missions that are helping to save countless lives. The proposed foreign aid budget cuts would greatly hinder our ability to provide relief to these affected areas and to help bring stability to the region. That is why during the foreign operations authorization bill markup last month, I proposed an amendment that would have increased funding for the U.N. peacekeeping budget, the President's request of $1.92 billion, and to add 60 million to be set aside for a contingency fund specifically to address these atrocities we are now witnessing in Southern Kordofan and the border regions. I am interested at this hearing and hearing from our panel on how the budget cuts would affect the work they are doing.

I am also encouraged to see that today President Obama announced a new initiative directing a comprehensive review to strengthen the United States' ability to prevent mass atrocities. This new initiative will include the creation of the Atrocities Prevention Board that will have the authority to develop prevention strategies to aid the U.S. and its allies in responding to early warning signs and prevent potential atrocities.

The President has also issued a proclamation barring persons who organize or participate in war crimes, crimes against humanity, and serious violations of human rights from entering the United States of America. I applaud the President for remaining engaged in combating the mass atrocities that are occurring in Sudan and around the world.

On July 9th, the world celebrated with the people of South Sudan, and rightfully so. After all, the United States and people here like Mr. Wolf and others have played such an important role in what we see today. And so we are a critical partner in the Sudan peace process, as we all know. While our efforts have been fruitful, our work to ensure stability and prosperity for all Sudanese people is far from complete. We must remain engaged and commit our support to democracy, rule of law, justice and peace for the people of Sudan, whichever side of the border they live. Thank you very much.

Mr. SMITH. I want to thank the ranking member for his statement.

I recognize Ann Marie Buerkle from New York, a member of the subcommittee.

Ms. BUERKLE. Thank you, Mr. Chairman. And thank you for calling this extremely important emergency hearing. Just reading the testimony for today's hearing is a sobering reminder that the suffering of the Sudanese people remains ongoing.

Although it is important that we celebrate the new nation of South Sudan, we cannot forget their fellow Sudanese across the border. The South Kordofan area has been beset by slaughter and disease and heartbreak for decades. It is frankly unfathomable, but the people who were responsible for the Darfur genocide are still in positions of authority, still carrying out their horrific war crimes. And now with the struggles between the North and South Sudan over Abyei, the crisis in South Kordofan is escalating and is further destabilizing an already fragile region. And that destabilization means the cost of thousands of lives and presents a serious threat to not only the Nuba Mountains and contested areas, but also to the newly born South Sudan.

Thank you to our witnesses for being here today to share what you have learned firsthand. Thank you, Mr. Chairman. I yield back.

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

The Chair recognizes Chairman Wolf.

Mr. WOLF. Thank you very much, Mr. Chairman. I will just be very, very, very brief. One, I want to thank the witnesses. Two, I want to personally thank both you and Mr. Payne for having this hearing so fast. I almost have never seen something turn around, I mean, when the two of you got together. So I personally want to thank both of you. I think it is incredible, your interest, and how the two of you work together, and you both deserve a lot of credit.

Lastly, I would just say to the church in the West, I think the church in the West has to really do a better job of advocating for the persecuted church. I see one of the witnesses, Richard Wurmbrand, who I have read his books over the years and visited once in Romania. The silence of the church in the West is actually incredible. And when I think of what is taking place to believers in that part of the country, that part of the world and others, and yet I hear total complete silence, is sort of incredible. If anything, hopefully this hearing can motivate not only the administration, but also the church, the leaders of all the denominations to come together to advocate for this. But we will see what comes out of this hearing.

I will thank the witnesses. And I want to again thank you and Mr. Payne for just working together, getting this thing done right away. I mean, somebody comes up with an idea and 48 hours later we have got a hearing. So thank you very much. I yield back.

Mr. SMITH. Thank you very much, Chairman Wolf.

Let me introduce our very distinguished panel of witnesses today, beginning with Bishop Andudu Adam Elnail, the Anglican bishop of Kadugli, Sudan, the capital of the conflict-torn region of South Kordofan. He chairs the Interfaith Committee for this conflict-torn region. He has been outspoken and courageous. In a recent interview with Bishop Andudu, Religion Dispatchers writes: If Anglican Bishop Andudu had not been in Denver receiving medical

treatment in early June, he might be in a mass grave now. That is how volatile and how dangerous the situation is today.

And again, we are deeply indebted that he is here, flew here and will be providing this subcommittee and hopefully the entire Congress, and, by extension, the American people, very, very important insights and will be a rallying cry for action.

We will then hear from Mr. Bradford Phillips, who serves as President of the Persecution Project Foundation and as a Sudan country director for the Voice of the Martyrs, two nonprofit organizations dedicated to serving the persecuted church. And I would point out parenthetically that in 1980, I read Richard Wurmbrand's book, "Tortured for Christ." He had suffered horrifically under the Securitate, Nicolae Ceausescu, the dictator of Romania, and spent years of being tortured, he and other believers. And that is what got me involved in religious freedom issues after reading that book. Mr. Phillips is one of the leaders of Voice of the Martyrs, the group that continues that work.

And he also is founder and President of the Persecution Project. Since 1998, Mr. Phillips has helped document acts of genocide committed by the Government of Sudan, while also assisting in a variety of humanitarian efforts in Southern Kordofan. He recently spent 2 weeks interviewing victims of war crimes against Nuba. As I said in my opening, the reason why we are meeting here today was his urgent plea on Monday that this Congress bring light, scrutiny, and hopefully an action plan, as well as the President and the State Department, to try to mitigate this terrible, terrible, worsening situation in South Kordofan. He is also founder of 100 Wells Campaign, the humanitarian project that provides clean water to Darfur refugees.

Then we will hear from Dr. Luka Biong Deng, who is the executive director of Kush Incorporated. Dr. Biong is an expert in African affairs, civil wars, and conflict resolution and has published numerous articles in international journals addressing these issues. He is also a founding member and chairperson of the board of directors of the Abyei Community Action for Development. Dr. Deng serves as Minister of Cabinet Affairs for the Government of Sudan and is a Minister of Presidential Affairs for the government of Southern Sudan. He has also worked for the World Bank and for Southern Sudan Centers for Census, Statistics and Evaluation.

Again, thank you all for being here on such extraordinarily short notice. I would like to begin with the Bishop, if I could. And please proceed as you would like.

STATEMENT OF RT. REVEREND ANDUDU ADAM ELNAIL, BISHOP, ANGLICAN DIOCESE OF KADUGLI, SUDAN

Bishop ANDUDU. Thank you, Chairman Smith, for calling this emergency hearing on the threat of human rights and human security in my home region of South Kordofan.

I would like also to thank the ranking members for their leadership support of the endangered Nuba people as well. I am here to testify about all of my people and my members of my church and the flock. They just give me all the time is the news from the ground.

I want to start with what happened in my diocese and in my town of Kadugli, where the major atrocities are taking place. My house was shot with the guns, and my chaplain was able to escape through the window. And also my offices and cyber cafe was burned down, and cathedral as well. And, really, the atrocities is taking place not only with the Christians, but also even the Muslims, and the mosques has been bombed for the black Muslims. And one of my flocks told me very clearly he has seen the earth mover in South—the school of Tilo, and and digging two pits. And in the evening, they brought bodies in the location, and the SAF and militia PDF and other people putting on uniforms of the prisons in Kadugli, and also some people working with Red Crescent. And some of the people was put in the body bags, white body bags, and they are put in the pits.

So he has seen this personally and I have spoke to him many times. And I believe really what he has seen. And also this is consistent with the image that was taken with the satellite. And really I appeal for the United States also to deploy its own satellites so that it can prevent the eyewitness and also for the government not to tamper with the mass graves that was found. And also call for an investigation to find out exactly what is taking place.

And in the Nuba Mountains now, the children are killed, the women—the bombing is—the civilian is targeted. It is a war of horror. So, really, creating ethnic cleansing in the Nuba Mountains.

Every day I have been indebted from different cities in South Kordofan, and we are experiencing people running in the mountains. I have given photos last week for the people that just eat greens. Eat greens and there is no food. And at the same time, this is very important time for us in Nuba Mountains. We are cultivating. This is the beginning of the season. So if you have not died by the bombs, in next October, the time of harvest, we will not have any food and then also you will die.

That is why we are calling for the U.N., government, and other international communities and the African Union. These are the people that help us to sign the CPA, the peace agreement in Sudan. And we are very grateful for the decision of South Sudan. But at the same time, Nuba Mountains is left struggling, and I want the U.S. Government really to go farther and to secure our people in Nuba Mountains. The bombs get dropped every day. Really we need the government and international community to stop these bombings. They are killing people. SPLM have no planes, have no bombings. So if these planes can be stopped to spare the lives of the people. It is not thrown on the military, but it is thrown on the civilians, and in places where there is not any near barracks of the soldiers.

And at the same time, the government is not allowing the humanitarian access, there is no—any organization is going to give food. They are forbidden.

I am also calling for the international community and the U.S. to make any ways for the humanitarian to get access to give aid of food and also to give the medicines for the injured people in the Nuba Mountains.

And at the same time, the U.N. troops in South Kordofan, they are threatened by the government of Bashir. They have been told

now they have to move. They were not allowed to go and investigate the mass grave. And really, we want the increased and also effective peacekeepers in the Nuba Mountains. The people of Nuba, they want peace, but they were forced to fight to defend their people. And Nuba people are afraid. They don't know what is going to happen. They feel they are forgotten because nothing is going there to give them the freedom.

And Bashir and Haroun, these are people wanted by International Criminal Court. They don't want—the crimes in Darfur. They are the same people. And the war is running after them. We create these unsigned peace in another part of the region, like in Southern Sudan. When the CPA was signed, they start war in Darfur. And also now when the South Sudanese have ceased, also they start war in Nuba Mountains.

This is the type of government we have been dealing with for over 20 years. This is a government that is just killing people, its own people, and people continue to engage in the signable peace and it would be broken.

We are not alone calling for the international community to help us, but all of the people in the world. Like here, we have the petition. Over half-a-million of the people around the world, they are striving and they are calling for a stop and butcher ethnic cleansing in Nuba Mountains. So we are calling for, really, action in the region of Nuba Mountains and other marginalized areas. Thank you.

Mr. SMITH. Bishop, thank you very much for your testimony and for your urgent appeal to the United States and the world, the intention of the community, to respond and to do so immediately.

[The prepared statement of Bishop Andudu Adam Elnail follows:]

Testimony of Rt. Rev. Andudu Adam Elnail
Episcopal Bishop of the Diocese of Kadugli
House of Representatives Committee on Foreign Affairs
Subcommittee on Africa, Global Health and Human Rights
August 4, 2011

Thank you, Chairman Smith and Ranking Member Payne, for calling this emergency hearing on threats to human rights and human security in my home region of South Kordofan, Sudan. I want to thank you, Mr. Chairman, for your efforts on behalf of sustainable peace and stability in Sudan. And I want to publicly thank the Ranking Member for his leadership and support for the endangered Nuba people as well.

I have been hearing nonstop from members of my flock in Kadugli, capitol of Sudan's conflict-torn region of South Kordofan. I'd like to begin by offering a quick update on the grave situation in South Kordofan, so that the United States and other members of the international community can begin to translate moral outrage into effective action.

Our Anglican cathedral in Kadugli has been ransacked and looted. Our church offices and our cyber-café, which provided Internet services for the community, have been looted, along with my house. I am told that armed men went house to house, searching for me, calling my name.

Sudan Armed Forces (SAF) and northern-aligned militia shot at my house in Kadugli. My chaplain, who resides with my family there, was able to escape through the window, but he was later apprehended and beaten.

If I were not here today to testify before you, I do not know whether I would be in a mass grave in Kadugli now.

A member of my congregation told me that on June 8, less than one kilometer south of the Tilo School in Kadugli, he saw an earth mover digging two pits. That evening, he said, he saw trucks driving to the freshly excavated pits. In the trucks were soldiers from the SAF, along with northern militia members, men dressed like Sudan Red Crescent Society workers, wearing white aprons with red crescents, and other men dressed like prisoners from a local prison, He saw 100 or more dead bodies buried in the pits on the evening of June 8. Some of the bodies, he said, appeared to be wrapped in white body bags or white, plastic tarps. I believe him. And satellite imagery shows what appears to be excavated pits, consistent with mass graves, in the area that he described to me.

The United States should deploy its own satellites to ensure that the reported mass grave sites are not tampered with. This evidence, from eyewitness reports and satellites, should be preserved and investigated, and the perpetrators must be held accountable.

I hear almost every day new reports from the Nuba Mountains of the Sudan Armed Forces indiscriminately bombing civilians, including children and women and old people, in places not known to be near military installations. I see photos of the people maimed and killed in these bombing raids. Some of these bombs are falling on names and faces and places I know well.

To me, these people are not numbers and statistics. They are my neighbors, my friends, local business leaders, and members of my congregation. They cannot be here today. So I will do my best to voice their fears and hopes.

The Nuba people fear a state-sponsored ethnic cleansing campaign is already taking place in the Nuba Mountains. We fear that the United States sees the mounting evidence of another genocide, but will not act, even in the face of evidence of mass graves, house-to-house killings, shellings of civilians, and near-daily bombardments of at least ten towns and villages in South Kordofan.

The Nuba people fear that we will be forgotten, that the world will stand idly by while mass killings continue without redress. Our hope is that the United States will lead the international community in taking prompt, effective action to protect tens of thousands of displaced people, including an untold number of civilians being killed house-to-house and bombed by their own government.

We all belong to one human family, whatever our national, ethnic or political differences. The state-sponsored ethnic cleansing campaign is targeting Nuba people, including not only Christians – such as the Anglican Church, the Catholic Church, the Lutheran Church, and the Sudanese Church of Christ in Kadugli -- but also Muslims, including those who worship at the mosque in Kauda, which a SAF fighter plane recently targeted with ten rockets.

We are our brothers' and sisters' keepers, wherever they may be. Loving our neighbor requires promoting peace and justice in a world marred by genocidal violence. So as a Nuban leader, I plead that you intervene in the

mass atrocities to spare the Nuba people. Stop the direct attacks on innocent persons, and the shedding of the blood of civilians, including women and children. Protect the lives of all human beings as children of God. Do not allow a government to continue to bombard its own people. Stand up for the vulnerable and the oppressed, and take care of the widows and orphans of the Nuba Mountains.

Given the increasing evidence of mass atrocities, the United States cannot begin to consider normalizing ties with Sudan, and should not delist Sudan as a sponsor of terrorism or approve this outlaw nation's access to international financing and debt relief. In fact, those individuals and groups most responsible for the mass atrocities should be designated and sanctioned. Key members of the ruling NCP party who are responsible for these alleged human rights crimes, and the businesses they control, should be targeted with financial sanctions.

