



STATEMENT OF THE HONORABLE ROBERT MENENDEZ

July 9, 2018

Conflict and Humanitarian Crisis in South Sudan

Mr. President I rise to bring attention to the ongoing conflict in South Sudan, and call on the Administration to take further action to help find a sustainable diplomatic solution.

Today, July 9, is South Sudan's Independence Day. Instead of celebrating the seventh birthday of the world's newest nation, we find ourselves lamenting the human costs of South Sudan's four-and-a-half year old civil war. The situation has created the largest refugee crisis in Africa. An estimated 4.5 million people have been forcibly displaced. An estimated 300,000 people may have been killed since 2013, but death toll could be far, far greater.

The humanitarian situation is dire. Seven million people-- 60 percent of the population-- require humanitarian assistance. Insecurity has disrupted farming cycles, grazing patterns, and trade routes; local markets have collapsed. Food prices have skyrocketed. Over 1 million South Sudanese children are facing acute malnutrition and parts of South Sudan may be experiencing famine. While the United States along with other donors has taken measures to help those in need our

efforts have been thwarted on a variety of fronts. Relief supplies have been repeatedly looted. Government restrictions and insecurity hinder relief efforts.

The war has been characterized by horrific human rights violations. The United Nations (U.N.) Mission in South Sudan reports that, from the outset of the conflict, "Civilians were not only caught up in the violence, they were directly targeted, often along ethnic lines." The U.N. Commission on Human Rights in South Sudan suggests that ethnic cleansing has occurred. Forces on both sides have reportedly engaged in widespread sexual violence. An attack on a residence for aid workers in Juba in July 2016, during which Americans were assaulted and a local journalist killed, highlighted the dangers facing aid workers and other expatriates. According to the U.N., over 100 aid workers have been killed since the war began. Hundreds of attacks on humanitarian workers were reported in 2017. U.N. officials assert that targeted attacks against civilians, humanitarians, and U.N. personnel in South Sudan by government and opposition forces may constitute war crimes or crimes against humanity.

Just last month, Reuters reported that the ceasefire monitoring group set up as part of the 2015 Agreement on the Resolution of the Conflict in South Sudan known as the (ARCSS) has evidence that South Sudan's army has massacred civilians, burned children alive and gang-raped women since the ceasefire agreement reached in December 2017.

In the worst incident detailed in the reports, a group of 200 government soldiers attacked the village of Nyatot in Upper Nile state on Feb. 12. Civilian survivors interviewed said they were “shooting randomly at everything and everybody.” Twenty-two civilians were killed and 72 wounded. South Sudan has denied targeting civilians and called the reports, compiled in the last three months, exaggerated. Despite pressure from the international community, the reports have yet to be released publicly. If these reports are true, perpetrators must be held accountable.

The U.N. Security Council ramped up its threats to impose sanctions against six key individuals in South Sudan if the fighting continued and no compromise was reached by the end of June. Under this most recent threat of sanctions, the President Salva Kiir and rival leader Riek Machar held their first meeting since the 2015 deal collapsed in mid-2016. They have signed yet another agreement, and imposed a cease-fire. But before the ink was dry, there were allegations that government forces violated the cease-fire, and reports that Machar’s group-- the Sudan People's Liberation Movement-in-Opposition-- was opposed to key elements contained therein, putting the agreement at risk.

The Intergovernmental Authority on Development (IGAD) also said it was developing punitive measures against violators of the ceasefire agreement,

although it is uncertain whether this will materialize in a region that has been reticent to impose sanctions.

The United States played a key role in helping create the 2005 Comprehensive Peace Agreement that laid the groundwork for the 2011 referendum on self-determination, through which the people of South Sudan overwhelmingly voted for independence. We have a role to play in helping the people of South Sudan secure their future and find peace. The Administration has taken some steps, including imposing targeted sanctions on individuals who threaten the peace, security, or stability of South Sudan, a bilateral arms embargo, and Commerce Department actions against South Sudanese companies in the oil sector. USAID Administrator Mark Green traveled to the country in September 2017 and pressed for a ceasefire and humanitarian access. UN Ambassador Nikki Haley visited Juba and Sudanese refugees in October 2017 and has pursued Security Council sanctions on those who are obstacles to peace. Undersecretary for Terrorism and Financial Intelligence, Sigal Mandelker, was in east Africa last month, where she urged countries to stop illicit money flows from South Sudan into neighboring countries. These actions are welcome. However, such engagements have been too sporadic to generate sustained diplomatic momentum. Millions of South Sudanese continue to suffer.

Mr. President, despite what seem like positive developments in recent weeks, if past is prologue, we should all be very concerned about whether the agreement will hold. We must position ourselves to support it if it does not collapse, but we must also be prepared to help find a way to a sustainable peace if it does not. High-level United States engagement has proven decisive in achieving peace in the past; it could make all the difference now, either in helping support this latest agreement, or in forging a new diplomatic solution.

I urge the Administration to redouble its efforts on South Sudan by taking the following steps:

Consider the appointment of a Special Envoy for Sudan and South Sudan.

Addressing the conflict in South Sudan will take concerted time effort and attention. If the Democratic Republic of Congo, northeastern Nigeria, the Central African Republic and Mali weren't all in some form of crisis or another, our newly confirmed Assistant Secretary of State for African Affairs *might* be able to devote the necessary time and resources towards the shuttle diplomacy and intense negotiations required to end the conflict in South Sudan. But time is a luxury that we don't have. During his confirmation hearing to be Secretary of State in April, Mike Pompeo committed to reviewing the utility of assigning a Special Envoy to South Sudan. When he appeared before the Committee to defend the

Administration's FY 2019 budget request in May, Secretary Pompeo indicated that he had not yet reviewed the issue. Mr. Secretary, the people of South Sudan have suffered long enough. It's time for a decision.

Develop a strategy, in coordination with partners and allies, for incentivizing each of the member states of IGAD, the east African regional body leading negotiations, to take constructive and decisive actions aimed at ending the conflict. IGAD's efforts to date have been commendable. But it's clear that when it comes to developing and implementing meaningful consequences for non-adherence to past agreements, competing bilateral interests of member states have overtaken effective collective action by the body. Unless member states are willing to place peace in South Sudan above narrow parochial interests, IGAD will continue to fail, and the people of South Sudan will continue to pay the price. IGAD should lead the international community in imposing an arms embargo and targeted sanctions including a travel ban and an asset freeze if this last initiative fails. Member states should stop any and all material support they may be providing to the government in Juba, and we must make clear that failure to do so will affect our bilateral relationship with each of the countries in IGAD.

Improve coordination with allies. The other members of the Troika were taken by surprise by our announcement in May that we are reviewing our assistance to South Sudan. Administration officials consistently say that America

first does not mean America alone. If that is the case, we need to stop taking unilateral action. We should ensure that our partners—if they really are our partners-- are apprised of actions in advance of our announcing them. I'm not suggesting we give them veto authority over U.S. policy. I am suggesting that we work in concert with them so that our actions have more impact. If we consult, we might just find that they want to cooperate with us.

Finally, we should maintain pressure in the Security Council. I am pleased that Ambassador Haley has continued to pursue U.N. sanctions, and I support her efforts. It is evident that the one thing that those in power in Juba care about is protecting their self-interests. Let's stop the supply of arms and materiel, and hit the parties to the conflict where it hurts—their pocket books.

Mr. President, I truly hope the news coming out of the region is an indicator that things are finally moving in the right direction. But there is ample room for doubt. I urge the Administration to better prepare to help the people of South Sudan reach the goals at the birth of their new nation, tragically derailed by civil war and an indifference of their leaders to their suffering.