

**Testimony of Omer Ismail,  
Policy Advisor at the Enough Project  
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Thank you, Congresswoman Ros-Lehtinen and members of the Foreign Affairs Committee for the opportunity to speak about Sudan at this historic moment. The United States has a crucial role to play in laying the groundwork for peace and stability in Sudan from this moment forward.

Six years after the signing of the U.S.-brokered Comprehensive Peace Agreement, the agreement that ended a two-decade long civil war that cost two and half million lives and prompted four million people to flee, South Sudan is on the precipice of independence. Starting last Sunday, millions of South Sudanese came out in waves to cast their ballot between secession or unity. The referendum was a euphoric event for the overwhelming number of South Sudanese who desire independence and importantly, took place in an environment of relative peace. Early assessments are uniformly positive about the technical conduct of the vote, including those of former U.S. President Jimmy Carter, who said recently that the vote met international standards.

Credit must be given first and foremost to the South Sudanese themselves, whose steadfast commitment to determining their own destiny defied the conventional wisdom that doubted this day would ever come. But the role of the United States government, in its concerted efforts to press the Sudanese parties and the international community to ensure the successful and timely conduct of the referendum, proved indispensable. Since President Obama's attendance of the U.N. meeting on Sudan in September, the administration has shown itself to be engaged at the highest levels on Sudan. This diplomatic commitment has helped deliver a peaceful referendum that just three months ago seemed a near impossible feat. But, as President Obama himself said in a *New York Times* op-ed, this election is just the beginning. Now is when the difficult work begins and when U.S. high-level engagement is more critical than ever.

The U.S. should capitalize on the current momentum in Sudan to address three core issues that will lay the groundwork for peace and stability in all of Sudan and the surrounding region. First, the relationship between North and South Sudan must be clarified before secession formally takes place in July. This involves detailing the economic arrangements between North and South after separation, the legal status of populations in both the North and South, as well as resolving the status of contentious border areas. Without agreement on these issues, anxieties on the ground and among the leadership of both governments have the potential to spark violence. Second, the conflict in Darfur must be reprioritized. An inadequate peace process has trickled along for years while violence has intensified in recent weeks. Third, at a time when political changes will be underfoot in both the North and the South, the U.S. should press both

governments toward inclusive governance and pluralism, to ensure that peace endures in Sudan for the long-term.

## 1. Post-Referendum Issues

There is a range of outstanding issues between the North and the South that if left unresolved, could reignite conflict. Like any divorce, how assets will be split between the two parties is a paramount question. Oil is an economic lifeline for both the North and the South but how oil revenues will be divided after secession has not been decided. Similarly, how the 38 billion dollar Sudanese debt will be managed after separation must also be addressed.

The citizenship status of southerners in the North after secession remains unknown, and if left unresolved, could force over one million southerners to become stateless. Left without legal protection, southerners in the North may be vulnerable to retributive violence or harassment.

The two parties also continue to disagree over where the 1,300-mile North-South border lies and how the border—over which many communities reside and travel—will be managed. The status of the volatile border area of Abyei is of particular concern. The Comprehensive Peace Agreement granted the residents of Abyei their own referendum vote that would determine whether the area belongs to the North or the South. But because of a lack of agreement between the Sudanese parties on who is eligible to vote, Abyei's referendum did not take place as scheduled last week. The parties and international mediators including the U.S. are heavily engaged in negotiating a resolution to Abyei's status, but the parties appear far from an agreement. Meanwhile, a series of violent clashes took place last weekend in Abyei, in a sign of how quickly tensions on the ground can break loose.

As U.S. lead negotiator Princeton Lyman has said publicly, the technical expertise for how these issues can be managed have been put forward, but “the tough political decisions on these issues” remain. This is where the U.S. must exert its energy. Until now, the international community has been content to let the Sudanese parties delay making the difficult but necessary decisions to ensure a peaceful transition. In place of this unassertive mediation, the U.S. should jumpstart a far more proactive international mediation, modeled upon the successful example of the African-led but internationally supported negotiations that produced the CPA. Part-and-parcel of such an approach would be the direct involvement by the U.S. and its international partners in pressing the parties on compromise proposals and establishing unambiguous timelines. The U.S. should also press influential actors, including the Arab League, the European Union, and China, to put forward the incentives and consequences necessary to push the parties toward a deal. Across these ranging issues, enough trade-offs could take place between the two parties for a grand bargain to be struck. But without intensified U.S. diplomacy, negotiations may continue to drag on with little result, giving tensions on the ground opportunity to flare.