The United States and the international community, including the African Union, must act. The U.S. and others committed to the "responsibility to protect" must stop the indiscriminate bombing of civilians.

And the U.S. must support an international effort to lift Sudan's restrictions on humanitarian organizations' access to deliver much-needed food and medical aid to civilians in the region. Because of the bombing campaign, people have not been able to plant or tend their crops. This means that by October, when the crops should have been ready to harvest, there will not be enough food to feed tens of thousands of displaced people There will be mass starvation, a slow-motion genocide by design, and parents will watch their children and the old people die first. These will be slow, painful, and avoidable deaths. Therefore, the United States and other donor nations should quickly establish an international, cross-border emergency relief operation to prevent famine conditions from killing large numbers of the Nuba people.

There is also a need for effective peacekeeping forces with a real mandate to actually keep the peace, and not just stand by while mass murder occurs house-to-house, around the clock.

I would also like to note that it is not just the Sudanese who are calling for the international community, including the United States and the African Union, to uphold the responsibility to protect the people of the Nuba Mountains. In fact, our friends at Avaaz are currently circulating a petition calling for bold action by the United Nations Security Council members. This petition already has some half a million signatures and is still growing.

I hope the people in this room will do everything in their power to listen the cries of people all over the world calling for action on this issue.

I look forward to working with you to do what is necessary with American leadership and the support of the international community to fulfill the responsibility to protect civilians who are being systematically exterminated by their own government. Together, we must stop Sudan's efforts to eradicate the Nuba people from the Nuba Mountains and create a durable peace and an opportunity for reconciliation for the whole of Sudan. Thank you, Mr. Chairman.

Mr. SMITH. Mr. Phillips.

STATEMENT OF MR. BRADFORD PHILLIPS, PRESIDENT, PERSECUTION PROJECT

Mr. PHILLIPS. Chairman Smith, Ranking Member Payne and members of the subcommittee, thank you very much for inviting me to testify at this emergency hearing on the current crisis of the Nuba Mountains of the Southern Kordofan State in the Republic of Sudan.

By way of introduction, my name is Brad Phillips, and I am here on behalf of two organizations that have a relatively long history of working in Sudan. The first is Persecution Project, as was mentioned; and the second is the Voice of the Martyrs. And much of our emphasis has been on Sudan during more than the last decade.

My very first trip to Sudan brought me to the Nuba Mountains after reading the reports of the genocide that was happening there. Alex de Waal, Julie Flint, and many others had written reports. I had heard about the extermination of more than half of the Nuba population. And so that was my first introduction to Sudan. And at that time, as was with my most recent visit, there were bombings going on every day that were part of an aerial campaign of terror against civilians.

Mr. Chairman, I realize that you and your colleagues are only now concluding a very busy time concerning the recent debate on raising the debt ceiling, so I am extremely grateful that you have taken time to hear about this very important issue, which is a nonpartisan issue. It is an issue of genocide. Genocide is currently being perpetrated in the Nuba Mountains in the Southern Kordofan State of the Republic of Sudan.

I know you have had the opportunity several times to receive testimony on this issue from my learned friend, Roger Winter, who has acted in many different capacities, including the former Special Representative on Sudan. And during his last testimony on the 16th of June, he reported to you on this war of genocide now being waged in the Nuba. And I am here simply to say that everything that Mr. Winter presented in his testimony about Southern Kordofan State is true. I have seen it with my own eyes.

Less than 3 weeks after Mr. Winter's testimony, I was in the Nuba Mountains for 12 days. I fully understand that what is happening right now in the Nuba Mountains requires some context and some background. And I appreciate very much the long history that you have had, Mr. Chairman and Ranking Member Payne and Congressman Wolf, and so many others on this committee on this issue. But for the sake of others, in 1989, through a coup d'etat, the National Islamic Front came to power in Sudan. And its leadership consisted of Islamic extremists. Many of them were founding members of al-Qaeda. They were birthed by the Muslim Brotherhood. They were identified by our Government as terrorists or supporters of international terrorism.

And as soon as the National Islamic Front came to power, it began an intensive military campaign to Arabize and Islamize the indigenous African population in Southern Sudan, the Blue Nile, and the Nuba Mountains region of Southern Kordofan State, and more recently in Darfur. During the 1990s, up until the peace

agreement was signed in Naivasha in 2005, more than 2 million Southern Sudanese people, most of whom were Christian or animist, were slaughtered. But in the Nuba Mountains in the 1980s and the 1990s, roughly half the population of an estimated more than 500,000 people were slaughtered in a similar genocide. And all of us, I think, are aware of the genocide that took place in Darfur beginning in 2003 that claimed an estimated 400,000 lives.

The primary resistance of the National Islamic Front during the last war came from the SPLM, the Sudanese People's Liberation Movement, that was led by its charismatic leader, Dr. John Garang de Mabior. Dr. John was a Christian from South Sudan, but he desired freedom and self-determination for all of the Sudanese people and his vision was called the New Sudan. After more than 20 years of fighting, the SPLM fought the National Islamic Front to a standstill. And with the help of international pressure, much of it led by the United States, the NIF was forced to the negotiating table. And all of that was consummated in January 2005 with the Comprehensive Peace Agreement signed in Naivasha, Kenya.

This agreement provided South Sudan with semiautonomy and eventually a referendum vote on self-determination which we all know resulted in the welcoming in of the Republic of Sudan as the world's newest nation most recently on July the 9th. But while we do celebrate with South Sudan its independence from this murderous regime, we must not forget that many marginalized groups in the North were not given the same guarantees as the South, specifically the Abyei region in Southern Kordofan State. The Nuba Mountains also in Southern Kordofan and the Blue Nile State received implicit promises for self-determination and for—as well as some explicit promises in this agreement. But as subsequent actions have shown during the interim period of the CPA, the NIF, now renamed the National Congress Party, really had no intention of granting self-determination to these marginalized areas.

Under the CPA, the Nuba were guaranteed a free election. A gubernatorial election, most recently, was supposed to take place in May of this year, followed by a popular consultation whereby elected leaders would interview their constituents and determine what the people wanted to do with regard to their political future. This consultation process would hopefully have paved the way for regime change or some sort of power-sharing arrangement in Khartoum that would recognize and respect the rights of all of Sudan's diverse communities in Southern Kordofan State. As of today, the popular consultation that was promised by the CPA has not taken place.

Moreover, Sudan's President, Omar al-Bashir, publicly stated in April of this year, that if the National Congress Party could not get its way at the ballot box, it would use the ammo box. He went on to say that he would smoke the Nuba people out of the mountains using tanks and camels. This was really a declaration of war on the 27th of April by Omar al-Bashir and it was a violation, a clear violation of the Comprehensive Peace Agreement.

Earlier that month of April, as an intimidation tactic and I believe as an attempt to draw the SPLM into war before the election, Bashir sent militia forces to an area called el Fayit, which is the

home area of Commander Abdel Aziz Adam al-Hilu, and 27 members of Commander al-Hilu's family were murdered in this attack. He didn't take the bait and he went through with the elections. When the elections finally took place, the evidence of large-scale vote rigging was reported. Yet even with the evidence of vote fraud, Bashir jumped a few steps and sent down his advisor, Nafie ali Nafie, to declare their candidate, indicted war criminal, Ahmed Haroun, the winner without any verification process taking place.

The newly elected Governor Haroun then ordered all SPLM forces out of Southern Kordofan by the 1st of June. This order was in direct violation of the CPA, which allowed the SPLA to operate in Southern Kordofan up to 90 days after the close of the interim period on July 9th. This attempt by the NCP to cleanse the North of the SPLM/A before the July 9th independence of South Sudan was also carried out in the disputed Abyei region. After amassing troops around Abyei, NCP forces invaded on the 20th of May, forcing most of the indigenous African population out. Some estimates of the number of refugees from this area are as high as 100,000. It became obvious to all watching these events unfold what was happening. It is no wonder that the SPLM refused to disarm or to leave Southern Kordofan State.

When the order was not obeyed by the June 1st deadline, the NCP tried to disarm the SPLM by force, and this was the beginning of the war on June the 5th. On June the 6th, the NCP attacked and sacked the capital of Kadugli, murdering potentially thousands of civilians in the subsequent days.

The NCP also pulled out an old card from their deck, which is the daily indiscriminate aerial bombardment of civilian targets. Using Antonov bombers, MiG fighters and helicopter gunships, the NCP launched a campaign of terror in the skies. I have included some pictures of these bomb locations, which I think are playing now on the screen, bombing civilians.

I personally arrived in the Nuba on the 4th of July in one of the few private charters that was flying to the Nuba, since all humanitarian flights had ceased. And during my visit I had the opportunity to spend time with and interview more than a dozen individuals who had escaped from Kadugli during the first few days after the ethnic cleansing started, and all of whom shared the same basic story, the one which the Reverend has just shared and which you will hear from others.

Sudan Armed Forces went from house to house searching for any Nuba citizen, anyone who was identified with the church or anyone who has associated with the SPLM. And anybody fitting either of these three descriptions was either killed on the spot or arrested and never seen again. Fortunately, a few thousand residents obtained shelter at the UNMIS compound, but the compound after being filled—and I have heard many stories and accounts of people being killed at the gates of this compound as a result of the UNMIS allowing the security forces and the intelligence forces of the SAF to enter the pound and take Nuba people out of that compound while they stood by and watched.

I had the opportunity to spend time with one of the colleagues of Rev. Andudu, Rev. Luka Bolis, who is the chairman of the Sudan Council of Churches and he is also an Episcopal priest from the

same area. And he escaped from Kadugli within a few days after it started. And what he said to me—and I have submitted the video of my interview with him to this committee—the NCP is targeting the church in this war. Rev. Luka received a call from some of his friends after first escaping to an area called Shaiir, and then making his way outside of Kadugli County. And they basically told him that he was on the list, which is what the bishop here has told me as well. Meaning that if they find him, if they catch him, they are going to kill him. Rev. Luka's testimony corresponded with so many other Nuba Christians and non-Christians alike who were persecuted in the last war by the same regime.

I would just mention one story of a man who I met whose fingernails were pulled out, his genitals were crushed, he was dragged behind a tank, he was in and out of prison for 8 years. And what he pointed out to me was this is the very same regime that did this to him that is now bombing his village, and we saw the planes passing over three or four times a day. Rev. Luka said the NCP does not distinguish—in addition, they do not distinguish between a Christian and a member of the SPLM political party. They assume that if you are associated with the church, that in fact you must be SPLM and SPLA. And this was the testimony that we got from so many pastors that we interviewed.

When they captured them, the first thing they did was, they asked them for a list of all the members of their congregation. Because if you are a part of the church, you are the enemy. Consequently today, even today, pastors and church leaders are being specifically targeted as leaders and recruiters of the SPLM.

Another pastor who I interviewed, who I will refer to as Kumi for security reasons, was arrested by the NIF, tortured in some of the most horrific ways and, as mentioned, he was forced to divulge the names of his church members. During his capture, which I have already mentioned, they pulled out his fingernails and his toenails, they hung him by the neck and they crushed his genitals. They poured gasoline on his hands and they set them alight. And they did many other cruel acts. This pastor was imprisoned for a total of 8 years. And although he lives a several-hour drive from the area where Rev. Luka was from, his testimony was the same.

Yet another church leader that I met in a completely different area was stabbed 10 times. His name was Musa. They stabbed him 10 times. He told me that he was killed along with 7 other elders and pastors in his church. They destroyed his church, they stabbed him 10 times. They believed he was dead, but he survived. And each one of the people that they killed, they cut off their ear as a trophy to go and take back and show what they had done. And his message to me was again was that these are the same people that are bombing us today, these are the same people that are cutting off people's heads and slaughtering people like animals in Kadugli. And if they have their way, they are going to exterminate us.

So I heard these stories over and over again during the 12 days that I was in the Nuba Mountains. The only difference in what I saw in 1998 and what I saw last month is that the SPLM has clearly taken the initiative and taken the fight, as it were, to their enemies, led by their leader, Commander Adbel Aziz Adam al-Hilu. The people of the Nuba Mountains are fighting back and have won

some impressive victories on the ground. And this has occurred without any significant help from the international community.

This determined resistance by the SPLM in the Nuba Mountains is a genuine popular uprising, and the only thing that has prevented another Rwandan-styled genocide from happening. But time is running out. The U.N. ended humanitarian relief efforts early in June and most NGOs operating under the U.N. umbrella pulled out. All the roads to the North have been closed and the rainy season in South Sudan has effectively closed supply routes to the south until the end of the season in November or December. The daily bombings have terrorized the local populations to a degree that normal cultivation is not taking place during this very crucial planting season.

The Nuba Mountains are isolated, cut off and facing a very severe humanitarian crisis within the next 60 days or less unless relief flights are allowed to recommence. And this will not happen while SAF MiGs and Antonov bombers and gunships continue to patrol the skies. The NCP refuses to allow U.N. observers into the Nuba Mountains to document what is happening, which should not surprise anyone.

It is absolutely essential that the international community bring pressure on the United Nations to immediately declare humanitarian emergency in the Nuba Mountains and impose a no-fly zone to stop the bombing campaign and allow humanitarian access so that relief flights back into the region may resume.

I will conclude by stating there is more than enough evidence to justify speedy action on the part of the United States Government and the international community to address this very dire situation in the Nuba Mountains. The President of Sudan, Omar al-Bashir, is an indicted war criminal. The current governor of the Nuba Mountains is Ahmed Haroun, also an indicted war criminal because of his role in the Darfur genocide. In fact, he was the one carrying out the genocide in the Nuba Mountains in the 1990s. These men make Libya's Ghadafi look like a choir boy. There is no justification in my mind for a bombing in Libya while we do nothing in a place like the Nuba Mountains.

Many seasoned reporters from the New York Times, Time Magazine, Aljazeera English, The Independent and others, had visited the Nuba Mountains. Some of them were with me during my time there. And they brought back testimonies, pictures and video that corroborate and prove that the war crimes are being committed right now against the Nuba people by the National Congress Party regime.

I have included some copies of some of these articles with my testimony, and I ask the question: How is it, then, that the U.S. Government still claims there is not enough evidence to charge the NIF with war crimes? Why does the U.S. Government treat—deal with the NCP and the victims of their crime with a moral equivalency. Based on the history of the NCP and what we know about what they are doing in Darfur, in Abyei and the Nuba Mountains, it amazes me how the U.S. and the international community is able to tolerate these killers for so long, yet aggressively pursue other villains who have not killed 1/100th of the people for which deaths Omar al-Bashir and his regime are responsible.

