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**SUDAN: A CRITICAL MOMENT FOR THE C.P.A.,
DARFUR, AND THE REGION**

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SUDAN: A CRITICAL MOMENT FOR THE C.P.A., DARFUR, AND THE REGION

WEDNESDAY, MAY 12, 2010

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The committee met, pursuant to notice, at 11:03 a.m., in room SD-419, Dirksen Senate Office Building, Hon. John F. Kerry (chairman of the committee) presiding.

Present: Senators Kerry, Feingold, Casey, Lugar, Isakson, Risch, and Wicker.

OPENING STATEMENT OF HON. JOHN F. KERRY, U.S. SENATOR FROM MASSACHUSETTS

The CHAIRMAN. The hearing will come to order.

My apologies to all for the delay. But, obviously we had three votes, and I thought it was more important for us to be here in a continuum. And I appreciate everybody's understanding and indulgence.

And, General, thank you very much for being willing to be patient. We appreciate it.

We do have another pressure on us, which is, we have a back-end use of this room, which is also competing with us. So, we're going to have to try to see if we can do this within the framework of about an hour, an hour and 15 minutes, which I think will be possible and adequate.

I know, General, you will not be sad that your time before us will be somewhat limited.

We're very pleased to welcome you back here, General. I appreciate your service as the President's special envoy for Sudan. And I know you're just back from your travels in East Africa.

And this is, I think, by most people's perception, a critical moment for Sudan. A lot of emergencies come with little warning, and we have to react to them. But, in Sudan today, we not only have a map of the faultlines that exist, but we have a timetable for the potential tectonic shifts that are going to take place in the days to come. So, we have a lot of warning about what may or may not take place in this part of the world.

In January 2011, a short time from now, the people of Southern Sudan are scheduled to vote in a referendum on independence. Every credible poll predicts that the outcome will be a vote for separation. Multiple experts also tell us that if the referendum does not take place on time, then the renewal of a war that claimed 2 million lives becomes a tragic possibility, perhaps even likelihood.

Far less certain is how you find a peaceful path forward. Southern Sudan is not preordained as a failed state, but its fragility is very, very clear. And neither the modalities for peaceful separation nor the mechanisms for successful governance currently exist.

So, we all understand the stakes. According to Director of National Intelligence Dennis Blair, while a number of countries in Asia and Africa are at significant risk of a new outbreak of mass killings over the next 5 years, Southern Sudan is the place where, "a new mass killing or genocide is most likely to occur."

The implications of Sudan's instability do not end at its borders. Countries dependent on the Nile's waters, or anxious about their own separatist movements, have concerns. Southern Sudan's neighbors worry about an exodus of refugees. And the Lord's Resistance Army continues to wreak havoc across Southern Sudan, the Democratic Republic of Congo, and the Central African Republic.

The 2005 Comprehensive Peace Agreement, or CPA, as we often refer to it, was intended to create a very different future. The larger peace crafted by that agreement has held. But, hopes for democratic transformation, an ambitious goal for just 5 years, have gone unfulfilled.

Last month, Sudan held its first national elections in a quarter century, as were called for under the CPA. The Sudan People's Liberation Movement and other opposition parties ultimately boycotted the elections in the North, citing intimidation, voter fraud, and other acts. The White House and most independent observers described the process as "seriously flawed."

Today, we would like to understand the significance of the balloting, but we also need to look at the larger picture of the challenges that Sudan faces. That includes, still, Darfur, where the current deadlock leaves many people in camps, trapped in what our top diplomat in Sudan described to me as "a miserable stasis."

Others in areas such as Jebel Marra are exposed to renewed fighting with Khartoum's old tactics, causing new waves of anguish, civilian casualties, and displacement.

While the CPA provides a timetable for North and South, there is no clear timetable or agenda for a peace agreement in Darfur. For those in the camps, 7 years after the onset of the genocide, the questions remain the same: land, security, justice, and compensation. We need to find a way for their voices to be heard, and we need to empower Darfur's civil society, not simply its armed men.

We must also ensure continued humanitarian assistance to millions of people in need in Darfur, including vital protection programs that were lost when Khartoum expelled 13 aid groups in March 2009. And we should explore whether simultaneous early recovery activities can be pursued in tandem with humanitarian aid in order to make lives better for the long-suffering people of Darfur.

With a timetable for one potential calamity laid out before us, and an ongoing crisis still playing out in Darfur, this is the moment for contingency planning, ensuring that we have the resources in place to respond to events and working proactively with the Sudanese, North and South, the U.N., Sudan's neighbors, and other partners, from preventing the worst from coming to pass.

Given Dennis Blair's warning, the stakes are clear. And our window to help the Sudanese people find a peaceful solution is rapidly closing. It's time for Congress to reengage on Sudan. As the CPA nears its final act, I am developing legislation to help shape our Sudan policy and ensure that our policy maximizes the chances of peace. The bill we're working on will seek to reframe United States assistance, prepare for the potential changes that may come, accelerate contingency planning, send important signals to Khartoum, Juba, and other partners, and build United States diplomatic and development capacity to address what may become a very difficult season in the life of Africa's largest country.

I look forward to working with the administration and my colleagues here today to lay the groundwork for meeting the complex challenge that we face.

Our sole witness this morning is Gen. Scott Gration, the President's special envoy to Sudan. And, given the regional stakes, we would have welcomed another witness from the State Department to share a broader perspective, but we do appreciate USAID's willingness to contribute to the discussion and provide a written statement.

And we welcome you, General Gration. Thank you.
Senator Lugar.

**OPENING STATEMENT OF HON. RICHARD G. LUGAR,
U.S. SENATOR FROM INDIANA**

Senator LUGAR. Mr. Chairman, I join you in welcoming General Gration back to the Foreign Relations Committee.

The United States has long been invested in helping to stabilize war-torn Sudan. We have been engaged in this problem because it has national security implications and because we have a moral interest in working to prevent humanitarian disasters and genocide.

Sudan has been fractured by economic and power-sharing disputes between ethnic groups, as well as relentless violence upon civilians. Conditions there brought a U.S. declaration of ongoing genocide and an International Criminal Court indictment of President al Bashir.

The death toll of the North-South conflict and the graphic scorched-earth strategy in Darfur also elicited remarkable grassroots activism in the United States. Along with like-minded nations, we've achieved some success in preventing military escalation and protecting millions of people at risk in Darfur and the South.

But a peace agreement in Darfur is distant and clouded by uncertainty surrounding the outcome of the Comprehensive Peace Agreement process. Failure of the peace agreement between North and South could have catastrophic consequences for all of Sudan.

In testimony earlier this year, ADM Dennis Blair, the Director of National Intelligence, said, "A number of countries in Africa and Asia are at significant risk for a new outbreak of mass killing. Among these countries, a new mass killing or genocide is most likely to occur in Southern Sudan."

Admiral Blair's stark assessment was prompted by evidence that the parties are moving toward conflict, rather than establishing the foundation for a sustainable peace. Each side is arming itself with

far more lethal equipment than was deployed during the North-South civil war. This weaponry is being purchased with the income from oil that has flowed to both sides since the Comprehensive Peace Agreement was signed. These military expenditures have come at the expense of basic services and infrastructure for the people of Sudan. Rather than conclude agreements on wealth-sharing of the demarcation of borders, as called for in the peace agreement, Khartoum and Juba appear to be consolidating their ability to contest oil-producing areas along the proposed border. Neighboring countries have begun to organize their military postures for potential instability on the borders with Sudan.

Most observers agree that South Sudan is poorly equipped to govern its territory and lacks capacity to provide for its inhabitants. International capacity-building efforts, including training security forces and building a functioning capital city in Juba, are ongoing, but insufficient. Moreover, during the last 12 months, violence between ethnic groups in South Sudan has reportedly killed 3,000 people and displaced more than 400,000.

As international attention to the North-South conflicts increases, Darfur risks being relegated to a lesser priority. This may suit the Khartoum regime and its proxies, as well as the myriad criminal elements operating in the Darfur region. Consequently, international vigilance toward Darfur should be heightened.

Although the mortality rate across Darfur has dropped, some 3 million people remain displaced and at risk. Through United States efforts, several expelled aid agencies have been able to return to Darfur, but the safety net for Darfur's displaced millions remains tenuous.

The United Nations hybrid peacekeeping mission with the African Union continues to lack adequate helicopter support to respond to threats to civilians across vast distances.

Given these complex circumstances, United States efforts related to Sudan must be fully resourced, and the administration must be speaking with one voice.

Last July, during General Gration's testimony before our committee, he identified several staffing needs. I look forward to hearing from him today about whether these needs have been met and whether any additional resources are required for this problem. I also look forward to his assessments of the prospects for negotiations, as well as United States options in the event of escalating conflict.

I thank you, Mr. Chairman, for holding this hearing.

The CHAIRMAN. Well, thank you, Senator Lugar, for helping to set the stage for this hearing. We appreciate your comments.

And, General Gration, if you would—we'll put your full text in the record as if read in full, if you could summarize, it will give Senators a little more time to have a dialogue here, in the time we do have. So, we look forward to your testimony.

STATEMENT OF MAJ. GEN. SCOTT GRATION, USAF (RET.), SPECIAL ENVOY TO SUDAN, DEPARTMENT OF STATE, WASHINGTON, DC

General GRATION. Chairman Kerry and Ranking Member Lugar and other members of the Senate Foreign Relations Committee, I

really do appreciate this opportunity to come here this morning to discuss the situation and to answer your questions about the difficult challenges that lie ahead.