## 2. Darfur Peace Process

Second, the U.S. should capitalize on the current momentum in Sudan to engage deeply in the other major war theater in Sudan – Darfur. In recent weeks, as the world focused on the referendum in South Sudan, we have seen an alarming escalation in violence in Darfur, tied partially to the breakdown of the Darfur Peace Agreement of 2006. The recent violence, which has led to the displacement of thousands, was reminiscent of the attacks in 2004/2005 during which the Sudanese Armed Forces and its allied militias indiscriminately attacked civilians. And though these clashes have had severe humanitarian consequences, reports indicate that the Sudanese government continues to block the U.N. from accessing the areas impacted.

It's time to revitalize the Darfur peace process, one that has inched along for years with very limited effect on the ground in Darfur. The Obama administration has taken a positive first step with the appointment of a full-time, lead negotiator for Darfur, former Ambassador Dane Smith. As Ambassador Smith assumes this role, we believe that there are several recommendations to keep in mind. The Sudanese government in August unveiled its own Darfur strategy that would nationalize or domesticate the political process, focus on return and development, and implement justice locally. We believe that this plan is not only problematic, but that it hides the government's true intention of seeking a military solution to the conflict. This should not be the way forward. Rather, we would like to see the U.S. devise a new strategy to secure peace in Darfur based on a sound diagnosis of why efforts to date have fallen so far short of the mark. Advancing that strategy will require robust engagement with the mediation team, significant diplomatic and technical support, and securing constructive support from the Europeans, China, and regional actors. The U.S. should also articulate a roadmap to peace in Darfur that could bring the different rebel factions to the table through a clear process with defined objectives.

The mediators need to address the core issues that drove Darfuris to rebel, and the reasons why over three million still remain displaced. Much deeper and sustained U.S. involvement is essential to any possible success, as Darfuris still see the U.S. as the key country that can help them achieve their rights, just as the U.S. did in southern Sudan.

## 3. Democratic Transformation

Finally, the U.S. should capitalize on the opportunity for political reform that South Sudan's secession presents for both the North and the South.

In the North, the political landscape is already shifting, with opposition parties in the agitating for greater inclusivity and pluralism, and calling for new elections and a constitutional review. The sort of political configuration that emerges in the North is significant as it is directly tied to the potential for mass violence to break out in Sudan once more. It is widely acknowledged that Sudan's long history of conflicts is rooted in the exploitative governance strategy that Khartoum has long pursued, one in which power and resources have been hoarded at the center, stoking political and economic grievances

in the peripheries. The Sudanese government's past response to these grievances have led to unquantifiable horrors, those seen in the genocide in Darfur and the North-South civil war.

At this moment, the U.S. has an opportunity to engage with the Sudanese government, to prevent the regime from moving toward a more extremist agenda. Khartoum should be encouraged to shift its strategy to one that addresses grievances through power-sharing, rather than taking arms. Several of the processes that the United States should strongly support are specifically mandated under the CPA, including a constitutional review that involves public participation, as well as popular consultations in the border states of South Kordofan and Blue Nile. Investing in civil society groups, independent voices, political party development, and other building blocks to a more democratic future are fundamental steps the U.S. can take toward preventing future conflict in Sudan.

In the South, we see a fragile new state that is filled with potential. In its assistance to the South, the U.S. must help lay the groundwork for good governance and invest in real institution and capacity building. The development of a strong parliament and judiciary, as well as executive institutions that deliver services, share power, and transparently administer tax and oil revenue, will be keys to peace in southern Sudan. Given the South's history of internal divisions, inflamed by Khartoum's meddling, inclusive governance will be the most important ingredient for conflict prevention in southern Sudan. The southern government has already taken important steps by bringing back renegade commanders, but much work remains. The southern government has laid out plans for a constitutional review and new elections shortly after secession. Holding the southern government to these commitments to democratic governance should be a central part of the U.S.'s South Sudan policy going forward.

The opportunity for the people of South Sudan to express their will and determine their own destiny was a central element of the CPA, but even as we bear witness to this historic occasion it is important that we remember the unrealized promise of the CPA to bring democratic transformation to all of Sudan. As the United States moves forward to urgently ensure that the two Sudans separate amicably but find the common ground necessary to sustain peace in a tumultuous corner of the world, we must do what we can to help deliver on the promise to all Sudanese.

Thank you again, Congresswoman Ros-Lehtinen and members of the Foreign Affairs Committee for this opportunity to speak.