[The prepared statement of Mr. Phillips follows:]

Testimony of Brad Phillips, President of Persecution Project Foundation, and Sudan Country Director for The Voice of the Martyrs

To the House Foreign Affairs Subcommittee on Africa, Global Health and Human Rights

August 4th, 2011

Chairman Smith, Ranking Member Payne and Members of the Subcommittee, thank you for inviting me to testify at this emergency hearing on the current crisis in the Nuba Mountains of the Southern Kordofan region of the Republic of Sudan.

By way of introduction, my name is Brad Phillips, and I am here on behalf of two organizations that have a relatively long history of working in Sudan. The first is Persecution Project Foundation, of which I serve as the president and founder. PPF's mission is to engage in active compassion for the persecuted Christian Church in Africa, and much of our emphasis has been on Sudan during the last 14 years. Our organization has been working in the region since 1998. In fact, my first visit to Sudan brought me to the Nuba Mountains.

The second organization I represent is the Voice of the Martyrs (VOM). VOM was founded in 1967 by Richard Wurmbrand, a pastor in Romania during the years under Communism. Pastor Wurmbrand suffered horrific torture, imprisonment, and persecution for his faith. He started VOM to assist and comfort persecuted Christians throughout the world. VOM currently works in more than 50 restricted countries and has been active in Sudan since 1997. I currently serve VOM as the Country Director for the Republic of Sudan and the Republic of South Sudan.

Mr. Chairman, I realize that you and your colleagues are only now concluding a very busy time concerning the recent debate on raising the debt ceiling, so I am very grateful you have taken time to hear about a very important issue that is non-partisan.

This issue is genocide--genocide currently being attempted in the Nuba Mountains of Southern Kordofan State in the Republic of Sudan.

I know you have had the opportunity several times to receive testimony on this issue from my learned friend Roger Winter, former Special Representative on Sudan. During his last testimony on June 16th, he reported to you on the war of genocide now waging in the Nuba by the government in Khartoum. I am here to simply say that everything Mr. Winter told you is true. I have seen it with my own eyes. Less than three weeks after Mr. Winter's testimony, I visited the Nuba Mountains.

To fully understand what is happening right now in the Nuba Mountains requires some background and context. In 1989, through a coup d'etat, a new regime came to power in Sudan. This regime was called the National Islamic Front (NIF), and its leadership consisted of Islamic extremists, many of whom were identified by our government as terrorists or supporters of international terrorism. As soon as the NIF came to power, it began an intensive military campaign to "Arabize" and "Islamize" the indigenous African populations in Southern Sudan, the Blue Nile, and the Nuba Mountains regions. Later, Darfur was added to the list.

During the 1990s up until the peace agreement in 2005, more than two million Southern Sudanese people, most of whom were Christian or animist, were slaughtered. The Nuba Mountains lost 500,000 people, roughly half its population, both Christian and Muslim. And we are all aware of the genocide in Darfur that since 2003 has claimed an estimated 400,000 lives.

The primary resistance to the NIF during the last war came from the Sudanese People's Liberation Movement (SPLM) led by charismatic leader, Dr. John Garang de Mabior. Garang was a Christian from South Sudan, but he desired freedom and self-determination for all Sudanese people. His vision was called the "New Sudan."

After more than 20 years of fighting, the SPLM fought the NIF to a standstill, and international pressure forced the NIF to the negotiating table. In January 2005, the SPLM and the NIF signed the Comprehensive Peace Agreement (CPA). This agreement provided South Sudan with semi-autonomy and eventually a referendum vote on self-determination, which we all know resulted in the welcoming of the Republic of South Sudan as the world's newest nation on July 9th.

But while we celebrate with South Sudan on its independence from the murderous regime in Khartoum, we must not forget that many marginalized groups in the north were not given the same guarantees as the south. Specifically, the Abyei region in Southern Kordofan State, the Nuba Mountains, also in Southern Kordofan, and the Blue Nile State received some concessions from the NIF. But as subsequent actions showed during the interim period of the CPA, the NIF, now renamed the National Congress Party (NCP), had no intention of granting self-determination to these marginalized areas.

Under the CPA, the Nuba people were guaranteed a free election, followed by a popular consultation, whereby elected leaders would interview their constituents and determine what the people wanted with regard to their political future. This consultation process would hopefully pave the way for a regime change or power-sharing arrangement in Khartoum that recognized and respected the rights of all of Sudan's diverse communities.

As of today, the popular consultation has not taken place. Moreover, Sudan's President Omar al-Bashir publicly stated in April this year that if the NCP cannot get its way with the ballot box, it will use "the ammo box." This was a declaration of war and violation of the CPA. Also in April, as an intimidation tactic, NCP-backed forces attacked el Fayit, home to the Nuba SPLM commander and gubernatorial candidate, Abdel Aziz Adam al-Hilu. Twenty-seven members of al-Hilu's family were murdered in this attack.

All of this was done before the scheduled elections in May as an

attempted provocation to draw the SPLM into war. But they did not take the bait. When the elections finally took place, evidence of large-scale vote rigging was reported. Yet, even with the evidence of voting fraud, Bashir sent down Nafie ali Nafie, special advisor to the president, to declare NCP candidate and indicted war criminal Ahmed Haroun the winner before the end of the mandated verification period.

The newly "elected" Governor Haroun then ordered all SPLM/A forces out of Southern Kordofan by June 1. This order was in direct violation of the CPA, which allows the SPLA to operate in Southern Kordofan up to 90 days after the close of the interim period on July 9th, 2011.

This attempt by the NCP to cleanse the north of the SPLM/A before the July 9th independence of South Sudan was also carried out in the disputed Abyei region. After massing troops around Abyei, NCP forces invaded on May 20th, forcing most of the indigenous African population out. Some estimates of the number of refugees from this area are as high as 100,000.

It became obvious to all watching these events unfold what was happening. It's no wonder that the SPLM refused to disband or leave Southern Kordofan. When the order was not obeyed by the June 1st deadline, the NCP tried to disarm the SPLM by force. This was the beginning of the war on June 5th.

On June 6th, the NCP attacked and sacked the capital of Kadugli, murdering potentially thousands of civilians in the subsequent days. The NCP also pulled out an old card from their deck: daily, indiscriminate aerial bombardment of civilian targets. Using Antonov bombers, MiG fighters, and helicopter gunships, the NCP launched a campaign of terror from the skies. I have included several pictures of bombed locations and civilian casualties for the committee's review.

I personally arrived in the Nuba Mountains on July 4th on one of the few private charters flying to the Nuba since fighting ended all

UN humanitarian flights.

During my visit, I interviewed more than a dozen individuals who escaped from Kadugli, all of who m shared the same basic story:

"Sudan Armed Forces (SAF) troops went from house to house searching for A. Any Nuba citizen, B. Christians, or C. Members of the SPLM. Anyone fitting this description was either killed on the spot or arrested and never seen again."

Fortunately, a few thousand residents obtained shelter at the UNMIS compound. But the compound soon filled, and I heard many stories and accounts of people being killed at the gates of the UNIMIS compound while UN soldiers stood by.

I spoke with Reverend Luka Bolis, an Episcopal Priest and Western Regional Chairman of the Sudan Council of Churches, who escaped from Kadugli and told me that "The NCP is targeting the church in this war." Rev. Luka received a call from some friends in Kadugli warning him not to return. They told him the SAF had a list of all church leaders and suspected SPLM sympathizers.

Rev. Luka's testimony corresponded with others I received from Nuba Christians who were persecuted in the last war by the same regime. Luka said the NCP does not distinguish between a Christian and a member of the SPLM political party. If one is a Christian, he is assumed to be a supporter of the SPLM. Consequently, pastors are specifically targeted as leaders and recruiters of the SPLM.

Another pastor I interviewed, whom I will call "Kumi" for security reasons, was arrested by the NIF during the last war and tortured in the most horrific manner to try to force him divulge the names of his church members. His captors pulled out his fingernails and toenails. They hung him by the neck until he passed out. They crushed his testicles. They dragged him behind a tank. They poured gasoline on his hands and set them aflame, and many other cruel acts. Pastor Kumi was then imprisoned for a total of eight years. Although he lived several hours drive away from Rev. Luka and spoke concerning the previous war, his testimony was the same: the

NCP troops assumed all Christians were SPLM members and all pastors SPLM leaders and recruiters.

Yet another church leader I met in a completely different area had a similar story and perspective. "Musa" was stabbed repeatedly and left for dead after NCP troops attacked his church in 1997. Thinking Musa was dead, one NCP soldier cut off his left ear as a trophy. Musa told me that if the SPLM is defeated in the present war, the same persecution will return to the Nuba Mountains because the same regime is still in power in Khartoum.

And this is what I heard over and over again during my trip: the same people who committed war crimes in the Nuba Mountains before are doing it again today.

The only difference in what I saw in 1998 and what I saw last month is that the SPLM has clearly taken the initiative and taken the fight, as it were, to their enemies. Led by Commander Al-Hilu, the people of the Nuba Mountains are fighting back and have won some impressive victories on the ground. And this has occurred without any significant help from the international community. This determined resistance by the SPLM in the Nuba Mountains is a genuine "Popular Uprising" and the only thing that has prevented another Rwandan-style genocide from happening. But time is running out.

The UN ended humanitarian relief efforts in June, and most NGOs operating under the UN umbrella pulled out. All roads to the north have been closed, and the rainy season in South Sudan has affectively closed supply routes to the south until the fall. The daily bombings have terrorized the local population to the degree that normal cultivation is not taking place during this crucial planting season. The Nuba Mountains are isolated, cut off, and facing a humanitarian crisis within 60 days unless relief flights are allowed to recommence. And this will not happen while SAF MiGs and Antonov bombers and gunships patrol the skies. The NCP refuses to allow UN observers into the Nuba Mountains to document what is happening, which should not surprise anyone.

It is absolutely essential that the international community bring pressure to bear on the United Nations to immediately declare a Humanitarian Emergency in the Nuba Mountains and impose a "no-fly" zone to stop the bombing campaign and allow humanitarian access so that relief flights back into the region may resume.

I will conclude by stating that there is more than enough evidence to justify speedy action by the US and the international community to address the dire situation in the Nuba Mountains. The president of Sudan, Omar al-Bashir, is an indicted war criminal. The current governor of the Nuba Mountains is Ahmed Haroun, also an indicted war criminal for his role in the Darfur genocide. These men make Libya's Gaddafi look like a choir boy.

There is no justification in my mind for bombing Libya, while doing nothing in the Nuba Mountains. Seasoned reporters from the New York Times, Time Magazine, Aljazeera English, The Independent in Great Britain, and others have visited the Nuba Mountains and brought back testimonies, pictures, and video proving that war crimes are being committed against the Nuba people by the NCP regime. I have included copies of several of these articles with my testimony.

How is it, then, that the US government still claims there is not enough evidence to charge the NCP with war crimes? Why does the US government treat with the NCP and the victims of their crimes with moral equivalency? Based on the history of the NCP, and what we know about what they are doing today in Darfur, in Abyei, and in the Nuba Mountains, it amazes me how the US and the international community could tolerate these killers for so long, yet aggressively pursue other villains who have not killed 1/100th of the people for which Omar al-Bashir and his regime are responsible.

Three million lives--and counting. When will we say, "Enough"?

Mr. SMITH. Thank you very much for that very powerful testimony.

Dr. Deng.

STATEMENT OF LUKA BIONG DENG, PH.D., EXECUTIVE DIRECTOR, KUSH INC.

Mr. DENG. I thank you for inviting me to testify today. Good morning, Chairman Smith, Ranking Member Payne, and other distinguished members of the committee. It is indeed an honor for me to testify in this opportunity and to focus on a critical issue. I welcome and honor the opportunity to provide my thoughts to you today on the issues facing Sudan, Southern Sudan, and indeed the people of Nuba Mountain.

I am currently serving as executive director of Kush, Inc. It is a nongovernmental organization trying to promote peace and stability, both to forge a relationship between Africa and the U.S., but indeed focusing on Abyei and Southern Sudan.

Mr. Chairman, I am one of the people who participated in the negotiation of the peace agreement, but even importantly, I was negotiating the protocol of the two areas. And I want to echo again what happened during the peace agreement. The people of Nuba Mountain not only participated in the struggle for the rights, but indeed even the popular consultation that was given to them by the CPA, that was not that choice. The choice was to have the right of self-determination, but they did not get it. And they are so determined, having the popular consultation as a step for them to pursue the right of self-determination.

What I want to share with you today also, before I became the executive director of Kush, I served as a senior minister of national government, as a Minister of Government Affairs. Mr. Chairman, I resigned on the 21st of May this year after al-Bashir and his government invaded Abyei. And when he invaded Abyei, I saw thousands of people marching out, crying children, dazed, in order to look for safety. And I saw clearly a pattern, a clear pattern, of a leadership focusing on selectively targeting its own people.

It started with Darfur, but coming through to Abyei, what indeed you are seeing today in Southern Kordofan, a clear case of ethnic cleansing, a clear case of the African people in that continent, that country being displaced, and the Arabs being settled on their land.

So I decided to resign, and I sent him my own resignation because of what I saw as real atrocities against humanity in Sudan. And I share this, Mr. Chairman, because I think Numa Mountain is just an example of the pattern that is happening along the North/South border, and that is why I felt we should widen it in order to look at the border between the North and the South.

Definitely what is happening is unacceptable, and it is going to continue throughout the border region of the North/South. But you should remember also there is another region that is going to face the same soon; that is, the Blue Nile.

I appreciate the opportunity you have provided me today to discuss the current situation in Southern Kordofan and others, and the recommendation that this great government and people of America could do in order to address the alarming situation in Sudan. But it is very important to look also at the hopeful picture

that is emerging in the South, and that is why I would like to look at those issues as well.

Mr. Chairman, as echoed and mentioned by Congressman Payne, I see the people of Southern Sudan, when we talk about the stability and peace, we should look at the success that the international community did in that region of Southern Sudan. And I think, when we talk about the relationship of the North and the South, Southern Sudan is a reflection of the marginalized people who suffered to get their independence. But indeed, what we are seeing in Numa Mountain is echoing again—what happened to the people of Southern Sudan we are seeing in Nuba Mountain and Abyei, and definitely in Darfur.

What is most important for you and us to know is after the secession of the South, I see it becoming critical that the emerging or the remaining—the continuing leadership in Northern Sudan are tending now to go to the radical elements, and the military government or the worst elements are actually directing that state. From even echoing of the secession of the South, now they have repurified Sudan, a Sudan that only has two elements, Muslims and Arabs, this with disregard to the great African people in Darfur and Southern Kordofan and Blue Nile. You can see extremists emerging in that country in the Northern Sudan.

Personally, I feel what is happening in South Kordofan is not only ethnic cleansing, as you have put, I would say it is indeed a crime against humanity. And let us put it in that context because it will help us to focus more rather than on ethnic cleansing. It is not about Nuba, it is about the people and about the traditions of their land. That is what we are seeing. And there is a similar pattern that is also being committed, as I mentioned earlier.