The issues we face today, as you know, are very complex, and the time is very, very short. And the next months, as you pointed out so clearly, are so critical, as we strive to increase security and stability, peace and prosperity in Sudan.

I'd like to just take a few minutes to just say a little bit about what's happened in the last 14 months. The recent rapprochement between Chad and Sudan has gone a long way to ending the proxy war that was such a devastating situation. Our team has played an integral role in unifying the rebel movements. And we hope that the peace talks will resume again, later this month, in Doha, to formalize the peace deal and get that cease-fire moving ahead.

Looking ahead, as you rightly point out, Darfur will continue to be a priority. And we're working with the Government of Sudan, the Africa Union, the United Nations to end the remaining conflicts.

Beyond the political talks, our objective remains to increase security and stability at the local level, at the individual level. And we're helping to negotiate agreements on power-sharing, wealth-sharing, land reform, compensation, local justice, and the accountability mechanisms.

Recently, as you know, the Sudan held its first multiparty elections in 24 years, and we've consistently echoed the concerns expressed by the international observer missions about the logistical challenges, the violations of civil liberties, the harassment of opposition groups, and the ongoing problems that we're facing right now in the tabulation phase. But, these observer groups have also stated that the elections fulfilled a critical milestone of the CPA; they ushered in a renewed civic engagement across the country. Over 16,000 candidates from 72 different political parties ran for executive offices and the 1,841 legislative seats. And 25 percent of those will be filled by women. Nearly 80 percent of Sudan's eligible voters registered, and over 10 million Sudanese inked their fingers as they cast their votes.

The elections represent an important first step in increasing the political space, and an initial movement toward the democratic transformation, both the North and the South.

As we anticipate the end of the CPA in 2011, there are several more important issues that have to be resolved this year. And among them are preparing for the referenda in Abyei in Southern Sudan; conducting popular consultations in Southern Kordofan and the Blue Nile; and finalizing the demarcation of the borders in North and South and also in Abyei. And, of course, we're going to have to negotiate those critical post-CPA agreements.

As you mentioned, I just returned from a series of meetings in Addis, and while there, we met with representatives of the parties, senior leaders from the African Union, the United Nations, and other partners who are interested in Sudan. And together we're assembling a strong team of international regional stakeholders to implement the remaining CPA milestones to support these negotiations that have to take place about post-CPA issues, and to advance the vital programs in Darfur.

We must never forget, though, that it's really this NCP and the SPLM who are really the only essential parties to the negotiations. And we must continue to help them to work together, and make that our top priority.

I want to reiterate our unequivocal commitment to fully implementing the CPA. We must ensure that the southerners and residents of Abyei get an opportunity to vote in the referenda. And whether the South chooses unity or secession, it's imperative that the international community work now to ensure that the Government of Southern Sudan has the increased capacity to govern effectively, to provide security, and to deliver public services to its people. To achieve this, a robust and concerted international effort will be required.

And on our part, the United States has already begun to expand its presence in the South. In the next month, we'll be sending a senior diplomat with experience in the region to lead our efforts on the ground. The United States Government and its growing team of international partners are increasingly well postured to respond to the many challenges and opportunities in Sudan.

And with that, I look forward to your questions.

[The prepared statement of General Gration follows:]

PREPARED STATEMENT OF JONATHAN S. GRATION, MAJOR GENERAL, USAF (RET),
U.S. SPECIAL ENVOY TO SUDAN, DEPARTMENT OF STATE, WASHINGTON, DC

Chairman Kerry, members of the Senate Foreign Relations Committee, I am honored by the opportunity to discuss with you today the situation in Sudan and the important challenges that lie ahead. As you noted in your invitation to testify, the coming months clearly bring a series of critical decision points for policymakers in Khartoum, Juba, neighboring capitals, and here in Washington as well. I will focus my remarks today primarily on the road to the referenda in January 2011, the post-2011 planning and capacity-building that need to continue at an accelerated pace, and issues of peace, accountability, and security for Darfur.

Prior to January 2011 there are a number of tasks to be undertaken in a short time period. The United States and the international community in general must be prepared to assist the parties in this endeavor to help maintain peace and stability in Sudan and the region. Before we look ahead, though, it's important to take a moment to take stock of some of the most important recent developments.

- Chad and Sudan have made notable progress in their bilateral relationship, moving toward stopping the long-running proxy war among rebels from both states and ending support to the rebels, deploying a joint border monitoring force, and opening the border between the two countries on April 14.
- Peace talks under the auspices of the U.N. and African Union in Doha have resulted in unification of some Darfur rebels into two groups and involved civil society in preparations for negotiations. However, the Darfur rebel leader with the most popular support among the Fur, Abdul Wahid, has refused to participate in the talks. The Justice and Equality Movement—the most militarily significant rebel group in Darfur—last week suspended its participation in the talks amid new reports of clashes with government forces in Darfur.
- In April, Sudan held its first multiparty elections in 24 years in a largely peaceful manner. We share the serious concerns expressed by the Carter Center, the European Union, and other organizations that undertook election observation missions about widespread logistical and administrative challenges and procedural irregularities, restrictions on civil liberties, some cases of fraud, harassment by military and security services, and that the ongoing conflict in Darfur did not permit an environment conducive to elections. We also have concerns about the tabulation process. As these observation missions have also noted, the elections failed to meet international standards. There were some positive outcomes from these elections, in addition to fulfilling a Comprehensive Peace Agreement (CPA) milestone. Dozens of registered parties and thousands of candidates participated, and over 10 million votes were cast, according to the National Elections Commission. The elections period also saw renewed engagement by civil society groups and increased civic participation among the populace.

We cannot ignore the challenges that continue to exist, and there is daunting work ahead. There are less than 8 months remaining until the referenda. Before those votes take place, there are important issues in the CPA that must be resolved, including:

1. North/South Border Demarcation: Earlier this year the parties approved a report detailing undisputed areas of the North/South border, but they need to agree on remaining disputed areas and urgently begin demarcation.

2. Southern Sudan Referendum Preparations: The parties must finalize composition of the Southern Sudan Referendum Commission, to be approved by the newly formed National Assembly, and these bodies must immediately create plans to undertake voter registration and develop voting procedures within a very tight timeline.

3. Abyei Referendum Preparations: In addition to finalizing the composition of the Abyei Referendum Commission that must create similar plans, the parties must also resolve sensitive questions around who is eligible to vote in Abyei. The Abyei boundary must also be demarcated.

4. Popular Consultations for Southern Kordofan and Blue Nile: Technical committees have begun planning, but commissions to be created from newly elected state assemblies will undertake the actual consultations. Postponed state-level elections in Southern Kordofan must first take place before this state's commission can be formed.

The above issues are complex and it is clear that time is limited. The NCP and SPLM must work together in an atmosphere of open dialogue and trust, consulting with other Sudanese stakeholders as necessary to ensure broad support. These CPA issues recently took a back seat to electoral preparations, but now the parties must refocus and intensify their implementation efforts. Both the government in Khartoum and the Government of Southern Sudan are in the process of reallocating positions based on electoral results. In the coming weeks following the elections, they will need to quickly appoint credible ministries and institutions that are able to gather support for the tough decisions that lay ahead.

As we look to the referenda, which are stipulated by the CPA and enshrined in the Interim Constitution of Sudan, we have carefully considered possible scenarios for which the international community should be prepared. The scenario we'd like to see is outlined in the CPA: credible and peaceful referenda are undertaken during which Southern Sudanese choose unity or secession, and the people of Abyei choose whether to remain with the North or join the South. In this scenario the outcomes are respected by the National Congress Party (NCP), the Sudan People's Liberation Movement (SPLM), other political parties and Sudanese citizens, as well as the international community, including those who signed on to the CPA as witnesses and supporters of implementation of the CPA in 2005. We must also be prepared to respond to less favorable scenarios.

We are mindful that the end of the Interim Period will change the relationship between the north and south, regardless of the outcome of the two referenda. We continue to strongly encourage the parties to formalize a framework for negotiations on post-CPA issues. The critical issues for agreement will include: citizenship, management of natural resources such as oil and water, the status of transboundary migratory populations, security arrangements, and assets and liabilities. Agreement on such issues is necessary both to inform the choices of voters and to ensure a smooth post-2011 transition. We are committed to helping mobilize and coordinate international efforts underway to assist the parties with these negotiations. We must be prepared to invest substantial political and diplomatic energy, as well as technical assistance, to ensure that political will is fostered and agreements are not only reached but also implemented. Only with sustainable arrangements will the parties be able to navigate the many hurdles coming in 2011 and beyond.

Whether or not Southern Sudan becomes independent in July 2011, and regardless of whether it includes Abyei or not, the Government of Southern Sudan will require effective leadership as well as strengthened capacity to undertake effective and accountable governance, provide security, and deliver services to its citizenry. A robust, concerted international effort will be required to assist in this capacity-building effort.

In order to assist in building up the capacity of Southern Sudan, we are undertaking a "Juba Diplomatic Expansion" to include staffing and material assistance on the ground in Sudan to support USG foreign policy objectives. Operating under Chief of Mission authority, staff from the Coordinator for Reconstruction and Stabilization (S/CRS) and the Civilian Response Corps (CRC) will provide support to Consulate General Juba and complement USAID's robust presence in the runup to and following Southern Sudan's January 2011 referendum. Staff is assisting in stra-

tegic and contingency planning, program oversight, and technical assistance, both in Washington and in the field.

In keeping with President Obama's emphasis on multilateral efforts in Sudan, we are working closely with our partners in the international community through the Troika, Contact Group, and "E6" group of envoys. We have an ongoing dialogue with key regional organizations and states, including the African Union, European Union, Arab League, Sudan's nine neighboring states, China, Russia, and others. We also regularly engage with the United Nations on U.N. missions in Sudan. With substantial U.S. input, the Security Council recently renewed the mandate of the UNMIS peacekeeping mission, emphasizing the need for the mission to continue its support to the CPA parties to implement all aspects of the CPA, and requesting that UNMIS be prepared to assist the parties in the referenda process. Promising new leadership on both Sudan peacekeeping missions bodes well for future mission operations. The parties have much to do in the final phase of Sudan's Interim Period and it is our sincere hope that strong international engagement will further bolster these efforts.

While much attention will be focused on the North-South process over the next year, we continue to work on Darfur and the many important unresolved issues there. A definitive end to conflict, gross human rights abuses, and genocide in Darfur remains a key strategic objective, as made clear in the U.S. Strategy on Sudan. Violence continues in and there are credible reports of continued aerial bombardments by the Government of Sudan. This is unconscionable and we have called on the government to immediately renew its cease-fire. Following progress in Chad-Sudan relations earlier this year, the Darfur peace talks in Doha saw positive progress with the signing of two framework agreements between the Government of Sudan and Darfur rebels in February and March. We are concerned about the Justice and Equality Movement's decision to leave the peace talks and are encouraging them to return to the negotiating table. The U.N. and African Union are now working hard to include the voices of civil society representatives in the process, implement a cease-fire on the ground, and enter into meaningful and productive political negotiations between the parties. While issues such as cease-fires, power-sharing, and wealth-sharing can be addressed at a high level in Doha, we need to think more creatively about how to bring the people of Darfur into local conversations about compensation, land tenure, and rebuilding their communities. Additionally, as stated in the U.S. Strategy on Sudan, accountability for genocide and atrocities is necessary for reconciliation and lasting peace. In addition to supporting international efforts to bring those responsible for genocide and war crimes in Darfur to justice, we are consulting closely with our international partners and Darfuri civil society on ways to strengthen locally owned accountability and reconciliation mechanisms in light of the recommendations made by the African Union High Level Panel on Darfur led by former South African President Thabo Mbeki.

Local peacebuilding, rule of law, and reconciliation activities must be revived and strengthened. We should not wait for a negotiated political settlement to begin improving the lives of Darfuris. For instance, we are supporting the role of women in peacebuilding and working on the imperative of reducing gender-based violence in Sudan. One of the administration's highest priorities for Darfur is to improve security so that the people on the ground who have suffered so greatly can see a tangible improvement in their living conditions. We continue to work closely with UNAMID and relevant stakeholders to enhance protection of civilians, expand humanitarian space for the delivery of life-saving assistance, and consolidate gains in stable areas to prepare for the voluntary return of people to their homes. This is not an easy process, but it's one international donors must undertake with great urgency. We are also working with our international partners to improve access for UNAMID and humanitarian workers to areas still affected by fighting between government and rebel forces, such as Jebel Marra and Jebel Moon, as well as intertribal fighting, especially in South Darfur. We are also working with the U.N. and other key partners on a plan to provide increased security in the triangle that is formed by El Fasher, Nyala, and El Geneina, where up to half the population of Darfur lives. In the long term, it is imperative to address the underlying causes of conflict, including disputes over land and water resources. This will require the cooperation of the Government of Sudan, vigorous diplomacy by the United States, and sustained support from the international community.

The CHAIRMAN. Well, thank you, General. We appreciate the summary very much, and we look forward to a chance to have this dialogue.

Do you agree, first of all, with Admiral Blair's assessment, which both Senator Lugar and I put forward today?

General GRATION. Yes, I do, sir.

The CHAIRMAN. You do. And where would you place—I mean, at this point in time, post-election and given the dynamics, where would you place us on that course, at this point?

General GRATION. I think we have to redouble our efforts. I think the international community—

The CHAIRMAN. Is it safe to say we're behind?

General GRATION. We are, sir.

The CHAIRMAN. How far behind?

General GRATION. I think it's possible to get done everything we have to get done, but we can't waste another minute. The time is now.

The CHAIRMAN. Exactly what—give me the order of priority. What has to happen here to make this work?

General GRATION. There's three things that have to happen. The first is that we have to take the lessons from the elections and turn them into solutions for the referenda. There has to be better voter education. There has to be a better system of logistics and procedures and administration. And there have to be processes put in place. And that means that the referendum commission has to be appointed by the National Assembly. They have to be financed and they have to be given the training.

I worry about the diaspora registration. This registration will be so complex—and it happens in July 9—that's when it starts—because they have to register people in countries outside, in 14 different nations, and they don't have the system of chiefs to do that. And there's sometimes not the requisite birth certificate and those things to prove residency of the South. These are issues that have to be resolved. And I'll move quickly. But, we have to learn the lessons and do the preparation. That means that ISIS, the international monitoring teams, have to be on the ground right now, working not as referees that throw in a red card, but as coaches and folks that can help make this successful. Because if we're not successful in achieving a referenda that is credible from international standards and represents the will of the people—and so, they say, "Yes, my will has been acknowledged," and that the North can recognize that, I believe it's going to be problematic.

The CHAIRMAN. Will all of those steps require the cooperation—in fact, the full, almost, leadership of the North?

General GRATION. Many of them do. But, the South has a very important role, because it's really—it's a joint effort. And if it's not just a North issue and it's not just a South issue; there's got to be a lot of work together. And the international community has to be part of this, as does the regional partners in Africa.

The CHAIRMAN. But, it's also fair to say that, I mean, the North has obvious reservations about the outcome of that referendum. Has anything shifted in their attitude about that? Do they fully expect that referendum to produce a separate—

General GRATION. Yes, sir. In my conversations with leaders in the North, I believe they do. They recognize this has to take place. But, I would also say the second and third aspects that we have to do in the short term is, we have to get agreements on the post-

2011 issues of which oil revenue allocation is the most important issue.

The CHAIRMAN. Who's driving that right now, General?

General GRATION. It's got to be both. And they've set up an agreement, where there's three members of the South and three members of the North and an executive committee. Those groups are going to start talking. But, it has to happen as soon as possible, because these are tough issues. And there's other things that have to happen, in terms of, maybe an audit and maybe some more technical—

The CHAIRMAN. Is there a referee or catalyst for that right now?

General GRATION. They've asked the Norwegians, because of the history that they've had with the oil, to help. They've also asked us to help as technical advisers. And we've also been working with Chatham House and other people to come up with some options for them, looking at other wealth-sharing arrangements like with the pipeline that goes from Chad to Cameroon, the TBC, and things like that. So, we'll continue to provide the technical advice.

But, now I believe it's not any more time left for study. We have to start making the negotiation, and we need to encourage both the North and the South to do that as soon as possible.

The last issue you mentioned, though, is the border demarcation. Without a clear boundary, it's going to be very difficult for the South to move on with independence. And so, we have to move very quickly to get the President and the Presidential organization to issue the report and then to start working out those areas where there's conflicts and start demarcating those areas where there's agreement. That has to happen—all these things have to happen by November.

The CHAIRMAN. We were the essential ingredient of the creation of the CPA itself.

General GRATION. Yes, sir.

The CHAIRMAN. Are they still accepting our stewardship/leadership, with respect to these priorities you've just described, in the same way?

General GRATION. Very much so. But, we also need to have other people step up to the plate. We're not going to walk away from our leadership and our commitment, but we have to have more people join with us. And this would include the international community and it would include members of Africa nations. It would also include the U.N. And that's why we're reaching out in a very concerted way to expand our team; not that we're stepping away, but to make sure that other people step up to the plate. And this become an international issue to resolve, and not a U.S. issue to fix.

The CHAIRMAN. General, do you believe that you have the tools that you need, yourself, in order to meet that schedule? Or do you need something more than you have today?

General GRATION. The President has been superb and have given me everything I've asked for. The Secretary of State, Secretary Clinton, has just been marvelous—and her team.

Now, obviously, as we go into this period, if the South was to choose independence, there are things that have to happen. And we're in consultations right now assessing the various options. And

certainly, we will be coordinating with the Congress, because there are things that will, I believe, in the out years, require a change in allocation of resources and the way we do business—in the South especially, but also in the North.

The CHAIRMAN. So, you're saying that part of the next few months has to be dedicated to preparing for the expectation that there will be a declaration of independence, and we're going to have to deal with a very fragile state at that point. Is that correct?

General GRATION. That's correct. If they choose unity, that's pretty easy. If they chose independence, I believe that there's much work that has to be done in the very near future.

The CHAIRMAN. Are you confident that if they choose independence and—let's put it this way. If the modalities are worked out—the oil, the boundaries, et cetera—I assume your judgment would be that, if they choose independence, and that's worked out, that the prospect for violence goes down significantly. But, if the oil issue is outstanding and the boundaries remain outstanding, the odds of violence are very high. Is that—

General GRATION. That would be my assessment.

The CHAIRMAN. Thank you.

Senator Lugar.