As a personal witness, I came 10 days ago from Abyei area, and I saw how such atrocities are affecting the people. Two months ago, hundreds of thousands of people got displaced, and when I saw them again, they are in very appalling conditions, no shelter. But even children are dying at great numbers because of one action by the leadership in Khartoum.

But I feel also, with those in Northern Sudan and the remaining Sudan, it is critical for us also to look to the opportunities in Sudan. The Sudan People's Liberation Movement Northern Sector, headed by people like Malik Agar, Abdel Aziz, and Yasir Saeed. This is the only credible political party that I feel it is a real ally that could really challenge the NCP democratically in order to transform the system in Khartoum, because these are the people who fought the war and that believe truly a commitment to the peace.

But what we are seeing is that these people of SPLM Northern Sector, because of the thing happening in South Kordofan, are giving a push for the option of regime change and for the armed struggle, and that one is going to affect, eventually, the people of this area.

Mr. Chairman, it is very important for us also to take into account what is happening and why it is happening now. And I am negotiating even with the national government, the Sudan Government, under the auspices of the African Union. And it is good to take account of what happened in Nuba Mountain in sequence.

I want to remind the committee that the people of Nuba Mountain were given this right of popular consultation. That was their expectation. It took us a bit of a struggle for us to have legislation for the popular consultation. But you know, and as echoed by Congressman Payne, the election in Nuba Mountain was robbed by the NCP with the hope to dilute the popular consultation of the people of Nuba Mountain.

But it is important also that even in the Blue Nile, they accepted the process of the popular consultation because the popular consultation is supposed to be done by the representatives of the people in the national legislature. But before that went before the popular consultation, if the Nuba people and Blue Nile are not satisfied, it should be discussed at the national level, at the national legislature. What happened, the NCP unilaterally dismissed the members of the South in the national legislature, so we would be left with an assembly that will not reflect and defend the people of Nuba Mountain, because the members of the SPLM in the national legislature are supposed to be there after the 9th of July, the end of the interim period, but they decided prematurely and before this time.

It is important to know also that NCP unilaterally took a decision to disarm the SPLM in these two areas. And the commitment in the security arrangement was for us to have this good, integrated unit to continue up until the 9th of July, 2011, but they decided to attempt to disarm them before time, and that is what triggered the conflict we are seeing today, dishonoring what we had agreed upon.

But it is very important also to know that during the negotiation in Addis Ababa, an agreement was reached between the SPLM and the NCP, the leadership of the NCP, for an arrangement so that the people had entered into dialogue. What happened after the signing agreement in the disarmament, the NCP rejected that agreement. And that agreement was talking of a dialogue between the SPLM and NCP about the forces, but even a dialogue about the whole reform in Sudan. And for the SPLM, they rejected that one. The result today is the atrocities you are seeing in Nuba Mountain.

But in the same pattern, I want also to share with you what happened in Abyei. We agreed to having a referendum of the people of Abyei. And in that agreement, the protocol of CPA, we agreed there would be an Abyei Boundaries Commission formed. That commission was formed, and we agreed it should have a final and binding say for the boundaries of Abyei. What happened, the NCP rejected that one very early of the peace agreement. They pushed us to deliver that to go to the Permanent Court of Arbitration. We went to the Permanent Court of Arbitration for the sake of peace, and the court resolved to define the area of Abyei. They rejected it, and they said, now this area belongs to the Misseriyia Arabs.

We agreed with the NCP that we should be able to—they themselves to appoint the chair of the Southern Sudan Referendum Commission. And we, the SPLM—I mean, by them before joining—to nominate the chairperson of Abyei Referendum Commission. They refused. We accepted the chair for them, for the Southern Sudan Referendum Commission, and when we came to form the Abyei Referendum Commission, they refused. And they invaded.

Because we failed to condemn the actions in Abyei, we asked the African Union in order to come up with a solution. We were looking for a decision through the African Union. During the time we were waiting, they invaded Abyei in May 2011. And we are seeing again a lot of atrocities being committed in Abyei. These are leadership dishonoring whatever they agreed with.

And I think with that one in mind about what they have been doing, I say it is very important to look at the South also, because these people, the hope for them, whether in Nuba Mountain, Darfur, or Southern Kordofan or Blue Nile, be the new nation that is being formed now in Southern Sudan because these people will take refuge definitely in this country. And it is very important for the international community to know this country called Southern Sudan is a pride to all of us, the international community, a collective plan that we did together that is the result of what we are seeing in Southern Sudan. How much people will describe this country—I am seeing in that country a passion within the global value to build a new nation.

And as mentioned by Congressman Payne, I think they are going to face a lot of difficulties. And that is why we are saying having a viable Southern Sudan is very important. In the middle of the domestic challenges facing you, I think it is very important that we should focus on Africa. But Southern Sudan is a good test for us to make it a viable state. And that is the only hope for the people of Nuba Mountain, the people of Blue Nile, and even the people of Abyei.

I want to conclude with some key messages. We are working as—a vision and how it is very important for the refocusing of assistance.

Definitely I would especially would like to say that there is a leadership problem in Sudan. And this leadership in Sudan is a liability, not just to its own people, but it is a liability to the continent, it is a liability to the people of Southern Sudan. And I think it is very important for the world to focus attention on what is happening in Sudan, because if we don't do it now, it is going to become a huge crisis in the region—in the North, but indeed it is going to affect this region and the continent at large.

Extremists are becoming very obvious in the North, and their appetite for ethnic cleansing and war is becoming apparent in the North. What should we do? I think it is very important that the United Nations play an influential role in the region—it is a great mission—and it is very important to take the lead on how to address. It is true that it is an African problem, but consistently it has become very clear how much we have been played in order to bring the commitment for peace, stability and solidarity with the humility. And we accept that role. Sudan is possible if we can live and if we collectively work together.

I think it is very important also that Southern Sudan, put it at the heart of your priorities. It is the only hope that we have to be able to show to the Sudanese people and to those who struggle for their own right that you are standing with them.

I think it is very important also your role in the United Nations. In the Abyei area, you have a United Nations mission in that region to provide protection to the people, and I think that is a very

big role. You played a very good role in the United Nations in particular also. Whether the United Nations can provide protection in that area is critical, but not only a mandate of protection, but it is critical also how to assist in the return and the settlement of the people.

Mr. Chairman, also I know during the war it is difficult the issue of access. We should not expect the Sudan Government to give access to the people of Nuba Mountain. And the people would have to use a clandestine operation, so it is hard to see how the people of Nuba Mountain not having the organization can look for relief and development. It was through that process that we managed to give relief assistance to the people of Nuba Mountain, because they were restricted in the Operation Lifeline not to be accessed through Operation Lifeline Sudan. It is critical we look to the indigenous organizations that will be able to assist the people of Nuba Mountain, but I think it is important that also we should look for a safe corridor, and also for the IDPs camp in the South so that these people can be served easily from the South.

Kush in Abyei area, as an organization that is working for peace and development, believe we can offer a lot in terms of helping the people and making the aid effective, using the indigenous organizations.

And I would like also to echo again our appreciation, this is what Bishop said, about the role of the NGOs and other organizations. Avaaz program is one of the programs that managed to really focus attention to those satellite areas, and that will actually provide a lot of information that all of us should be very proud of. These are the efforts that we need to support.

Again, what Congressman Wolf said, the role of the church is critical. It is not only about government, it is about the people. And the people of this great Nation can do a lot if they focus today on what they are seeing in Sudan.

I want to conclude with what I believe we, in Kush, as a nongovernmental organization, can do also in the area. Our immediate efforts are based on the goal of stability and peace, but we have also a vision of the holistic development effort that will be needed one day as conflicts and crimes against humanity are put to rest. So we strongly encourage the United States to seek ways to support and build a strong network of nongovernmental organizations, like Kush and others working in the region, and these will provide a foundation to facilitate collaborative efforts in the South and the North, and to build a significant structure required to achieve a lasting peace and a democratic society that is respectable of the individual human rights and cultural and religious beliefs.

I would like to thank you indeed for giving me this opportunity.

Mr. SMITH. Dr. Deng, thank you very much for your very comprehensive testimony and your work.

[The prepared statement of Mr. Deng follows:]

Southern Kordofan: Ethnic Cleansing and Humanitarian Crisis in Sudan

Statement of:

Dr. Luka Biong Deng
Executive Director of Kush, Inc

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

Washington, D.C.
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1. Introduction:

I am extremely honoured for the opportunity today to make this statement before your committee. Four and half years ago I had the opportunity on 24th January 2007 to brief this same committee on the status of the Comprehensive Peace Agreement ("CPA") implementation and I appreciate the chance to offer an update on the current situation.

I arrived in the U.S. last week directly from South Sudan and would like to share with the members of the august subcommittee my own firsthand account of how things are unfolding in Sudan and particularly in the border areas with the hope of providing options and insight for your ongoing and future engagement in Sudan and South Sudan.

I am currently the Executive Director of Kush, Inc. Kush is a not-for-profit organization designed to promote peace, stability and economic and infrastructure development in Africa with an emphasis on South Sudan. I feel very fortunate to be part of the not-for-profit sector and ensuring the success of my new country.

My professional background includes most recently being the Minister of Cabinet Affairs for the National Unity Government and Minister for Presidential Affairs for the Government of Southern Sudan. I resigned my position with the National Unity Government last May in light of the situation in Abyei. As a result of these atrocities committed in the Abyei Area I submitted my resignation as a Minister in the national government to President Bashir through his First Vice President (see attached the copy my resignation). Prior to these positions I was a senior economist for the World Bank, Executive Director of the Southern Sudan Centre for Census, Statistics, and Evaluation, and a National Economic Commission Officer in Southern Sudan. I am Southern Sudenese, born in Abyei and have worked toward stability and peace in the region throughout my entire professional life.

I would like to thank and congratulate the leadership of this subcommittee and its members for keeping Sudan as a strategic region of concern not only for your own national security interest but indeed for stability and peace in the region and the continent. Despite the increasing pressure to focus on your own pressing domestic challenges, your committee opted to organize this hearing to demonstrate that the U.S. is equally concerned with its foreign commitments, particularly peace and stability throughout the world.

I would like in particular to express our profound appreciation to President Bush for his efforts in reaching a conclusion of the CPA and for President Obama for focusing his attention on the full implementation of CPA, particular the referendum in South Sudan that resulted in the birth of the newest nation in the world.

For the purposes of my testimony I would like first to provide you with a brief account of how the CPA provided political settlement to the conflict in the border areas of Abyei, Southern Kordofan and Blue Nile. Then I will discuss how the CPA is still unfinished business even after the secession of South Sudan and discuss the current challenges

facing peace and stability in the border areas. I will map the political landscape in the North after the secession of South Sudan and the new opportunities for engagement in the North. I will also briefly discuss the challenges of building new state in South Sudan and how a viable South Sudan could help in addressing the challenges of peace in the border areas. I will conclude with key policy options of engagement and lay forth several urgent steps and actions that can - in my view- be taken on the part of the United States to ensure peace in Sudan and how civil society organizations such as Kush, Inc can contribute.

2. CPA: A Framework for Transformation of Sudan

Although I will not attempt to inconvenience you with the full historical account of the genesis of the root causes of the Sudan recurrent conflict and civil wars, it is important to highlight that the marginalization of rural Sudan is central to understanding the conflict in Sudan. People of Southern Kordofan and Blue Nile joined the struggle in the South after they became convinced the elites in Khartoum were less concerned about their welfare and the people of Darfur later took up arms after they discovered that they have been cheated, exploited and marginalized under the slogan of political Islam. Besides the marginalization of rural Sudan, the elites in the centre consistently used ethnicity and religion to suppress the rural Sudan and to dominate power in the centre. The liberation struggle that was waged by the SPLM in the South with political vision of New Sudan had not only appealed to the rural Sudan but awakened them to rise up to fight for the their rights.

The success of the SPLM in bringing peace that is transforming Sudan rests with its vision of New Sudan that challenged the old Sudan agenda that defined Sudan around one religion and one ethnicity. The CPA has provided a golden opportunity for ending the violent conflict and a new basis for defining national identity and recognition of cultural and religious diversity as a virtue and a basis for peace building, citizenship and legal pluralism. Specifically, the CPA has redefined the nature of state in Sudan away from Arab-Islam paradigm and recognized the cultural, religious and ethnic diversity as a virtue and the foundation for national cohesion in the new post-conflict Sudan. Specifically, the post-CPA Sudan has been defined as multi-cultural, multi-lingual, multi-racial, multi-ethnic, and multi-religious country where such diversities co-exist and are sources of strength, harmony and inspiration for the Sudanese people and shall not be used for creating division.

One of the salient features of the CPA is that it has laid down a new basis for the relationship between all levels of government in the Sudan and their people through new constitutions at the national, Southern Sudan and states levels. The sovereign authority in the Sudan has been recognized to be vested in the people with all levels of government deriving their authority from the people. Among the basic principles adopted in the CPA is the devolution of governmental functions and powers to the people at appropriate levels where they can best manage and direct their own affairs.

Besides the recognition of sovereign authority of the people and devolution of powers, the Bill of Rights has also been recognized in the CPA and enshrined in the new Interim National Constitution and subsequently making it obligatory on all levels of government to respect, uphold and promote human rights and fundamental freedoms. The Bill of Rights is a covenant between the people and their government at every level and the cornerstone of social justice, equality and democracy. By adopting the principle of devolution of powers and the Bill of Rights, the CPA has laid a basis for good governance, respect of rule of law and basic rights and freedoms which are the concerns of the rural Sudan. Two years after the signing the CPA, Sudan has witnessed a constitutional transformation with all states and Southern Sudan having their own constitutions, functioning legislative assemblies, governments and judiciary. As rightly stated by Dr. John, the icon of peace, that "Sudan will not be the same again with the signing of the CPA" Sudan is indeed changing everyday with the implementation of the CPA.

2.1 Two Areas: Self-Rule and Popular Consultation

As I mentioned in my testimony in 2007, the sustainable peace in the Sudan will primarily hinge on the stability in the transitional areas of Abyei, Nuba Mountains, Blue Nile, Eastern Sudan and Darfur as these areas represent the majority of the marginalized rural Sudanese. Indeed, the extent to which Khartoum can continue to commit and in fact build upon these CPA principles going forward will be a yardstick by which it will be able to measure the peace that it can secure internally. While the people of Nuba Mountains, Eastern Sudan, Abyei and Blue Nile initially joined the agenda of the SPLM to fight for freedom and rights symbolized in the New Sudan vision, the people of Darfur were later on dragged into civil war with similar underlying causes of marginalization, suppression and neglect from the central government.

As the conflict in Nuba Mountains and Blue Nile is a microcosm of other conflicts in the rural areas of northern Sudan, the CPA has provided a resolution for such conflict and a model framework for addressing the issues of governance, neglect and marginalization not only in the two states but also for the entire rural Sudan. The resolution of conflict in Nuba Mountains and Blue Nile in the CPA, through its respective principle, has accorded both states with something on the way to autonomous and decentralized self-rule with independent executive, legislative and judicial organs. According to the CPA, this arrangement was subject to popular consultation by the people of the two states through their respective democratically elected legislatures. While the CPA ended, the parties agreed recently in Addis Ababa to continue with their commitment to implement the protocols and popular consultation. The implementation of the protocols for Nuba Mountains and Blue Nile will be a litmus test for the CPA as a framework for resolving other conflicts in other areas of the Sudan such as Darfur and Eastern Sudan.

In fact the decentralized self-rule did not adequately meet the aspirations of the people of Nuba Mountains and Blue Nile at the time of the conclusion of the CPA. What they were aspiring for was the right of self-determination that the people in Abyei secured –the right to a referendum. Despite their dissatisfaction, most people in these areas appreciated what

has been achieved in the CPA as first step in their long search for ultimate self-determination. As I mentioned in my statement before this committee on 24th January 2007 that "In case the implementation of the CPA fails to provide a meaningful self-rule in Nuba Mountains and Blue Nile, then the chance that war will erupt again is most likely in these transitional areas." It seems what I said four and half years ago proved to be a reality today.

2.2 Abyei Area and CPA: Resolving the status of Abyei area by people's choice

The problem of Abyei Area is one of the main causes that sparked the conflict again between the north and south after the conclusion of the Addis Ababa Peace Agreement in 1972. Since the British colonial authority arbitrary decided to annex Abyei area to Northern Sudan in 1905 without the consent of the Ngok people, the area has been gravely devastated by policies of ethnic cleansing and counterinsurgency. Despite the conflict in Abyei area was resolved in the Addis Ababa Peace Agreement; the provisions concerning Abyei Area were deliberately ignored until the entire Addis Ababa Agreement was later abrogated. The CPA has recognized this thorny conflict by according the people of Abyei dual citizenship in the South and North, special administrative status under the Presidency and a referendum to determine their future administrative status. The people of Abyei area overwhelmingly supported the CPA as their aspirations have been adequately met. As I mentioned in 2007 in my statement before this august committee that "Lack of implementation of Abyei Protocol makes it now the most contentious flashpoint and litmus test to stability and peace in the Sudan" is becoming a reality now. This poses a direct challenge to the USG's unique and special contribution to the CPA as the current Abyei Protocol is based on the suggested draft text prepared by USG and it subsequently makes USG to have major stake in the implementation of this Protocol.

3. CPA: Unfinished Business and Still Work-in-Progress:

After six years of the interim period that ended on 9th July 2011 and during which all the provisions of the CPA should have been implemented, there are critical provisions of the CPA that have not been implemented. On the top of these provisions is the conduct of referendum in Abyei area and popular consultations for the people of Southern Kordofan and Blue Nile states. Unlike other provisions that have not been implemented, the referendum in Abyei area and popular consultations in the two area clearly addressed the root causes of conflict in these areas and are considered as major achievements in the CPA in meeting the political aspirations of the people of these transitional areas.

3.1. Popular Consultation: NCP betrayed the people of the two areas

The people of South Kordofan and Blue Nile states attached a lot of hope on popular consultations as a mechanism through which they could consolidate what they have achieved in the CPA and to provide a platform to negotiate with the central government mechanism to address shortcomings in the implementation of CPA in order to meet their political aspirations within a united Sudan. However, the NCP deliberately undermined

the popular consultations and betrayed the people of the two areas through the following actions:

- NCP resisted the popular consultation legislation and it was forced to accept the law after serious pressure through peaceful demonstration in Khartoum led by the SPLM calling for the passing of bills related to referendum for people of South Sudan and Abyei area and popular consultations and that resulted in the imprisonment and torturing of some leaders of the SPLM.
- NCP deliberately rigged elections in the two areas, particularly in Southern Kordofan state with the aim of diluting the representation of the people in state legislatures that will exercise the popular consultations.
- NCP deliberately obstructed the process of popular consultation in Blue Nile that started well under the supervision of the governor of the state.
- NCP unilaterally dismissed the members of South Sudan in national legislature (National Assembly and Council of states) before the end of the interim period (9th July 2011) with clear intention of denying them to participate in the discussion of the results of popular consultations if no solution is found at state level.
- NCP unilaterally took a decision contrary to the provisions of the CPA to forcefully disarm the SPLA in the two areas before the end of the interim period on 9th July 2011 and waged a war against the people of South Kordofan on 5th June 2011.
- NCP rejected to implement the African Union mediated Addis Ababa Agreement that allowed for ceasefire, peaceful resolution of outstanding issues and free access of humanitarian assistance.
- NCP continues to commit massive human rights violations, including war crimes, ethnic cleansing and displacement of hundreds of thousands of innocent civilians, children and women and denial of humanitarian access to aid the victims. Furthermore the NCP has not only refused to open camps for the internally displaced people (IDPs) but uses them as human shield in the ongoing aerial bombardment of their houses, hospitals and places of worship.

The atrocities that are now being committed by NCP in Nuba Mountains are extremely alarming and will require immediate action. If such atrocities continue they will mark the renewal of civil war in Southern Kordofan which may extend soon to Blue Nile state. We are witnessing mass atrocities once again in Sudan and we have only a limited time to prevent further escalation that will engulf Blue Nile as well.

3.2. Abyei Referendum: Ending with barbaric invasion by NCP

The way the NCP handled the issue of the protocol of Abyei shows not only a lack of commitment to the peace agreement but it clearly shows its ethnic agenda of dehumanizing the black Africans in the Sudan. This has been shown in the consistent pattern of ethnic cleansing in Darfur, Abyei and Nuba Mountains committed not by any other person but the President of the Republic and his aide the Governor of Southern Kordofan state. While the SPLM has shown flexibility in the implementation of Abyei

Protocol and concession for the sake of peace, the NCP deliberately and consistently obstructed the implementation of Abyei Protocol through the following actions:

- NCP without a legitimate basis rejected the report of the Abyei Boundaries Commission (ABC) despite a clear provision in the CPA that such report shall be final and binding.
- NCP invaded Abyei town in May 2008 that razed villages and resulted in massive displacement of thousands of people and loss of innocent lives and properties.
- While the SPLM, despite the loss of some areas of Dinka to the Arab Misseriyia, accepted the ruling of the Hague Permanent Court of Arbitration (PCA) on the boundaries of Abyei area, the NCP officially accepted it but its actions showed a clear rejection of the final and binding ruling. The boundaries of Abyei area as per the ruling have not been demarcated as the NCP-supported Arab militia obstructed the demarcation. It is worth mentioning that it was the NCP that suggested to the SPLM to resort to international arbitration over the boundaries of Abyei area.
- NCP deliberately obstructed the conduct of Abyei Referendum on 9th of January 2011. While the two parties (SPLM and NCP) agreed that the SPLM would nominate the chair of Abyei Referendum Commission and NCP to nominate the chair of the Southern Sudan Referendum Commission, the NCP rejected the SPLM nomination while the SPLM accepted the NCP nomination.
- In an effort to dilute the choice of Ngok Dinka in a referendum, NCP argued to allow all to Arab nomads to vote in Abyei Referendum. While the Protocol of Abyei Area explicitly defines the eligibility of voters in Abyei Referendum to members of Ngok Dinka and other Sudanese residing in Abyei area and with no other reference at all to other specific communities but rather a requirement of residency, the NCP blindly and without any convincing argument (legal precedents or prior state practice) insisted that all Arab Misseriya should vote in the Abyei Referendum. In fact the Arab nomads that move seasonally to South Sudan did not vote in the Referendum of Southern Sudan.
- While the two parties have entrusted African Union High Level Implementation Panel under the auspice of President Thabo Mbaki, President Bashir after failing to mobilize Arab Misseriyia to attack Abyei town, order the premeditated invasion of Abyei area and used all military might of the state that resulted in massive displacement, loss of innocent lives and properties. The NCP has started now after the displacement of Ngok Dinka to settle Arab nomads in the Dinka land thereby changing the ethnic composition of the area by force.
- The NCP has not taken any steps to implement the African Union mediated agreement on temporary arrangements for Abyei Area to deploy UN Forces (Ethiopian forces) to ensure the withdrawal of Sudan Armed Forces out of Abyei area and to allow return of displaced population to their home areas. They have dishonoured arrangements for nominating members of the Abyei Administration and have made no visible plan to redeploy their forces. Currently four Ethiopian soldiers lost their lives in explosions planted by the

Sudan Armed Forces and the injured were denied evacuation by Sudan Armed Forces.

3.3 Post-Secession Arrangements: A commitment for two viable states

In order to strengthen and nurture the historical relations between the North and the South on the new basis and to mitigate the consequences of secession of the South and to ensure as well that the two states will not only be peaceful but equally viable, the AUHIP has been facilitating the negotiations between the parties with the hope of reaching a comprehensive agreement around issues of mutual benefits to the two states. Based on my personal knowledge during these negotiations, I came to a conclusion that NCP is not keen or capable to forge new good relations with the new state in the South as it is well reflected in the following positions:

- **Citizenship:** Given the unique history of Sudan and social relations developed over years, the SPLM supports the principle of option to choose and guarantee the freedom to reside, own, work and travel, the NCP on the other hand rejects such principle and is lukewarm in accepting the four freedoms with the South. With such position, the NCP intends to grant citizenship on the basis of their political choice rather than that of individual and it subsequently undermines the interest of large population of nomads and other transboundary population. Despite international law's prohibition on creating statelessness and favouring the right of option and encouraging soft landings for citizens when sovereignty changes occur, Sudan has decided to automatically withdraw citizenship of all Southerners in the North and released ALL Southerners from public and private service in the North depriving them of livelihoods and making their continued stay in the North difficult, regardless of citizenship status.

- **Oil Sector:** While the South is committed to using oil facilities to build economic cooperation on the basis of international practices, the NCP opted to use its leverage over pipelines in the North to effect exorbitant fees USD 33.2 per barrel exported through the North and to wage economic war against the South. Indeed, during the month of July the North oversold Southern oil and retained the share of the South in the oil revenue.

- **Currency:** While the South opts to have its own currency and to use the redeemed Sudanese currency as part of its foreign reserve to promote trading activities with the North as recommended by International Monitory Fund, the NCP unilaterally issued in a disorderly manner its new currency in an effort not take responsibility of its currency in the South as it liabilities. With this unilateral action and refusal to accept the redeemed currencies in the South as its liabilities, the NCP has not acted contrary to international practices but it left the South valueless old Sudanese currency estimated to be more than one billion US dollars. Actually what the North has done is contrary to international financial and banking standards in that the Central Bank of Sudan has not honoured its

currency liability. Also they refused the redemption by trade which state practice showed would have benefitted both the North and South and while negotiating about the South's currency and agreeing in principle that both should not issue a new currency without coordination, they unilaterally issued a new currency while depriving the South of SDG's in July that were due under the CPA.

- **Soft-Borders:** While the parties agreed to the principle of soft border and free movement of goods, services, people and animals, the NCP decided unilaterally to close its borders with far reaching economic consequences on the people of South Sudan.

- **North-South Border and the Third Party:** While the South argues for the need for a third party (UN or AU) to supervise and monitor the border, particularly in the disputed areas, the NCP rejects any presence of the third party and opted instead to military occupy the disputed areas along the North – South border.

4. Sudan after Secession of the South: The Danger of Disintegration and Radicalism

While the secession of the South would certainly create serious economic shocks on the North, it would have equally provided new opportunities and space for serious reform in the North through the process of permanent constitution making. Contrary to the expectations, the continuing state of Sudan faces the following challenges but provides as well opportunities:

- The leadership of the NCP is not only getting weaker and without focus but it is more divided with more radical elements and army directing the affairs of the state.
- With the secession of the South, the Islamic extremists are advocating for establishing now a real Islamic state as the North has now been purified from non-Islamic elements. President Bashir even echoed this by stating in one of the public rally that with secession of the South Islam shall be the only religion of the state and Arabic shall be the official language of the Sudan.
- While the other political parties are rather weak, the SPLM North is the only credible political party that can provide strong opposition and be a key ally in pushing the agenda of democratic reform and change in the Sudan. But given the political development in Southern Kordofan state and atrocities being committed in Darfur, the SPLM North may opt to adopt the path of regime change through armed struggle.
- Given the current political development in the Southern Kordofan and Blue Nile states, increased violence and atrocities in Dafur and disappointment in the East, Sudan runs the risk of disintegration as there are voices now calling for right of self-determination in these regions.
- It is apparent that after secession of the South, some opportunities are missed in the North by not building on the CPA reforms and seeing them as way to

resolve crisis, addressing the grievances of the periphery and avoiding further violence.

- As the political situation is deteriorating in the North and given the growing critical views about NCP, there is a real fear for the safety of leaders of SPLM such as Malik Agar, Abdel Aziz and Yasir Saeed and even myself as shown by series of threats made by Khartoum on their lives and physical integrity and the recent Bashir rejection of the Addis Ababa agreement on Southern Kordofan and Blue Nile which at least recognized the legitimacy of the SPLM North as a political party in the Republic of Sudan.

5. South Sudan: The Challenges of Building a New State and New Relations

Certainly, the viability of the new state of South Sudan will largely depend on the stability in the North, the peace or violence found along its border with Sudan, and the type of relations that will be developed between the two states. The current political development and atrocities committed in Southern Kordofan will pose a real challenge to the new state of the South as people of Nuba Mountains are their comrades in struggle. Coupled with the deteriorating political situation in Southern Kordofan, the new South Sudan will face the following challenges and opportunities:

- Consolidating peace and security will be the top priority of the new state. The current efforts to address security sector reform, modernization and transformation of the SPLA, embarking on effective Disarmament, Demobilization, and Reintegration (DDR) programs and affecting the reconciliation commitment of President Salva will provide opportunity for building a secure and peaceful South Sudan.
- The political stability of the new State will rest on the leadership of the SPLM as the ruling party through democratic reform within itself and providing space and conducive environment for other political parties, civil society organizations and media. In the short term, democracy will require that the SPLM-dominant Government provide the legal framework and environment for a multi-party system, but all must recognize that in this short term, even with elections in the next few years, the foundation for the country's democracy must first be seen and practiced internally by the SPLM itself as it will continue to be the majority and dominant party for a number of years yet to come.
- Economic challenges and symptoms of over reliance on oil, and scarcity of resources will be a real challenge for the new state. Effective fiscal discipline coupled with sound monetary policy and a strong and credible central bank will help in fighting mismanagement of public resources and ensuring transparency. Reforms in the oil sector, good faith negotiations with the Government of Sudan and foreign oil companies operating in the South, and responsible and professional review of existing oil contracts is crucial for effective management of oil resources. This will also require the need to review the current US sanctions to ensure that they will not adversely affect the economy of the new State, discourage cooperation between the North and South to promote economic

viability and mutual security, or discourage the foreign direct investment in this sector which currently is monopolized by Asian companies that do not possess all the technology the South desires to increase oil reserve outputs and maximize environmental responsibility.