Senator LUGAR. General Gration, the Comprehensive Peace Agreement, as we understand it, was a complex series of agreements. Can you describe the other arrangements that are often lumped together as a "complex series of agreements" that are a part of this CPA?

General GRATION. Yes. And in response to Senator Kerry, I just listed those that are really make-or-breaks.

Senator LUGAR. Right.

General GRATION. But, you're exactly correct. We have been able to work with the Sudanese in what we call our "trilateral talks," to reach agreements on all aspects of the CPA. But, it really means that other things have to happen. First of all, the national election law has to be changed to give the South a blocking majority; an extra 40 seats. And there's other seats that have to be happening.

Senator LUGAR. And that has to happen through the Sudanese—

General GRATION. Right.

Senator LUGAR [continuing]. Parliament.

General GRATION. We expect it to happen somewhere the 1st, or sometime after President Bashir is inaugurated.

Senator LUGAR. I see.

General GRATION. The second thing that has to happen is that we have to, as I said, do the border demarcation. And that's—and the popular consultations—and those are part of the CPA.

But, there's a whole lot of issues on top of the CPA that are looming. And things like, What happens to the citizens if they were to choose independence? And we have to work through that. Things like debt relief. Things like assets and liabilities. Whose currency will we use? How do we establish the reserves? And we're having to work with the IMF and the World Bank on those issues. Things like airspace control. Who's going to—How do you do that transition from the North, who now is responsible for airtraffic control and navairs, to moving that to the South?

So, sir, there's a wide variety of issues that cross all aspects of government that we're going to have work through. So, my belief is that there will be independence, but there will be a time where these other functions are transitioned in a methodical and a safe and a secure way to the South.

Senator LUGAR. Now, when you use the phrase "We will need to do these things," are you speaking about the United States? Are you speaking about the United States plus Norway? The United Kingdom? Other African states? If you were asked to describe the organization of the responsible parties, how would you respond to that?

General GRATION. I would respond that, ultimately, it's the North and the South that have to meet agreements. They live there. They're going to live with—the longest border that they have with any country is going to be between the North and the South, should they choose independence. And they're the primary actors that have to reach agreements and implement.

The second tier are those neighbors, those nine countries that live, bordering them.

And then, the third tier is the rest of Africa. And Africa should be helping Africans. And that's why we're working very closely with the Africa Union to make sure that they're engaged and are part of the solution.

Then there's that tier of support and influence and leadership that comes from the international community. And it stretches from China and Russia, certainly Europe, but it also stretches to Asia and South America. This is a global issue that requires an international solution.

So, when I say, "we," it's in the very broadest terms. And while the United States can't own it, there's leadership we can bring; there's resources and technical abilities that we can bring. But, certainly we have to do this in concert and in a collective way with all of our partners.

Senator LUGAR. But, as you suggest, somebody really has to lead this. The importance of negotiations between officials from the North and South are obvious. But, even then, someone in the South or the North would have to pull together a team designated to talk to other parties.

The question I'm trying to reach is, Do you and your staff have the ability to liaise with outside actors? For example, you mentioned ISIS, the international group that work on elections. Can you call them in and say, "You know, we really need to have application by your folks now so that people understand the election procedures"?

General GRATION. We're committed to doing everything we can, and everything we need to do, to do exactly that. And, in many cases, we can have a leadership role that's direct. Some places we have to have an indirect role. And where we use influence and the power that all of our government has in.

And this is where Congress can be very useful, too. You have an opportunity to meet with people that come through the Senator Foreign Relations Committee, and if we can work to elevate Sudan in the inboxes of all these national leaders, that would be very use-

ful. But, we have to continue to do that. And we have to continue to use other partners to use influence.

But, you're exactly right that there are certain areas that have been carved out for the AU, for example, and the U.N. But, there's certain areas that we're going to all have to jump in and fix. And if the United States has to step up, certainly we want to make sure that failure is not an option and success is what we achieve.

Senator LUGAR. Hypothetically, if a referendum was held and it was deemed very clear that the result was independence and independence was subsequently declared, at that point, who, physically, in the South, takes charge? In other words, if there is to be the negotiation, first of all, on the building of the institutions, quite apart from dealings with the North, who, physically, is empowered by this type of result of a referendum in Sudan to do something?

General GRATION. Well, we've had elections in the South, and President Kiir, who runs the autonomous state of Southern Sudan, and the Government of Southern Sudan will continue to have the lead. And—

Senator LUGAR. He'd be recognized, clearly, because of the previous election.

General GRATION. Yes, sir.

Senator LUGAR. Yes.

General GRATION. So, he would continue to have the lead, along with his party, which is the SPLM, and the leaders in that party. And they've already been posturing for this. They've already been working out who is going to actually have the lead on these negotiations, both with the IGAD and the AU and those things, but also with the North.

And, historically, it's been Riak Mashar who has been working together with other partners. But, we'll see, as they reorganize their government, who will actually be the interface with the NCP.

Senator LUGAR. How many people do you have on your staff supporting you in your role as special envoy to Sudan? For instance, with regard to the Pakistan situation, as things are improvised, maybe a staff of 30 or 40 people have been cobbled together. What sort of a group do you have?

General GRATION. We have a core group that comes out of the State Department. And that's around 20 now, with interns and folks that we have on fellowships and that kind of thing. But, then we've also been able to get help from other agencies who have seconded people to us. And so, we run—people that are actually working full time on Sudan—around 30—28 to 30. But, that number's going to go down in the summer, and some of the people that we have for those fellowships may not get replaced.

But, the State Department is working through us. We're working very closely with Pat Kennedy. And I've got to tell you, my belief is that we're going to have the capacity that we need to do the job that we must do.

Senator LUGAR. Well, that's good news.

General GRATION. Yes, sir.

Senator LUGAR. Thank you.

Senator FEINGOLD. Thank you, Senator Lugar.

General Gration, welcome.

And I certainly want to thank Chairman Kerry for holding this very important hearing.

Let me first express my support for the Obama administration's effort to scale up our diplomacy and development efforts in Southern Sudan to prepare for the referendum and its aftermath. And, as you said, the stakes of the coming months are incredibly high, not only for Southern Sudan, but for the entire country, as well, and for the region.

We must do all we can to ensure that the referendum is held on time, and that it is held fairly and peacefully. And we must help the Southern Sudanese to get a handle on the many security, development, and governance challenges before them.

At the same time, we have to be ready for all possible scenarios, including one in which the National Congress Party seeks to destabilize or disrupt the agreed-upon process at the same time that it escalates the crisis in Darfur, or foot-draws on efforts to bring about peace.

I've expressed concern at different times, including during the runup to last month's election, that the administration has not spoken out more forcefully about the abuses by the NCP, or sought to hold them accountable. And although I am not opposed to engagement, we need to be firm and to be sure that any engagement is based on actual evidence that the NCP is willing to cooperate and has made concrete progress on previous problems.

So, General, let me ask you a few questions. In your discussions of the NCP, what have you conveyed would be the consequences if they take actions to disrupt the referendum process? Have you prepared a way in which we would act in that scenario?

General GRATION. Obviously, these are decisions that would have to be made through the process—decisionmaking process that goes through the National Security Council. But, certainly we've been very clear that we will not tolerate obstacles or roadblocks or messing with the referenda. We believe that it needs to happen on time, and we believe it needs to happen in a way that reflects the will of the people. And so, rigging, messing with, or destabilizing would be things that we would condemn. And there would be consequences that are negative.

We believe, also, that when it comes to applying these pressures, that if we can get a community of nations to work with us, that these pressures will be more effective when the international community is on board. And that's why we're working very hard to make sure that the international community is seized with this issue, that they also understand the importance of the referenda, and that they are partners with us, so that when it comes time to apply pressures, when it comes time to make sure that this referenda goes forward, that it's the whole international community that brings pressure to bear on the North.

Senator FEINGOLD. I appreciate what you said. But my question was: What would the possible consequences be? And are we in the process of preparing, or have we prepared, a scenario if they act this way? I don't want to just hear about what the process would be. I want to know if it's happening. Are we ready?

General GRATION. We are ready. These discussions take place in the administration, in the National Security Council, and certainly

have been taking place in the State Department. Many of these things, for obvious reasons, are things that we don't talk about in public. And we'd be very happy to come up here, as we have in the past, to brief the staffs on the options that we have available, should the scenarios warrant.

Senator FEINGOLD. Well, I appreciate that some of this shouldn't be shared in this setting. But, is there anything you can share, with regard to the types of consequences that this government may suffer if they mess around with this situation?

General GRATION. Well, obviously, what they want is to be un-yoked from sanctions, to get legitimacy, to move into the circle of nations that are respected. And so, to take that away would be a big thing. You know, in other words, to condemn, to further isolate, to marginalize them would be something that I believe would have a strong effect.

But, the range, beyond that, of things that we can do is great. And they include things that we briefed with your staff. But, we can give you more specifics on that.

[A written response by General Gration follows:]

I am willing to brief you and any other Members and cleared staff about the details of the strategy in an appropriate setting.

Senator FEINGOLD. I look forward to that.

General, I have been very concerned, also, by the level of violence within Southern—South Sudan. As you know, humanitarian groups report that over 2,500 people were killed, an additional 350,000 were displaced, by interethnic and communal violence in 2009 alone. And the Lord's Resistance Army continues to foment terror in the southwestern corner of the country. To this end, what can be done by the SPLA or the U.N. peacekeeping mission? How can we help strengthen the existing disarmament program in order to reduce these levels of violence and protect the civilians during this very turbulent period?