- Capacity will be the real constraint for the new State and this will require early investment in education and future generation as well as exploring creative options of encouraging the Diaspora to return to the South. Particularly in the private sector which would welcome some incentives such as waiving their school loans and cost of living adjustments..

6. Conclusion: Urgent Steps and Actions

- While we aspire and work to ensure the end of all hostilities and salute the new Republic of South Sudan, the final determination regarding the border region between the newly established nation of South Sudan and North Sudan has yet to be achieved. Ample work remains before the geo-political destinies of South Kordofan, Blue Nile, and Abyei are settled, and the process to achieve this has been prolonged and become more acrimonious due to the violent clashes which have displaced hundreds of thousands and cost the lives of many non-combatants. There is no doubt what is happening in Southern Kordofan is not only ethnic cleansing but a crime against humanity, and there is a similar pattern of atrocities being committed in the entire border area. The world has discovered, if impunity is permitted, as evidenced by Darfur and what is now happening in the Southern Kordofan and Abyei area, we shall not have seen the last of such violence only its exportation to other areas and other victims.

- Given the terrain and denial of access to the affected areas, the humanitarian crisis will get even worse during the next few months. Therefore it is critical for the United States to explore creative options for getting aid to South Kordofan and Abyei either through indigenous organizations or to encourage safe-corridors and IDPs camps for the affected communities, particularly in secured areas in South Sudan where the new State of the South needs to address the areas of security, water, education, health, agriculture, and to encourage private direct investment.

- The members of Kush are fully familiar with the humanitarian needs of the people of the region, and have been working to provide desperately needed assistance. Returning recently from the Abyei area, I personally witnessed the appalling conditions of IDPs, without shelter and virtually in a situation of destitution after two months of displacement. In the course of our work we have documented the atrocities inflicted on the people of the Abyei area during the invasion of Abyei, and will continue to work with the international community to implement an effective mechanism to bring an end to these hostilities and to assist the return of IDPs to their home areas with dignity.

- Finding a lasting peace is critical and the United States should use its diplomatic influence to encourage the full implementation of the remaining provisions of the CPA and immediate return of Abyei area to South Sudan is the demand of the people of Abyei area.

- While our immediate efforts are based on these goals, Kush also has a vision of the holistic developmental efforts that will be needed when the armed conflicts and crimes against humanity are put to rest. So we strongly encourage the United States to seek ways to support and build a strong network of Non-Governmental Agencies like Kush and others working in the region. This will provide the foundation to facilitate collaborative efforts with the South and the North to build the civic infrastructure required to achieve a lasting peace and a democratic society that is respectful of individual and human rights, cultural, and religious beliefs.

Thank you for allowing me to present these concerns to you today on behalf of the people of South Sudan and the Abyei area in particular.

ATTACHMENT

21st May 2011

H. E. Omer Ahmed Hassan El Bashir,
President of the Republic of Sudan,
Khartoum, Sudan.

Mr President,

Subject: Resignation as Minister of Cabinet

Since I was appointed as Minister of Cabinet Affairs by Your Excellency on the basis of the political partnership between the NCP and SPLM, I vowed to be a loyal member of the Cabinet under Your Leadership so that we can fully implement the national programme agreed upon for the remaining period of the CPA. On the top of the priorities of this national programme is the full implementation of CPA and maintenance of peace and stability in the Sudan.

Since my appointment as national minister, I tried whatever possible to discharge my duties and responsibilities to the best of my abilities and I equally worked harder to promote the image of Sudan in different international fora. In some instances I defended the personality of Your Excellency for the sake of peace in the Sudan. Equally, during my brief period in the national government, I gained a lot of experience, particularly in the Ministry of Cabinet Affairs. I always express my admiration to the suburb quality of civil service in the Ministry of Cabinet Affairs that I termed sometimes as an exemplary institution in the Sudan.

Mr President, since the conclusion of the CPA in 2005, I have been following closely the way you have been leading our nation. Although I admired your political courage that might have contributed to the conclusion of the CPA, I equally, Mr. President, observed the gradual decay and demise of the state of Sudan under your leadership. Despite my ignorance of Islam, I saw how the noble Islamic values and ethics of self-denial, honesty, peace, austerity and honesty, upon which you have been basing your leadership, have been greatly undermined and even supplanted by earthy values of greed, corruption and selfishness. Looking up to Your Excellency as national leader and symbol of our nation, I saw how the issue of Darfur and Abyei and your prejudice against African groups reduced you to symbolize only Arab ethnic groups in the Sudan.

Mr President, your decision to declare Abyei area as a war zone and dissolution of Abyei Administration has not only marked a blatant violation of the peace agreement but it has also undermined the peace as the core achievement of CPA. The barbaric attacks of civilians in Abyei area that resulted in massive displacement of thousands of people and loss of their livelihoods have added the people of Abyei to the list of the people who greatly suffered from war crimes under your leadership. Mr. President your decision to unilaterally dissolve Abyei Administration and declaration of war in Abyei area are not only contrary to the provisions of the CPA and Interim National Constitution but it has grossly undermined the national programme to which you have committed your national government to implement.

ATTACHMENT

Mr. President, with the current events in Abyei area, escalation of conflict in Darfur, robbery of election results in Southern Kordofan, utter neglect of Eastern Sudan Peace Agreement, collapsing economy with hyperinflation that is affecting every citizen, erosion of rule of law and fundamental freedoms and the intensification of unrest in the South by the NCP-sponsored militias, I came to a conclusion that the way you are leading Sudan is making you not only a liability to the Sudanese people and your party but also to the continent and indeed to the world at large. I am afraid, Mr. President that the people of Sudan will remember you as leader who fought his own people but with a record in causing enormous human suffering and injustice that resulted in disintegration of Sudan.

With the aforementioned reasons, I felt obliged Mr. President to present to you my resignation through the First Vice President of the Republic of Sudan as I will not be fit to serve under your leadership. Clearly the values and the national programme of building peace during the remaining period of the interim period have been grossly undermined by your leadership.

Mr. President, despite this unpleasant view about your leadership, still you have a golden opportunity to work with your brother President Salva to focus on building good relations between the North and South. Our current meetings in Ethiopia facilitated by President Thabo Mbaki provide a golden opportunity of how SPLM and NCP can work together to ensure two viable states after the secession of the South. Abyei area should not be an obstacle to this future vision of building two viable states and your political courage with President Salva to resolving amicably Abyei issue would certainly contribute positively towards the realization of this noble vision.

Thanks

Luka Biong Deng,
Minister of Cabinet,
National Government,
Khartoum, Sudan

CC. H.E. First Vice President of the Republic of Sudan, Gen. Salva Kiir Mayardit
CC. H.E. Vice President of the Republic of Sudan, Ustaz Ali Osman

Mr. SMITH. Let me just note for the record that we had invited the U.S. Department of State, and Secretary Johnnie Carson, or any one of his deputies; and USAID, Sharon Cromer or any of their Deputies. And admittedly it was very short notice, 2 days ago we asked them. This is an emergency hearing, and I want the State Department and the USAID to know that this subcommittee will reconvene at any time in August—hopefully very soon—to hear specifically what is being done, contemplated, in response to this catastrophic, explosive situation that you have brought, our three distinguished witnesses, to the attention of the subcommittee. So let me make that very clear: We will reconvene at any time to hear that and to hopefully be part of a solution.

And, Bishop Andudu, you made a veryimpassioned plea. You pointed out that the grave situation calls for the United States and the international community to translate more outrage into effective action. You talked about how your cathedral has been ransacked, your chaplain has been beaten. You make it clear that the Nuba people fear that they will be forgotten, that the world will stand idly by—these are your quotes—while mass killings continue without redress. And you talk about the house-to-house killings that are occurring as we meet here in committee. You also point out that the United States should deploy its own satellites to ensure that the reported mass graves are not tampered with.

I would point out that this subcommittee has long and aggressively—everywhere in the world on every continent where this has occurred—emphasized not only stopping the atrocities and the genocide in the first place, but holding those who commit those atrocities to account, whether it be Charles Taylor, who, by early fall, is likely to be sentenced. Just recently, as we all know, Karadzic from Bosnia, a Bosnian Serb, was finally found. There is no statute of limitations on crimes against humanity and genocide. He was hunted down. And I was in Srebrenica a couple of times, including one for a mass burial of people who were slaughtered during an infamous couple of days in July. And the same thing happened in Rwanda, the same thing happened in DR Congo, and the same thing is happening obviously in Kordofan. So it is very important that we be very robust in collecting that evidence while we try to stop it. And I appreciate you bringing to the committee with exclamation points how important that is.

Also, you made a number of very serious recommendations—and I would appreciate any elaboration by you or other witnesses on that—that the United States cannot begin—this is your words—"to consider normalizing ties with Sudan, and should not delist Sudan as a sponsor of terrorism or approve this outlaw nation's access to international financing and debt relief" while these terrible crimes against humanity are occurring. You also say the U.S. and the international community, including the African Union, must act.

You also underscore that because of the bombing campaign, people have not been able to plant or to tend to their crops. And that means that by October, when the crops should have been ready to harvest, there will not be enough food to feed tens of thousands of displaced persons. And you call that a slow-motion genocide by design, and it is by design by the Khartoum government.

You also make a very impassioned appeal that effective peacekeeping forces with a real mandate to actually keep the peace and not stand by while mass murder occurs house to house around the clock.

So the question would be to the United States. In your view or any of the panelists' view, has the United States done enough? Has the international community done enough? Have the peacekeepers, who are now obviously redeployed—what should be done, new deployment? What would be your recommendations there?

And obviously you make a point, Bishop, that there needs to be bold action by the United Nations Security Council. Say this is the Security Council. What would you say to them needs to be done right now?

Bishop ANDUDU. I think, first of all, the bombings, we need to stop these bombings for the civilians. And there is many ways might be the U.S. can be able to stop the bombings or the killing of the people.

Number two, access of the humanitarian aid is really very crucial. We don't have medicine in the Nuba Mountains now, we don't have food. People are running in their cave, they have no food. And also, I know U.S. is trying, but we need some more efforts. Because U.S. Government is part of the people who brought the peace in Sudan, but Nuba Mountain is part of the Comprehensive Peace Agreement, but they are not finished. So we need really the government to go ahead and to still continue to achieve peace and freedom for the people of Nuba.

And at the same time, let us know news coming from the ground. No media, but I think they can go and see for themselves because it is very difficult. The Government of Sudan is prohibiting anybody to go and to see and to report. They don't want reporters.

So my question I was asking, is the Government of Sudan greater than the United Nations, African Union, U.S. Government? Is this greater than preventing all things to be seen? And how many years people are dealing with this government, but it is still doing the same. Omar al-Bashir is wanted, and Haroun is wanted for the International Criminal Court, but they are still there in Sudan. These men are wanted, but they are still living together. Why are they allowing this regime to continue doing their same action?

So these are my questions really, what U.S. is going to do, if they can intervene and they act. We have been talking, we have been telling this for many times. But also, now I am happy that Avaaz, this organization, is now signing a petition of half a million. I hope the government will be able to hear these voices for the world's people who are also trying to help us.

Mr. PHILLIPS. Yes, I would just echo what the Reverend said. And, of course, this regime in Khartoum has a long history of dishonoring agreements, as Dr. Luka Biong pointed out. And I think one of the basic problems coming from Washington, DC, is that we continue to try to deal with these people as honest brokers and not look at them as the murderous, genocidal regime that they are.

Why does our Ambassador Princeton Lyman, when he is introduced and asked about war crimes taking place—in one of the interviews that I read that was recent, he said, well, we hear the allegations, but nobody is on the ground to see it. I met with one

of his representatives this week, and I was basically told that the position of our Government was one of moral equivalency between the two sides. And this isn't really honest, we are not being honest with ourselves.

There is plenty of evidence. There are journalists. I was there with a team from Aljazeera English. They produced a fantastic documentary that has been run over and over again, and you can see it on YouTube, Callum Macrae, which really exposes what is happening there. There was a team from the New York Times, from Time Magazine, from the Independent—Julie Flint has written some excellent articles. There are people with cameras and VSATS and Internet. You can get more information now on this genocide than you could in the previous war.

And the fact that the ICC recognized the leadership of the National Islamic Front or the National Congress Party as being responsible for genocide, and specifically recognized Ahmed Haroun, why doesn't our Government recognize them in that way?

With regard to the U.N. forces, there are all kinds of stories coming out of the U.N. forces who are from Egypt in Kadugli standing by watching the slaughter take place, and they are supposed to be peacekeeping forces, allowing the intelligence services of the SAF to come in and take people out of their compound. There was one incidence where six Nuba women sought shelter in an UNMIS compound, and they were raped by the UNMIS, by the Egyptian forces. So it seems as if even some of the forces of UNMIS—and I know it is not true for all of them—are complicit with Khartoum. There are internal documents from the U.N. that I am told the U.N. is actually being forced to release very soon, because even some members of the U.N. were victims of these atrocities when it happened.

So this should be investigated. These people should be prosecuted in the U.N. and brought to justice. And our Government should get off the fence and distinguish between the victims and the perpetrators of genocide.

Mr. SMITH. Very quickly, and then I will yield because I know Bishop Andudu has to leave shortly, and I want other members to be able to ask him questions. But let me just note how disturbing it was that Bashir visited Beijing in late June, and rather than ensuring that he was apprehended and sent to The Hague where he ought to be held to account, nothing of the sort happened. He was treated and feted as a great man.

And secondly, Erdogan in Turkey refused to listen to EU requests when Bashir visited Ankara. Again, there should have been an arrest made and this man prosecuted for genocide.

Mr. PHILLIPS. Mr. Chairman, last year Kenya inaugurated its new Constitution, and the U.S. Government had a lot to do with bringing that Constitution. And Mr. Bashir was the main story, his presence in Nairobi, Kenya. So he is showing up all over the place, and nobody seems to be concerned about his arrest warrant.

Mr. SMITH. Thank you.

Mr. Payne.

Mr. PAYNE. Thank you very much.

And I couldn't agree more that the International Criminal Court, which I think is a great institution. However, we know that it is very difficult to have a court without having an enforcement mech-

anism, and, of course, that is a very weak part of the International Criminal Court. At one time it was thought that Interpol, being an organization of police throughout Europe anyway, could perhaps serve as an enforcement arm. But the question is, how do you apprehend the criminal in our country? Without police, we would have no use for courts.

But I do believe that we should continue to support the International Criminal Court and try to really work on ways to strengthen it. At least these criminals are being indicted; they know that this indictment stands over their head. They know where they can go, but they know that 90 percent of the places they cannot go. And I think that time will take care of Mr. Bashir.

Dr. Deng, with the arrangement that was supposed to be made on the areas in dispute, I think that, unfortunately, as I indicated, the 1956 map, when independence came from Britain, creates the situation, because that map is still being used as the borders. And as we saw in Kashmir region between India and Pakistan, once again, the British left an unincorporated area, left it to be determined in the future. And as we know in Kashmir, there is still fighting going on between Pakistan and India over that area.

And so I certainly have a real concern that, of course, South Kordofan and Blue Nile, under the map and the agreement—although they were supportive of SPLM and prefer to be a part of the South, the map has drawn them into the North.

Now, could you tell me what—I have read it, but what type of an agreement was supposed to be enforced in Blue Nile and Southern Kordofan to work on a way of having a government? There was supposed to be an integration of the military also with the SPLM into the forces in that area. Could you just explain what the special group that was supposed to handle this was supposed to do?

Mr. DENG. Thank you, Congressman Payne, for the question.

I think the whole issue of the North/South border is a very critical issue. And what we have agreed to when I was in negotiations is for the parties to agree, although we have defined the 1956 as the border between the North and the South, a committee was set up. And there was a commitment by the parties to ensure that but that committee did not move very well. And what happened, we said we should stick to the amicable dialogue of finding a peaceful settlement of the disputed border between the North and the South—not the Nuba Mountain and the Blue Nile. And if we fail to agree on those areas, we should resort to arbitration in a very peaceful way. It should not trigger a war.

For the Nuba Mountain and Southern Blue Nile, it was after the incident happened an agreement was signed, mediated by the African Union High Implementation Panel under the auspice of President Mbeki. And the content of that agreement, first, that we should have a ceasefire. Second, we should go for the dialogue and discussing how to decide what should be the status of the SPLA forces in Nuba Mountain and Southern Blue Nile.

The SBLM was pushing for the argument that there is no way you can just disarm these people, these are the people who fought a political war. And they accepted the agreement to ensure that the popular consultation is conducted. And in lieu of that, you cannot just disarm them, because you will create them as another struggle

in the greater movement happening in these two areas. So the parties agree that they should sit and continue to dialogue what should be the status of the SPLA in Nuba Mountain and Southern Blue Nile

Secondly, they discussed only the political landscape of Sudan after the secession. But having the SPLM Northern Sector as a political party, and to exercise and then to do its political activities. Because what happened is that the NCP said, after the secession of the South, the SPLM is going to be an illegal political party. It was agreed in Addis Ababa that SPLM Northern Sector will be a legal political party that can exercise its activities in the North, and by doing so so that you can have a credible political party that can engage in democratic reform in Sudan.

The other one is that the whole debate about what is going to happen, the whole debate about the composition after the secession of the South. So at least the two parties—SPLM in the North and the NCP—to discuss how they are going to give another space an opportunity for reforming Sudan, because they are now getting into these permanent composition to be discussed by all the actors.

It was agreed by Nafie himself, who is the Deputy of the President. And then when he went back, Bashir and other people, they reject it outright. They were not agreeing to the agreement that was signed and also witnessed by the African Union. And that is why, when we say that even for the role of the United Nations or the African Union, is for them to accept this very agreement that they signed, because this one is giving an opportunity for the parties to engage and to dialogue and to discuss a very fundamental issue about the viability and the stability of Sudan.

Mr. PAYNE. Just let me ask a follow-up question. Your new organization, Kush, how do you see your organization being able to be of assistance? And do you think that at this time your newly formed group would be able to assist in attempting to come up with resolutions in these three disputed areas?

Mr. DENG. At Kush, as I mentioned earlier, we want to forge a relationship between the people of the United States and Africa, and we work in Southern Sudan and Abyei. And in particular we work in Abyei, because Abyei is a flash point, because the invasion of Bashir into Abyei has tarnished any chance for building confidence between the North and the South. And that is an area that is not only on the North/South border, but it has a lot of challenges, challenges of oil, challenges of conflict, and challenges of displacement.

And Kush is trying to see how best we can best advocate for a finer solution for the Abyei issue, helping the people to advocate. And the options available now are whether Abyei should return back to the South, because it was part of the Southern Sudan in 1905 and was transferred to the North, or have a referendum to be held within a very conducive environment.

And secondly is the role of the United Nations. Now we have United Nations peacekeeping forces on the ground. And what the agreement was saying, actually we should discuss the role of the United Nations in protection, because although this force is given Chapter 7 to protect the citizens, we know what happened in Congo. You may be given a very good mandate, but then if it is not

a word defined properly, then it will be a problem. So let us engage with the United Nations of what does it mean, Chapter 7, because you might have heard even these forces now in Abyei, four of them got killed. And even those injured, they were not given a chance even to be evacuated for medical attention by the Sudan Armed Forces in Abyei.

So what we are saying, whether the United Nations' role in Abyei is only protection, to assist the return of the displaced people, the number that you mentioned, and Kush could help in returning these people with the choice of the people. And there is an element that we are seeing, this opportunity having an organization on the ground, because sometimes these international organizations also prove, in most cases, that they cannot deliver. This is a whole lot of ineffectiveness. It is critical. And whether we can look for a partner and indigenous organizations that will have the knowledge in the content and to assist the return. So these are ones that we are discussing.

The final one is building the peace at the grassroots level. And because we believe the relation of Misseriyia and the Dinka is actually a created situation, the tension created by the NCP dragging in the Arab nomads against their will into this war, and they become a victim. What we are saying is, let us look at whether we can force a peace building among this community.

These words are echoed very well even to the Nuba Mountain and the Southern Blue Nile. And that is why I am saying the role of the United Nations, especially the Security Council, is first to investigate these atrocities first. And if the magnitude of the investigation is really great, then it is upon the United Nations to see a possibility of having a protection of the people, and then whether we could use the United Nations forces in Abyei, the Sudan forces, to be extended even to cover the Nuba Mountain and Blue Nile with a mandate of protection.

Also, I have a feeling that United Nations can help also in terms of assisting in the conduct of the popular consultation, because it is an achievement of the people of the Nuba Mountain, and also in the context of a referendum if we fail in Abyei, and if we fail to get a political solution of returning Abyei to the South.

Mr. PAYNE. Thank you very much.

And, Mr. Phillips, I really appreciate your courage and what you have done, the work that you have done. And I couldn't agree with you more. I was one that was trying to get a no-fly zone a decade ago to prevent when Darfur broke out, but we could not get—as a matter of fact, President Bush agreed at one point to almost support the no-fly zone, which would have prevented the bombings that continued in Darfur. But I am just wondering, in the short time that I have left, what are some recommendations that you would like to see us do if you had the authority to do yourself?

Mr. PHILLIPS. Well, thank you very much, Congressman Payne. And I am so grateful for your leadership on this issue.

First, I would point out that the intentions of—what Dr. Luka Biong said about how they illegalized the SPLA Party in the North and the way that relates to the integrity of the popular consultation just reveals that they never really had any intention of keeping any of the agreements regarding these three contested areas.

The Southern Kordofan State is the place where for the last 12 months they have been staging attacks by militias that they sponsor into South Sudan. As it is the longest border with South Sudan and borders four states. It is a very strategic area. It is one that the Republic of South Sudan, I know, is very concerned about. And it is one that the U.S. Government should be very concerned about as the caretaker of the CPA. And I think we haven't done enough really to enforce the CPA.

The attempt to disarm the SPLA and to legalize their party and so on way ahead of any mandated requirement by the CPA was a provocation. I was very discouraged when I met with the State Department and I was told that their position was that the SPLA had provoked Khartoum into attacking Abyei, that the SPLA wanted war as much as Khartoum. Even though we do know that there are war crimes and genocide taking place, we believe that—this was the position I was given at the State Department—they believe that both sides want war. So that really gave me a real sick feeling in the middle of my stomach.

We know where the planes are that are bombing civilians, that are blowing little girls in half. They are in El Obeid. It wouldn't take much to solve that problem, and it would cost a whole lot less than what we have done in a place like Libya. We ought to—whether or not we are prepared to do that, at a minimum we should be, in our rhetoric and in our moral stance, we should be siding with the victims of it. We should be demanding that the U.N. declare a humanitarian emergency so that humanitarian access is allowed.

When I made my trip in, it had been about 6 years since I had been in that situation, because I had enjoyed the interim relative peace like everybody else, and I wasn't really prepared, but it is dangerous. And as has been mentioned, there is a serious humanitarian crisis that is approaching. There are 70,000 to 90,000 people that are probably going to die in the next month to 2 months because the roads are shut down to the north, and the flights are not coming in to the Nuba Mountains right now.

And so the U.S. Government needs to have a loud voice and build a loud bonfire with the help of advocates and churches complaining about what is happening, and putting pressure on the U.N. to take action, putting pressure on the U.N. to start changing the way they communicate on this as well.

So I think, at a minimum, we need to publicly differentiate between the victims and the perpetrators of genocide. And there are many solutions that can come—and the Southern Sudanese need to know that we don't have a problem with them helping the Northern Sector of the SPLA and the SPLM because this is a threat to the integrity of their nation.

Mr. PAYNE. Thank you. I couldn't agree with you more.

The Government of Sudan always tends to exacerbate a situation, as they did in Darfur with the little skirmish between some local people and the garrison there. And they ended up bombing for weeks thousands of huts to retaliate for the small incident that should not have occurred, but it did. And even with the incident of a shot that was fired allegedly by one soldier of SPLM, possibly; therefore, the Government of Sudan then comes back with over-

whelming force. And Abyei has stated the SPLM attacked. It was inadvertently something that happened, a gunshot goes off, and they use that excuse then to continue to genocide.

Mr. PHILLIPS. Nobody is surprised in Sudan by what Khartoum is doing. It is consistent behavior. And when I was with Commander Abdel Aziz, and he was interviewed by Aljazeera, and he was doing some other interviews, he made the point over and over again the problem is not with the Nuba people. The Nuba people are united. The problem is not in Southern Kordofan State. The problem is not among the people in Abyei, even the Misseriyia people that originated. The problem is not there. The problem is in Khartoum. And that is how our Government needs to look at it. They need to understand that this is not a tribal internal conflict in Southern Kordofan State or in Southern Blue Nile State or in Abyei. We have some obligations as a caretaker of the CPA, as part of the troika, to enforce it.

Mr. SMITH. Ms. Buerkle.

Ms. BUERKLE. Thank you, Mr. Chairman.

Mr. Phillips, I would like to follow up on a couple of things you said both in your testimony and with the ranking member.

You mentioned that 70,000 to 90,000 people would die within the next month. Can you elaborate on that? Is that from lack of food?

Mr. PHILLIPS. Well, I traveled around four countries in Southern Kordofan State during the 12 days that I there was. It was a very different trip than the one I made in 1998 where you had to do everything by footing. A lot of roads have been built during the last 6 years, so you can really move around.

There are 19 counties in Southern Kordofan State, and most of the Nuba population—and Dr. Luka can correct me if I have my facts wrong—but I believe most of the Nuba population are in about five of those counties, and that is where the aerial bombing campaign is taking place. We heard bombing and planes flying over us three or four times every day. In some places they said, have a good night's sleep; just realize the plane never gets here before 7 o'clock in the morning, so you should get up a little bit before then so you can make your way to the dugout. In other places they said, well, here they are bombing at nighttime by GPS coordinates at 2, 3, 4 o'clock in the morning. That is why all those people are living on the hillside.

There are about 425,000 people spread out over those five counties of Southern Kordofan State that are displaced from their homes. When I was in El Baram County, I learned that there were 600 people in just 1 month that were wounded by the bombing, and there were more than 150 that had died by the bombing. I visited a lot of those people in the hospital. But I saw El Baram. It is completely wiped out. The town is completely wiped out. Every building is wiped out by a MiG attack, by Antonov attacks. Most of the killing happened in Kadugli, in these house-to-house searches.

What is happening now, the SPLA controls most of Southern Kordofan State, and they have the support of the people. That is how they can control it. There is fighting going on for control of Kadugli, where there are 40,000 SAF inside of the city of Kadugli, but the rest of Southern Kordofan State is essentially in the control on the ground of the SPLA. So the bombing is what is displacing

425,000 people. And out of those, about 25 percent of them are going to face a serious issue related to food because the roads have been cut off. There used to be commerce with the North. That has been cut off. The road to the South is affected by swamp this time of year. So there is no access on the ground, and there is very little access by air because no plane wants to get shot out of the sky by a MiG. And there is no umbrella.

When we went to the Nuba Mountains in the 1990s, there was Operation Lifeline Sudan. And even though it was a red no-go area, the existence of the OLS gave a degree of insulation from attack. And they weren't using MiGs in those days. So now it is a much more difficult situation, it is a much more dangerous situation for an NGO, or a charter company, or the NRDO, or the Diocese of El Obeid to bring a flight in there.

Ms. BUERKLE. And so the organizations you just mentioned, those are the ones that were flying in the humanitarian flights?

Mr. PHILLIPS. Right now the two groups that have continued to bring in flights on a very limited basis has been the Catholic Church Diocese of El-Obeid and the NRDO, which Dr. Luka mentioned, which is the relief arm, indigenous relief organization there in the Nuba Mountains.

Ms. BUERKLE. And where do those planes fly into? Where are they able to serve?

Mr. PHILLIPS. Well, it is very difficult, and they have to change locations all the time. They are running a real risk. The pilot, for example, that took me in was bombed, and he said, I am not going to come pick you up. So my 3-day trip turned into a 12-day trip. And the next plane that was supposed to come pick me up was diverted to go someplace else, and so we were stuck until we found somebody who was willing to take a risk.

That is the reality right now. It is much worse from that point of view than during the existence of the OLS. So the U.N. needs to take some action and declare an emergency, at a minimum.

Ms. BUERKLE. Thank you very much, Mr. Phillips.

And I will yield back my time.

Mr. SMITH. Chairman Wolf.

Mr. WOLF. Thank you, Mr. Chairman. I want to again thank you and Mr. Payne for the hearing.

Is there anybody here from our Government at all, AID, State Department, anybody? Just raise your hand. Anybody here from the U.N.? Wow. Anybody here from the Sudan Government? The Embassy?

This is a fundamentally evil government. They are evil. As Ronald Reagan said with regard to 1983, they are fundamentally evil. Evil. And until you remove Bashir, this will continue. This will continue. It will not change. How long will the West pretend? It will continue.