General GRATION. This is a focus of our shop. We right now are putting together a conflict mitigation package that looks at everything from the ground level of sensing and figuring out where these conflicts are, and then works all the way up through the top of the government and the command-and-control system.

The deal is, is that, in many ways, we haven't gotten out in front of these things, because we don't know that they're happening until they've happened. And so, our response has really been to take note and to write a report. And that's sort of what's been happening with our U.N. folks, the same. We want to be able to get in front of these situations, to have a mobile and an agile force that can get to these problems before they occur. And so, we're working on conflict mitigation teams, giving them the communications that they need, giving them the mobility they need, and to try to get out in front of these problems before they happen.

This is also something that we're trying to do in Darfur. We're concentrating on an area between the three major cities that includes Jebel Marra. But, conflict mitigation, increasing the security mechanisms, and the infrastructure are primary things. Because, if you look at all the problems that we have, we can't do development, we can't do early returns, we can't move on to governance, we can't put in place security—I mean, social infrastructure and

economic infrastructure, because of the insecurity. So, insecurity and stability are high priority for this administration, and we're working on just that.

Senator FEINGOLD. And in regard to Darfur, despite some small successes, obviously the situation there remains unresolved. Over 2 million people—displaced people—still living in camps. And earlier this week, the JEM rebel groups suspended their involvement in peace talks after alleging that the Sudanese Government has launched fresh attacks on Darfur.

First, from what you know, is there any truth to these allegations? And second, what impact has—which you've referred to—the Chad-Sudan rapprochement had on the potential for viable peace talks?

General GRATION. We were encouraged when the agreements were made. And you're exactly right that when we started, on the 15th of March of last year, we anticipated that we'd be able to finalize the cease-fire and get agreements on power-sharing, wealth-sharing, and compensation. This did not happen. And it's true that the JEM has walked away and has taken back to guns.

We understand that there has been some fighting going on in eastern part of Darfur. We don't know the details yet, because UNAMID hasn't been able to get out there to look at that. But, we'll keep an eye on that. And we certainly condemn any kind of offensive action on either side. And we've said that publicly, and we've said it privately. And we'll continue to work with all of our partners and the U.N. to make sure that this doesn't continue. We prefer a negotiated settlement that's lasting. And we're very disappointed with this increase—

Senator FEINGOLD. But, you have not denied here that the Sudanese Government has launched fresh attacks on Darfur. You have not confirmed it, but you have not denied it. Correct?

General GRATION. I believe that they have.

Senator FEINGOLD. OK.

General GRATION. But we're trying to get the extent of those. What would happen is, if I could just explain a little bit, it's our understanding that when President Deby and other people made an agreement with Khalil Ibrahim, the head of the JEM, that they were supposed to stay in the area around Jebel Moon and in camps. During the negotiations that have happened over the last 2 months, they have moved to the east and the—SAF, I believe, in recent days, has retaliated against them.

But, again, we condemn this. We condemn all offensive action. And we want them to go back to the table. We believe, on the 15th of May, the Government of Sudan will come back to Doha, and we hope, at that time, that Khalil Ibrahim will bring his team back also.

Senator FEINGOLD. Thank you, General.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator Feingold.

Senator Isakson.

Senator ISAKSON. Thank you, Mr. Chairman.

General Gration, our country owes you a debt of thanks. You have what may be the most complex and difficult envoy appoint-

ment in the history of the United States. And I think your predecessor, Mr. Williamson, would have agreed to that, after he left.

I would like to follow up on the Senator from Wisconsin's question and your comments about conflict mitigation teams. I have been to the Darfur region of Sudan. I have also listened to testimony at previous hearings on Sudan. I remember the previous administration never had the logistical capability to really do the job it wanted to do. Do you have the tactical and logistical capability to get conflict mitigation teams to the places they need to go, either through what you have at your disposal or cooperation with UNAMID or the other people involved?

General GRATION. Yes, sir. I believe we're reaching that point. For example, you're exactly right that UNAMID was in a buildup point, up until now. And now, we're encouraging them to start patrolling the roads; get out of the super camps, get out of the three cities, and get out and start patrolling the roads between Nyala and Fasher and El Geneina. And we believe that, just as we've seen in the past, as they started patrolling between southern Kordofan and Darfur, that taxis and transports and people started following the security of the UNAMID vehicles. And the—we believe that if they can get out—and then the NGOs—there's 15,000 NGOs and people that are working on everything from stability to early recovery to development, that are just hunkered down in the three big cities. And we've got to get them out of the towns and into where the people need some help. And I believe that, if UNAMID can get out of the cities and start patrolling the roads, that that will improve.

But, we also have to hold the Government of Sudan responsible. In reality, it's the government of the country that's responsible for its people. And I understand that that's going to be difficult for a while, but they also have to become part of the solution. And we're pushing them and working with them to make sure that they, too, control the banditry, control the Janjaweed, and control those things that they may have more control over than the UNAMID forces. And if that all happens together, we may be successful. But, it's going to be an uphill battle.

Senator ISAKSON. On that point, in March 2009 the Government in Khartoum expelled 13 NGOs operating in Darfur. I happened to travel to Darfur with Senator Corker about 3 months later. I think Chairman Kerry had been there a couple months before. Has the Government in Khartoum behaved itself better, vis-a-vis the NGOs that are there trying to deliver humanitarian assistance to the Darfuri people?

General GRATION. It's difficult to tell if they have. But, what has happened is that the increase in banditry, carjacking, kidnappings, and the basic unrest that is at the local level—not at the strategic proxy-war level, but at the local level—has prevented people from getting outside of the towns. And that's why security and getting rid of the banditry and the Janjaweed and the roadblocks is absolutely what has to happen. And then, when that happens, maybe the government can move on.

But, I will tell you, sir, what's happened is that we've been able to work through the ways that we've been able to cobble together—and NGOs and the United Nations fill in the gap—we've been able

to work on food and health and sanitation and water. What we're missing is those things like gender-based violence, treatments, mitigation. And there's some aspects of the NGO expulsion that we haven't been able to restore. Those are the things we have to work on, in this next phase, very hard to make sure that individuals feel safe when they go out, and women are not put at risk of rape, and that people have a system that, when they're wronged, they can get it righted through a system of justice and a rule of law and a pattern of order. Those are the things that we have to get, because while we're making great strides, in terms of rebel unification and Doha and the rapprochement, it has not changed the lives of the people on the ground. They're still living in dire conditions. They're still having gross human rights abuses, just because they don't have a way out. And this has to become a priority not only of the United States, but of the Government of Sudan and the international community.

Senator ISAKSON. Well, I know a year ago the incidents of rape and gender-based violence had started to decline in Darfur. From your statement I take it that it is picking back up again, or is it—

General GRATION. No, it has started to decline. You're right. And even the number of deaths. And last year we dipped down to where only 16, what we call, "excess deaths," or deaths related to conflict. But, the reality is, if there's one, there's too many.

Senator ISAKSON. Right.

General GRATION. And therefore, if there's a single woman who's raped, that's bad. And if there's a single fatality, of a civilian that's caught up in this conflict, it's unacceptable. And we're going to drive this to zero.

Senator ISAKSON. Will the vote on the referenda take place next February? Is that right? Is that the target date, or is it April, or—

General GRATION. What's happening is, the referenda has to be completed 9—or 6 months prior to the end of the interim period. So, technically—and now the South is asking for the referenda to actually occur in the early part of December so that they can count the votes and then make the announcement on the 9th. That's a little bit different than what we were aiming for before.

Senator ISAKSON. Right.

General GRATION. But, we'll have to see how that progresses. But, actually, January is the big date we're driving for.

Senator ISAKSON. Of next year?

General GRATION. Of 2011, which could mean that independence could come as early as the 9th of July, should the South choose independence.

Senator ISAKSON. Last question. And I apologize that I missed your verbal testimony, but I've been trying to scan the prepared text beforehand. In it, I see you say that they have made progress on relationships in Darfur, particularly with the proxy war. That was the one with the Chadian rebels and the Janjaweed. Is that correct?

General GRATION. Yes, sir. As you remember, a year ago, the Chadian rebels that were supported by the Government of Sudan

actually came within a half a mile of President Deby's palace, and the JEM got within 13 miles of Bashir's. That situation has ended.

Senator ISAKSON. And so we have a better climate there, as far as that proxy war is concerned?

General GRATION. Assuming that it doesn't start up again. But, right now, President Deby's doing the right things in Chad, and the Government of Sudan is doing the right things with their Chadian rebels. And I believe that's not going to be an issue at the strategic level anymore. But, at the tactical level, we're having these things that Senator Feingold talked about.

Senator ISAKSON. Thank you for your service, General.

General GRATION. Thank you.

Senator CASEY. General, thank you very much for your testimony, and especially for your remarkable public service. As Senator Isakson noted, it doesn't get more difficult than the assignment you have. We're grateful for your service, a continuation of service to the country which goes back a number of years. We're grateful for that.

And in particular, I wanted to follow up some of the questions Senator Isakson had as it relates to the—I guess, the general topic of what has happened and what is happening now with regard to aid organizations. I know you played an instrumental role in the reentry of those organizations into the country. But, I wanted to get your sense of that, generally, in terms of the impact of the expulsion or the—if any—the continuing impact of that expulsion.

Second, to have a conversation about efforts that you have made, and will continue to make, to reduce gender-based violence. How do we do that? What are the steps to implement? I know you spoke of it a moment ago. And in your testimony, I know you cite the, "imperative of reducing gender-based violence in Sudan."

So, I guess, generally, two questions: One on the—kind of, the status of the impact to the aid organizations, or the impact of not having them there for a period of time; and then, second, the gender-based violence, the strategy to combat that.

General GRATION. As I pointed out before, we did make great gains to stop what could have been an absolute disaster. There was 1.2 million people at risk. We lost, in some places, 85 percent of the capacity. That has come back.

The problem is, that because of the violence and the carjackings and the banditry, it came back in a more centralized way in IDP camps. And while the number—we really don't know if it's 2.0 or 2.7—there are still too many people in IDP camps. But, the problem is, is that we've gone into a mode of sustained relief. And we're entering our 7th year of sustaining people with food and health care and things. And it's great we're doing that. But, at some point, we have to break that mold, and go into sustainable recovery and development, where people get an opportunity to go back to their lands, under Hakura, where they get to be able to have farms and get herds again and move out and establish villages and homelands. That has to change. And so, what's happened is, is that we did, but we consolidated, and we made it more of an institution. We have to break out of that.

But, that ties in a little bit with gender-based violence. There's the institutions that have to change in Darfur. We have to make

it possible for women to be part of the police force. We have to make it possible that they not only work on women's programs, like right now what we're doing, collecting firewood and making that easier, and solar—and all those are important things, but they have to be integrated more into the society. And I believe that, when those things happen, that some of these issues may decrease even further.

But, in the short term, we have to provide, No. 1, a safety place where women who have been violated can go and get the treatment they need, where they can have the counseling that they need, and where we support those kind of programs. And there have to be NGOs that come in to develop those programs in a more widespread way. That has been an area that I feel that we have not been as successful as that we need to be.

So, building the short term, but then making the institutional changes that give women a more prominent place and that give them the respect and the tools that they need to become contributors in a larger way.

Senator CASEY. In the short term, as it relates to that violence against women, is it both a resource and a structural question? In other words, that—as you said, they need to have a place to go for counseling and other services. But—and I realize that's—that could be both resources and structure—but, is there a basic law-enforcement protective element that's missing here—that there aren't enough law enforcement officials that are creating the kind of order, or investigating an allegation of rape, or investigating an act of violence? What—in other words, what is it that you have to do in the short term? I realize the long-term question of integration is into—that those are longer term questions. But, short term, what is—what exactly do we need to have happen to bring down the level of violence, in addition to having extra services, like counseling and other services?

General GRATION. In the short term, the U.N. forces—the U.N./AU forces have to provide an umbrella of security—more than they're doing right now. In most areas, they don't patrol past 10 o'clock at night. And they don't patrol where the women have to go out and collect firewood and those kinds of places. I believe, in the short term, there has to be more security that's put on there.

Senator CASEY. How do you change that? Just those two—the lateness of the—you know, after 10 o'clock, when they're going out to collect fire—I mean, how do you change that, in the near term?

General GRATION. Those are things that we're actually communicating with the U.N. I just was up in New York, and I've been talking with the U.N. commanders in the field. I was with them on the 6th, just a couple days ago. And so—in Darfur, talking about all these issues of how we raise security up. But, we're going to have to do a better job in putting security zones and then security corridors where the folks do their seasonal migration. Those things have to happen.

But, in addition to that, the Walis and the government have to put in place systems of government where people who commit crimes can be identified and that they're brought to justice and incarcerated or dealt with or punished or whatever that the system of law does. Right now, the problem is, is that there's not that sys-

tem. And so, when there's crimes committed against women and men, that there's not a system that you can bring people to justice. So, the local justice system, the whole accountability process—it goes all the way back to 2003. Those are things that we're working with the international community, with the AU. And these have to be put in place. And we're already 7 years too late. And they have to become a priority. And it's a huge priority for me. I will continue to raise it. It's very important that we fix it, from a short-term relief, but we actually make systematic changes that will ensure that women are protected, that human rights are protected, and that people can grow old with dignity.

And these are things that we just have to get to. And they—we've put them aside too long as we've concentrated on food, water, sanitation. But, we've got to go out and fix these things, because it's part of the soul, and that's so very important.

Senator CASEY. Thanks very much.

The CHAIRMAN. Thank you, Senator Casey.

Senator Wicker.

Senator WICKER. General Gratton, thank you for your service and for your testimony today. This has been a passion of yours for some time.

Sudan has also been a passion of Congressman Frank Wolf of Virginia. In a letter to the President, dated May 5, 2010, Representative Wolf mentions his two decades of involvement in this country. He offers his opinion that hope is quickly fading in the process. He references an advertisement, placed in the Washington Post and in the publication Politico by six respected NGOs, calling for Secretary Clinton and Ambassador Rice to exercise personal and sustained leadership on Sudan in the face of what they call “a stalemated policy.” And Mr. Wolf joins what he calls “a chorus of voices” urging that the President empower Secretary Clinton and Ambassador Rice to take control of the languishing Sudan policy.

Mr. Chairman, I ask that this letter be included in the record at this point.

The CHAIRMAN. Without objection, it will be.

Senator WICKER. Thank you very much.

[The letter submitted for the record by Senator Wicker follows:]

MAY 5, 2010.

Hon. Barack H. Obama,
The President, The White House,
Washington DC.

DEAR MR. PRESIDENT: “If President Obama is ever going to find his voice on Sudan, it had better be soon.” These were the closing words of New York Times columnist Nicholas Kristof two weeks ago. I could not agree more with his assessment of Sudan today. Time is running short. Lives hang in the balance. Real leadership is needed.

Having first travelled to Sudan in 1989, my interest and involvement in this country has spanned the better part of 20 years. I've been there five times, most recently in July 2004 when Senator Sam Brownback and I were the first congressional delegation to go to Darfur.

Tragically, Darfur is hardly an anomaly. We saw the same scorched earth tactics from Khartoum in the brutal 20-year civil war with the South where more than 2 million perished, most of whom were civilians. In September 2001, President Bush appointed former Senator John Danforth as special envoy and his leadership was in fact instrumental in securing, after two and a half years of negotiations, the Comprehensive Peace Agreement (CPA), thereby bringing about an end to the war. I was at the 2005 signing of this historic accord in Kenya, as was then-Secretary of State

Colin Powell and Congressman Donald Payne, among others. Hopes were high for a new Sudan. Sadly, what remains of that peace is in jeopardy today. What remains of that hope is quickly fading.

I was part of a bipartisan group in Congress who urged you to appoint a special envoy shortly after you came into office, in the hope of elevating the issue of Sudan. But what was once a successful model for Sudan policy is not having the desired effect today. I am not alone in this belief.

Just last week, six respected NGOs ran compelling ads in *The Washington Post* and *Politico* calling for Secretary Clinton and Ambassador Rice to exercise “personal and sustained leadership on Sudan” in the face of a “stalemated policy” and waning U.S. credibility as a mediator.

In that same vein, today I join that growing chorus of voices in urging you to empower Secretary Clinton and Ambassador Rice to take control of the languishing Sudan policy. They should oversee quarterly deputies’ meetings to ensure options for consequences are on the table.

There is a pressing and immediate need for renewed, principled leadership at the highest levels—leadership which, while recognizing the reality of the challenges facing Sudan, is clear-eyed about the history and the record of the internationally indicted war criminal at the helm in Khartoum. We must not forget who we are dealing with in Bashir and his National Congress Party (NCP). In addition to the massive human rights abuses perpetrated by the Sudanese government against its own people, Sudan remains on the State Department’s list of state sponsors of terrorism. It is well known that the same people currently in control in Khartoum gave safe haven to Osama bin Laden in the early 1990s.

I believe that this administration’s engagement with Sudan to date, under the leadership of General Gration, and with your apparent blessing, has failed to recognize the true nature of Bashir and the NCP. Any long-time Sudan follower will tell you that Bashir never keeps his promises.

The *Washington Post* editorial page echoed this sentiment this past weekend saying of Bashir: “He has frequently told Western governments what they wanted to hear, only to reverse himself when their attention drifted or it was time to deliver . . . the United States should refrain from prematurely recognizing Mr. Bashir’s new claim to legitimacy. And it should be ready to respond when he breaks his word.” Note that the word was “when” not “if” he breaks his word. While the hour is late, the administration can still chart a new course.

In addition to recommending that Secretary Clinton and Ambassador Rice take the helm in implementing your administration’s Sudan policy, I propose the following policy recommendations:

- Move forward with the administration’s stated aim of strengthening the capacity of the security sector in the South. A good starting point would be to provide the air defense system that the Government of Southern Sudan (GOSS) requested and President Bush approved in 2008. This defensive capability would help neutralize Khartoum’s major tactical advantage and make peace and stability more likely following the referendum vote.
- Do not recognize the outcome of the recent presidential elections. While the elections were a necessary part of the implementation of the CPA and an important step before the referendum, they were inherently flawed and Bashir is attempting to use them to lend an air of legitimacy to his genocidal rule.
- Clearly and unequivocally state at the highest levels that the United States will honor the outcome of the referendum and will ensure its implementation.
- Begin assisting the South in building support for the outcome of the referendum.
- Appoint an ambassador or senior political appointee with the necessary experience in conflict and post-conflict settings to the U.S. consulate in Juba.
- Prioritize the need for a cessation of attacks in Darfur, complete restoration of humanitarian aid including “non-essential services,” unfettered access for aid organizations to all vulnerable populations and increased diplomatic attention to a comprehensive peace process including a viable plan for the safe return of millions of internally displaced persons (IDPs).