China welcomed Bashir. They gave him the red carpet. I have a picture, red carpet. Whenever American businessmen go to China to meet with Hu Jintao, you are meeting with a guy who has blood on his hands. The largest Embassy in Khartoum is the Chinese Embassy. They are all over the place.

President Bush offered them and said there would be antiaircraft material, and this administration never sent it. You take one of

those Antonovs out of the sky, and it will change the dynamics, and yet these people are being chewed up and chewed up and chewed up.

The U.N. has failed. The U.N. failed in Rwanda, the U.N. failed in Bosnia, the U.N. failed in Darfur. They stood by and allowed 400,000 people to die. Read Samantha Power's book. Kofi Annan watched what was taking place in Rwanda. President Clinton felt so bad about it before he left, he went to Rwanda to apologize because the State Department was watching. What is taking place here took place in Rwanda, and Secretary Christopher allowed it to take place, and nobody did anything. Read Samantha Power's book.

China is the problem. You have to remove Bashir. You have to remove Bashir. He has to be removed. Government change, regime change, there is no other way. It has been going on for 21 years. Two-point-one million people, mainly Christians, but some Muslims, killed in the North/South battle; 200,000 to 400,000 killed in Darfur. He just said the U.N.—and I heard, too—were turning people over to be taken away. That sounds like the Nazis to me. That sounds like something out of a bad movie.

The U.N. has failed. These are war criminals. They are war criminals. That is it, it is over. They are war criminals. I don't think anybody connected to this government ought to be permitted to visit the United States, period. We should close their Embassy down and force them out. If you are working—Libya? Libya is a problem because of Ghadafi. Syria is a problem because of Bashar, because of President Bashar al-Assad. This guy is much worse. And to meet with them, it is incredible. They should be expelled. They should be expelled from our country.

And Britain, if this was happening in southern France or southern Germany, this place would be electrified. It would be wild. But it is happening in a country—and it is racial, too. I mean, do not deny that it is racial. It is racial, and it is religious. And the world is standing by and allowing this to take place.

The U.N. has failed, and they are failing, and I just don't want my country to fail. This administration better get some energy. Princeton Lyman should step up or step down. I like Princeton Lyman, but he should step up or step down. These people are going to be killed, and for this to take place—and no one from the Khartoum government should be permitted to go. If they want to get an operation, let them get it in Khartoum. If they want to educate their kids, let them educate them in Khartoum. No one connected to this government should be permitted to visit the West at all.

And I will do anything—and I appreciate it again, God bless Mr. Smith and Mr. Payne and Ms. Buerkle for being here, too.

These are evil people. It is an evil government. I mean, to sit in a hearing and talk about how maybe the U.N. could have done something—and I know it didn't exist then—to kind of get Hitler out. I mean, he was an evil man. This guy is an evil man, it is an evil government. Regime changes.

But it is time for our Government to do something about it. We are not talking about troops. We are talking about just give them the ability. Are there tanks that the Southern Sudanese Government has tried to bring in? Where are those tanks now? They are

still in Kenya. They haven't even allowed them to come in to defend themselves.

I want to thank both of the witnesses. I appreciate this thing. We should send a message to the people of the South, the people of Kordofan, the people of the Nuba Mountains. You know, the Nuba Mountains in Kush, the Kingdom of Kush, is mentioned in the Bible. It goes all the way back to Biblical times.

I just wonder how some people in this administration will feel when they leave and they know they missed the opportunity, how Ban Ki-Moon will feel knowing he is sitting here doing nothing, and how they will feel when someone writes the book about this.

It is an evil government. The regime change should be taking place. Bashir should be arrested and taken to The Hague and tried.

And again I want to thank Mr. Smith and Mr. Payne for really being the leaders on this, and Ms. Buerkle for getting out in front and speaking truth, and thank both of the witnesses for their time.

Mr. PHILLIPS. I just thank you very much, Congressman Wolf. And I agree 100 percent. These are not statistics, these are real people. And the only reason why they are being exterminated is because they are African, they are indigenous Africans, Black Africans. The only reason why they are being exterminated is because they don't subscribe to the same stripe or religion as Khartoum. And we can't sit by and watch it happen.

The President of the United States ran very strongly on this issue. He said that he supported a no-fly zone in Darfur. Mr. President, what are you going to do? You know what is happening. What are you going to do?

Mr. DENG. First of all, I am very moved and honored seeing this committee painting a picture about what is happening in Sudan. And, Congressman Wolf, these are real words of hope to the people of these areas. But I also want to highlight why we are focusing on those issues.

I think the fact of the matter is that on the ground now, I think it is important that what could we do collectively, and especially this country. We know the difficulties, but it is important that we should keep an eye on Southern Sudan because Southern Sudan is going to be a home, a refuge for the atrocities being committed along the border. And that is why we say it is a country that we should invest in it. And importantly consider the recommendations, but I think fundamental issues, especially the issue of water, education and agriculture, in the context of the famine that we are seeing in the region.

But I would like also to echo Congressman Wolf, what we discussed at a certain point in time when we visited you in your office. And I think the capacity of the Government of Southern Sudan is important. And whether we can use the South Sudanese here in the United States, Americans, to go back home and then to assist in building this nation. It is a real problem that we feel that it is important that for the South Sudanese-Americans that could go and assist the government. They have some difficulties, especially on the issue of student loans and the like, but this is going to be an important support to the Government of Southern Sudan.

I think important also, a whole lot of aid assistance should increase, because the way they are seeing along the border, we need

to put more focus on humanitarian assistance. I think we are going to see more people displaced, more humanitarian needs in that area. We should scale it up, and then we should be able to assist.

I think a whole lot of indigenous organizations—like Kush, and I think the world will believe it. Being in the government, I decided to come out and do something different. We can help the people on the ground. And I think this is what we are striving to, and we hope, together with you, that we can make a difference on the ground.

Thank you very much.

Mr. SMITH. Thank you very much.

I will go to Mr. Payne for any concluding remarks, but let me just point out that back in the mid-1990s, I chaired the first hearing ever on chattel slavery in Sudan. Most people who heard the hearing, and even some people who protested that I was actually holding a hearing, again taking Bashir to task for the empowerment of chattel slavery, thought it was a hearing in search of a problem that didn't exist, and we all know that that is not the case.

But fast forward to just as recently as yesterday. I called over to one of our consular people advocating on behalf of another Mr. Deng, who was enslaved, as was his mother. He was hung upside down, and pepper was rubbed into his eyes, causing a very significant, near-blindness condition.

Ellen Ratner, a journalist, has taken up his cause and will pay for a doctor and airfare for him to get a very significant medical treatment that will, we believe, give him back his sight. I hope the Embassy or the consular section approves his visa. We have been trying for months—this is our side now that has not given him the visa yet. It was supposed to be today. I understand it has now been postponed until Monday.

But it underscores the viciousness of Bashir and his like-minded cronies who have committed slavery, continue to do so, and even then the U.S. Department of State suggested that it was not as widespread as many of us had concrete information about. Almost like Mr. Phillips bringing forth fresh, incriminating information about how this is not both sides committing things, and somehow we are just going to be the arbiter, rather than realizing that there is an all-out assault on the Nuba people that has to be stopped as quickly as possible, and the U.N. Security Council and the U.S. and the African Union all need to be on the same page to do so.

President Bashir was quoted in April that he was going to use force in Southern Kordofan. We know that this man is pathological. I met with him and I argued with him for well over an hour, almost 2 hours, about Darfur in the mid-2000s and was taken by his—he reminded me of Milosevic, who Mr. Wolf and I met with on previous occasions, and other dictators. There is something abysmally wrong psychologically with these individuals, and just because they have the veneer of being in charge of a state, people somehow convey a legitimacy that is absolutely undeserving. And we know throughout history dictators have committed huge and horrific atrocities. They are going on right now.

This is an emergency hearing. I said it before. We invited the State Department and USAID. We stand ready to reconvene at the drop of a hat. Mr. Payne and I, wherever we are, will get back here

to hear from our own administration what their plans are to combat this horrific situation.

With that said, Mr. Payne.

Mr. PAYNE. Thank you.

Let me thank you again and Mr. Wolf for his many years of passionate support. And it is good to have a newcomer to bring into the team. Ms. Buerkle, I am pleased to have your interest here.

I would just like to think back of some other persons—probably the only thing we agreed on between Congressman Tancredo and myself was Sudan. He went on his first codel with me to South Sudan, and we stayed in tents with Samaritan's Purse. I told him that is what a typical codel was like. And he didn't know since he was new, but he found out later that codels are a little bit different than the Payne codel staying in a tent. But he and Senator Brownback, who was so strongly supportive, and Senator Frist, those who have for many years—and we have now Senator Coons now from Delaware who has expressed a very strong interest. So we will continue to push.

There is no respect from the government of Khartoum. Even when President Carter was visiting Sudan with Operation Lifeline Sudan, Bashir bombed the area just to let him know that "I am in control." And so we have seen—Dr. Garang did say that Bashir and his government are really too deformed to be reformed was one of his statements, and I couldn't agree more. It was July 30, 2005, when Dr. Garang's life was taken. He was a very personal friend of mine. I did attend the funeral. He fought for 21 years for independence; 4 million people displaced, 2 million people died, and he was killed 21 days after the signing of the CPA, which I attended when it was signed.

And so we have to remember the work that he did. He really wanted a new Sudan. He was really dreaming for a united Sudan. But the Bashir regime were afraid of—as a matter of fact, when he went to Khartoum after the CPA was signed, the outpouring of tens of thousands of people from the North—Muslims, people who were Islamic supporters came out to support him because they looked at him as a liberator and probably got the Bashir government a little concerned that a Southerner could possibly become the President in a fair election in Sudan.

So we have to keep the pressure on. I would like to certainly commend Congressman Smith, as I mentioned earlier, for keeping this issue before us. We will continue to push for justice. We should have done that no-fly zone. And I agree with you, you take out a few of those, just let them know, you come in—keep your pilots out, we don't want to kill anybody. We could have taken all those planes out and finished them. And so now we have a difficult situation.

But I agree with you that we have to keep the pressure on. We have to support President Salva Kiir, who is struggling now to try to move his new nation forward. But I know with people that we have support of here, we will continue to be the voice of the people of Sudan.

Thank you.

Mr. SMITH. Any final comments from our distinguished witnesses?

I thank you very much. We will continue this. And I appreciate your wisdom, your counsel, and your recommendations today.

The hearing is adjourned.

[Whereupon, at 12:07 p.m., the subcommittee was adjourned.]

APPENDIX

Material Submitted for the Hearing Record

SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515-0128

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS
Christopher H. Smith (R-NJ), Chairman

August 4, 2011

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held by the Subcommittee on Africa, Global Health, and Human Rights, to be held in **Room 2172 of the Rayburn House Office Building (and available live, via the WEBCAST link on the Committee website at http://www.hcfa.house.gov):**

DATE: Thursday, August 4, 2011

TIME: 10:00 a.m.

SUBJECT: Southern Kordofan: Ethnic Cleansing and Humanitarian Crisis in Sudan

WITNESSES: Mr. Bradford Phillips
President
Persecution Project

Rt. Reverend Andudu Adam Elnail
Bishop
Anglican Diocese of Kadugli, Sudan

Luka Biong Deng, Ph.D.
Executive Director
Kush Inc.

By Direction of the Chairman

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

COMMITTEE ON FOREIGN AFFAIRS

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

Day *Thursday* Date *August 4, 2011* Room *2172 Rayburn*

Starting Time *10:00 a.m.* Ending Time *12:07 p.m.*

Recesses *0* (____to ____) (____to ____) (____to ____) (____to ____) (____to ____) (____to ____)

Presiding Member(s)

Rep. Chris Smith

Check all of the following that apply:

Open Session ☑
Executive (closed) Session ☐
Televised ☑

Electronically Recorded (taped) ☑
Stenographic Record ☑

TITLE OF HEARING:

Southern Kordofan: Ethnic Cleansing and Humanitarian Crisis in Sudan

SUBCOMMITTEE MEMBERS PRESENT:

Rep. Chris Smith, Rep. Donald Payne, Rep. Ann Marie Buerkle

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

Rep. Frank Wolf*

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

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

Prepared statment from Rep. Carnahan
Resignation letter of Dr. Deng

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *12:07 p.m.*

Sheri Rockett
Subcommittee Staff Director

OPENING STATEMENT OF
THE HONORABLE RUSS CARNAHAN (MO-03)
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS

Hearing on
Southern Kordofan: Ethnic Cleansing and Humanitarian Crisis in Sudan
Thursday, August 4, 2011, 10:00 A.M.
2172 Rayburn House Office Building

Chairman Smith and Ranking Member Payne, thank you for holding this hearing on the increasingly dire situation in Southern Kordofan. I would especially like to commend you for your quick response in pulling this emergency hearing together.

In early June, as the world anxiously anticipated the independence of South Sudan, Khartoum opened a new military front and fighting broke out in Southern Kordofan. With civilians and UN peacekeepers targeted alike, the humanitarian crisis in this border state has continued to deteriorate. To date, we've heard disturbing reports of aerial bombardment, house raids, extrajudicial killings, sexual and gender based violence, and ethnic cleansing resulting in over 70,000 displaced people, untold number of deaths, and extensive suffering of those living in Southern Kordofan, particularly the Nuba people.

Most significantly, these atrocities threaten to derail further implementation of the Comprehensive Peace Agreement, and the successful transition of South Sudan as it sets out on the already difficult journey as Africa's newest nation. I look forward to hearing recommendations from our witnesses on appropriate options for the U.S. and international community to address ongoing state-sanctioned human rights abuses and ethnic violence.

With the expiration of UNMIS' mandate, UN peacekeepers are no longer positioned to respond to violence in Southern Kordofan. I am interested to hear about prospects for a renewed peacekeeping presence in Southern Kordofan, which is critical for civilian safety and access for humanitarian assistance. Despite the absence of such protections, some aid organizations like the World Food Program, the World Health Organization, and the United Nations Children's Fund continue providing relief in the face of insecurity and violence. I hope this crisis might serve as a catalyst to those lawmakers who would prefer the U.S. neglect its financial obligations to the UN and other multilateral organizations.

While I join my colleagues in calling for an update from the Administration on U.S. efforts in Southern Kordofan and its re-evaluation of U.S. posturing towards Khartoum, I also commend the President's recently announced directive on atrocities aimed at preventing mass killings and human rights violations throughout the world. I hope this initiative will strengthen the national security and foreign policy tools within the U.S. government to respond to underlying causes of atrocities, like those ongoing in Southern Kordofan, and take steps to prevent human suffering on a global scale.

In closing, I thank the witnesses for their presence here today. I look forward to your testimony and expertise.