When the administration released its Sudan policy last fall, Secretary Clinton indicated that benchmarks would be applied to Sudan and that progress would be assessed “based on verifiable changes in conditions on the ground. Backsliding by any party will be met with credible pressure in the form of disincentives leveraged by our government and our international partners.” But in the face of national elections that were neither free nor fair, in the face of continued violations of the U.N. arms embargo, in the face of Bashir’s failure to cooperate in any way with the Inter-

national Criminal Court, we've seen no "disincentives" or "sticks" applied. This is a worst case scenario and guaranteed, if history is to be our guide, to fail.

Many in the NGO community and in Congress cautiously expressed support for the new policy when it was released, at the same time stressing that a policy on paper is only as effective as its implementation on the ground. More than six months have passed since the release of the strategy and implementation has been insufficient at best and altogether absent at worst.

During the campaign for the presidency, you said, regarding Sudan, "Washington must respond to the ongoing genocide and the ongoing failure to implement the CPA with consistency and strong consequences." These words ring true still today. Accountability is imperative. But the burden for action, the weight of leadership, now rests with you and with this administration alone. With the referendum in the South quickly approaching, the stakes could not be higher.

The marginalized people of Sudan yearn for your administration to find its voice on Sudan—and to find it now.

Sincerely,

FRANK R. WOLF,
Member of Congress.

Senator WICKER. General Gration, the elections are supposed to take place in January—early January. There's talk of December. This is the middle of May. You've testified that we're behind. We don't yet know what the boundaries of these jurisdictions will be. As far as I can tell, we don't know what the boundaries of Abyei, the subdistrict, will be. We don't know who will be eligible to vote, even, in these elections. Why are we behind?

General GRATION. Well, let me just go back and say that certainly we respect Congressman Wolf's participation, and we listened very carefully to what he said.

I will also say that Secretary Clinton is certainly in control of the policy of Sudan. I send her e-mails all the time. We have discussions all the time. And she certainly is in charge, along with the President, in what we do over there.

So—but, you're right that we have a lot of work to do before July 2011. And the reason we're behind is probably a little bit historical. You know, we signed this agreement in 2005, but we really didn't get serious about reaching the final agreements on the 12 outstanding issues until last year. Those—the agreements have been reached, but we haven't really finished the implementation.

So, we know, for example, in border demarcation—we made an agreement that we would use the boundary that was present on the 1st of January 1956. Now, the implementation piece is making sure that we go and find, from archives, where that boundary was, and, where there's disagreements, that we work those things out.

And we've offered our technical expertise to help with that process. There's about 80 percent of it now that we've been able to figure out. There are some areas where we'll probably be able to resolve relatively easily. And when I say "we," it's the team of experts and both the North and the South.

Senator WICKER. Is this going to require agreement by Khartoum?

General GRATION. They—yes, sir.

Senator WICKER. They must agree on the boundary.

General GRATION. And the South, sure. Yes. It's their country and they're the ones that have to agree on where that boundary goes.

But, in many cases—and certainly in Abyei, there's no question where the boundary is. It was laid out very clearly at The Hague,

and it's just a matter of demarcating it. So, there's really no question where the boundary is. It's just a matter of sticking some cement pylons in to let the people know where the boundary is.

Senator WICKER. OK. So, we're behind, in that respect, because we didn't get going on looking at those historical boundaries that were agreed to, back in 2005?

General GRATION. We could have probably put some more effort in earlier. But, the reality is, it really doesn't matter. The reality is, is that we're here, today, where we are, and we have a very tight timeline to get all these things accomplished. And that's why we're calling on the parties, we're calling on the Africans, and we're calling the international community to work together in a collective way to resolve these problems, to meet the deadlines, so that we can have a peaceful divorce, a civil divorce, instead of a civil war. That's our goal.

Senator WICKER. Your testimony today was that we must have a clear boundary decided by November. Is that date part of the CPA?

General GRATION. No, it isn't.

Senator WICKER. That seems to be a very late date, to me. Does it bother you that, possibly before a December vote, we would still have unresolved the issue of the boundary?

General GRATION. That's exactly why we say we would like to have this boundary demarcated by November, so that it is not an issue as they reach a vote.

Senator WICKER. But, you anticipate it will be November before we can do that.

General GRATION. I anticipate that that is the end—that's when we'd like to get it done by. But, I believe that if we work together—this is a long boundary, and there are some issues, especially up around oil, that may be contentious. And so, we will provide whatever support we can. But, we believe that if it is done by November, then it is not an issue that will be factored into the referendum. If, for some reason, we can't get this thing demarcated until after the referendum, we believe it will be a problem, in terms of independence.

Senator WICKER. General, Mr. Kiir—Salva Kiir—was elected by the people of the South, with 93 percent of the vote. He has stated the upcoming referendum is a choice between being second class in your own country or being a free person in an independent state. Is there any question in your mind that he supports secession?

General GRATION. I've talked to him, and I believe he does.

Senator WICKER. Indeed. Now, he got 93 percent of the vote. How close are the boundaries of the electorate that chose him and the boundaries that you expect to be agreed upon before this referendum can take place?

General GRATION. President Kiir and I have discussed all the issues that have to be done. And we've—share the same views on the things that have to be done before they move forward with a referendum. And I'm not sure I understand your question, but—

Senator WICKER. He was elected within a jurisdiction that obviously had boundaries. How different will the demarcation be of that area and the area that will vote in the referendum?

General GRATION. He was elected in an area that does not have formal boundaries. You know, we know sort of where the states are, but—the border between the North and the South that follows the 1956 is not going to be the border that exists today. There's areas in Darfur where the border will move. And there's areas around Hegleig where the border will move to reflect that 1/1/56 agreement. So, in other words, the state borders that exist today will not be the final border.

Senator WICKER. Well—thank you—would it help your job, General, if the Secretary of State and Ambassador Rice stepped forward and took a more visible, active role in this so as to heighten the level of importance that our American Government places on this issue? Would that be beneficial to you, if they stepped forward and became more visible?

General GRATION. I think Secretary Rice is already working with—in her job as Ambassador in the U.N.—to highlight these issues. She's called for hearings. She's working the issue very hard, and we're in constant communication.

Secretary Clinton has been superb and continues to help in every way she can to raise this level. She has been coordinating with other Foreign Ministers of the Troika. We've put out joint statements. And she's been extremely positive and helpful, and as has the President.

Obviously, there's more things that can be done. And we're working with her staff and her people to elevate these issues as they come up. But, I have no complaints about the level of effort that people above me are putting into it.

Senator WICKER. Well, Mr. Chairman, my round is over. If there's a moment or two, I may jump back in for a second.

The CHAIRMAN. Yes, we're going to have to wrap it up in a moment. Why don't you go ahead?

Senator WICKER. Well, OK.

The CHAIRMAN. Well, let me ask some, because I had a couple questions, and then we'll come back to you.

Senator WICKER. OK, sure. Then I'll take a second round, if you have a moment.

The CHAIRMAN. But, let me follow up on what Senator Wicker is saying, because my own impression is, General—I know you're working this as hard as you can; and having been out there and having dealt with this a little bit, I think you've got to have increased leverage, over these next few months. And, effectively, what you're sitting here and saying is, you've got enough, and the Secretary and the Ambassador are doing what's necessary. If it doesn't come together at the current pace, it's on their doorstep, according to you.

I think you ought to get a little more leverage into this effort, because I don't think it's going to happen at the current pace, unless there is additional oomph. Not your—it's not that you're not doing it. It's not that you're not there and pushing it. We just all know what the reservations are here. We all know what the game is.

And I think if the spotlight isn't a little more—you know, most of the world doesn't have a clue that 2 million people were killed there. They only think about Darfur. The prospects of that war

reopening are exactly what Dennis Blair has said. And I think it's imperative to get this accelerated.

It's also my understanding—I wanted to ask your comment on this—that humanitarian agencies are unable to reach as many as half the rural population in Darfur. Is that accurate today?

General GRATION. That is accurate, because of the banditry and the roadblocks and things that are going on. That's very true.

The CHAIRMAN. Well, that's also unacceptable at this stage of where we are in this process. I mean, you know, we got very specific promises from the government in Khartoum last year, and you worked on it, I worked on it. We thought we had a sense—"OK, humanitarian aid's going back in there and we get in, in full." Now we know that that government is even involved, according to your testimony today, in some of the attacks that have taken place. And I don't think we've progressed as much as many people would have hoped or would like to see us progress.

So, my sense is, if it isn't going to just kind of stagger across a line or be a situation of, you know, kind of a least bad disaster or something, I think we have to try to up it. We have to here, too. I think this hearing is for this purpose. But, I think we have to try to help you to figure out whatever is necessary to try to avoid that. Because, there's an unbelievable amount to be done in a short span of time, more than, probably, one country and one very dedicated general and his team—which is a significant team—can pull off.

I don't know how you want to respond to that, but I'll give you a chance to.

General GRATION. I take your point, and I certainly will raise those at the appropriate level.

I would like to clarify one thing. I misunderstood your question. It is true that we're meeting the needs of the people in IDP camps. What is not true is that we're able to get out in the countryside, where a lot of the Arabs, nomads, are. And so, there's a population that is not being met. But, in many ways, those were not being met before the NGOs got pushed out. So, I apologize. I misunderstood—

The CHAIRMAN. That's true. I agree with that. I understand the camp distinction from the rural areas, which I mentioned. But, that's precisely what I'm trying to get at. One would have hoped that, given the efforts in Doha, given the change in the government, given your presence, given our new President and our concern and all of the effort, that, in fact, we wouldn't be now hearing about government attacks and, you know, the other kind of violence. I think that we're looking for a level of continued progress that would indicate differently.

One other thing I'd just like to ask you, very quickly—this afternoon Senator Lieberman and I are going to be rolling out something called the American Power Act, which is an effort to try to change America's energy posture in the world and respond to some of the demands of climate change in various parts of the world.

It's my understanding that Darfur, as well as the South of Sudan, are places where that climate change is, in fact, manifestly evident today and having an impact on the populations and, indeed, even on the violence. I wonder if you would perhaps speak to that. I'm not claiming it's responsible for genocide or other

things—that's not what we're saying—but that environmental factors have, in fact, exacerbated conflict and is resulting in some contest over water, wells, and other kinds of things, which results in violence. Can you speak to that?

General GRATION. Yes, sir. You've just really hit the nail on the head, as we think about development. Out of the last 100 years, 19 years out of the last 25 have been the worst, in terms of rainfall. So, what I'm trying to say is, in—that the last 25 years have been far less rain that's fallen on Darfur. The water tables have dropped 2 meters in recent years. The competition, not only for water, is terrible. And the desertification is definitely moving South.

In addition to that, Sudan has cut down more trees than any other country in Africa. And Darfur is actually the worst place for that. In fact, there's—only Brazil and Indonesia exceed them in hectares; 8.8 million hectares destroyed in Sudan. And so, these issues, the fact that the trees have been cut down, the fact that we're just having less rain, is putting tremendous pressure on these populations. And as we think about the future, we've got to tackle these issues. And you're exactly correct. I would like to see the people, in their spare time—soldiers—out there planting trees and working on these things. We did it in Ethiopia, and we saw the water tables come up, as when it does rain, these grasses and trees are able to grab the water and hold them, instead of runoff.

So, you hit on a problem that is near to me. I've raised it with Vice President Taha. I've discussed it with Mutrif, in the Foreign Ministry. I discussed it with the leadership of UNAMID. And I've discussed it throughout. I am dedicated to not only bringing the security, but working the long-term answers for Darfur, and they include acknowledging the climate change and fixing them.

The CHAIRMAN. Thank you, sir.

Senator Wicker, a couple questions, then we need to wrap it up, here.

Senator WICKER. OK, yes.

General, the laws must be changed by the National Assembly before the vote can take place. Well, when do you anticipate that action by the national legislature will take place?

General GRATION. They've actually changed the law. There's already a law that was put in place in December that allows the referendum to take place. What needs to be done is that they have—the National Assembly has to approve the Southern Sudan Referendum Commission, and then they also have to appoint the Abyei Referendum Commission. But, the law has been changed—I mean the law was put in place to allow this commission—

Senator WICKER. But, those other two actions must take place in order for the process to go forward. When do you anticipate that that will be done?

General GRATION. We anticipate it will be done sometime after the 25th, probably around the 1st of June.

Senator WICKER. First of June. OK. Well, thank you. Have you had discussions with Russia about coming in and taking a major partnership role with the United States in making sure this is a peaceful and amicable divorce?

General GRATION. Yes, I had a meeting 2 weeks ago with Mikhail Margelov, and we've—we talk, and certainly we're looking at seeing

if—what the relationship could be of Russia to Sudan, because they have access that we don't have, they have capabilities that we don't have. And we're looking right now and figuring out a way that we could team together to do just that.

Senator WICKER. OK. And one other thing, Mr. Chairman.

I'm concerned about the testimony that Khartoum might be better disposed to all of this if somehow their government were less of an international pariah. Am I characterizing your words correctly, General Gration?

General GRATION. I think it's clear, in my discussions with them, that they would like to move to a position where the government would be more respected and more accepted by the international society.

Senator WICKER. Well, I'd simply point out, Mr. Chairman, that the facts are what they are, and the President of Sudan is internationally indicted, and that can't be ignored. And when that happens, it does have an effect on your international reputation.

I appreciate the Chair indulging me.

Let me say in conclusion, Mr. Chairman, this has been helpful. It had to be abbreviated, because of the room. I would hope, soon, this committee or perhaps a subcommittee could convene another hearing on this issue.

Chair mentioned the importance of continuing to highlight the significance of this issue. I would hope that that a representative of one of these NGOs that sees it differently than General Gration could be brought to testify. I would hope that—

The CHAIRMAN. That's going to happen—

Senator WICKER [continuing]. Roger Winter—

The CHAIRMAN. [continuing]. And Senator Feingold have already—

Senator WICKER [continuing]. Might be invited also.

The CHAIRMAN. We've already approved a hearing. Senator Feingold will have it—at the subcommittee. And we hope to have other voices there.

Senator WICKER. When will that be, Mr. Chairman?

The CHAIRMAN. I'm not sure when it is. A few weeks. Somewhere soon.

Senator WICKER. Thank you. I'm heartened to hear that.

And I appreciate the Chair indulging me.

The CHAIRMAN. Thank you.

General Gration, you've got a big task. We want to try to be helpful. And we want to, obviously, be successful. And we want to avoid this looming emergency, which we are defining here today, and you've defined previously. We all know it's there. It's tricky, but we are here not to do anything except find ways forward and to try to be helpful with you.

So, we thank you very, very much for the job you're doing. Thanks for coming in today. And we look forward to following up.

We stand adjourned.

[Whereupon, at 12:20 p.m., the hearing was adjourned.]

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

PREPARED STATEMENT OF THE UNITED STATES AGENCY FOR INTERNATIONAL
DEVELOPMENT, WASHINGTON, DC

For 5 years, we have discussed the roadmap of the Comprehensive Peace Agreement (CPA) and what we are doing to support its milestones. Now that discussion is changing. In 8 months, millions of Sudanese will decide their future as a nation. Next year, our current roadmap will end, and our path ahead could go in many different directions.

What does the future hold? The United States is committed to supporting the Sudanese as they invest in a better tomorrow for all of Sudan, and we have already contributed billions of dollars in humanitarian, security and development assistance toward that end. In Darfur, the Three Areas, and southern Sudan, our assistance has saved lives, improved living conditions, and given people hope that the opportunities of coming generations will be better than the last. The challenges are daunting, but we have a stake in Sudan's future, and we plan to continue our walk alongside our Sudanese partners through the end of the CPA roadmap and beyond.

Just weeks ago, the Sudanese people voted. The overall lack of an adequate enabling environment in Sudan largely prevented a credible electoral process from taking place. A national security act that bestows security forces with extensive powers to arbitrarily detain citizens without charge facilitated the detention of activists and the breaking up of campaign gatherings during the pre-election period. Political parties had limited abilities to exercise their freedom of assembly, and the press remained heavily censored. As a result, most major northern parties boycotted the elections, and the Sudan People's Liberation Movement withdrew its candidates from the Presidential and most northern races. The elections took place despite these challenges.

The Carter Center said the process did not meet international standards, and observers noted widespread procedural irregularities that provide important lessons for all of us as Sudan moves toward the final phase of the CPA. We have yet to complete inaugurations and the final round of postponed elections—including in Southern Kordofan, where popular consultations are to take place—so it may be too early to make a final assessment. USAID will monitor what occurs once the National Assembly convenes, and a new government is formed. Will it really be a new unity government of multiple parties all working together? Or will it be politics as usual?

But, in setting a context for the flawed elections last month, we should not lose sight of the fact that, just 6 years ago, Sudan was in the throes of a brutal, bloody, two-decade civil war, that southern Sudan is still one of the most inaccessible regions in the world, and that its people speak dozens of languages and have had little or no experience with participatory democracy. Despite the significant shortcomings, the elections brought about increased levels of political competition and civic participation in the pre-electoral period, and witnessed commendable efforts by the vast majority of poll workers, voters, domestic observers and party poll agents to make polling successful and largely peaceful. The Sudanese people, many for the first time in their lives, had a say in who represents them.

Now we must look toward the next, most critical milestones, the popular consultations in Southern Kordofan and Blue Nile and the landmark referenda on Sudan's future status, and do what we can to ensure a peaceful post-2011 Sudan or an orderly transition to two separate and viable states at peace with each other.

THE SOUTH

Building capacity in the south has been the cornerstone of USAID's strategy in Sudan since 2004. USAID's goal is to help establish a transparent, just, democratic government able to deliver basic services to its people, whether southern Sudan chooses unity with the north or independence in 2011. The Government of Southern Sudan (GOSS) did not exist before 2005. Every government structure and system has had to be crafted from scratch. The committed men and women who serve in the government are not career politicians, nor have they benefited from the lessons, assumptions, and experience of a life lived in a democratic, transparent state. Initially, the GOSS had no offices, no pens, no paper, and no staff to undertake the most basic tasks needed for a government to function. But with our assistance, the key GOSS ministries have established systems for hiring people, for formulating budgets, and for establishing office systems. This has required tremendous dedication on the part of GOSS officials, who have been willing to roll up their sleeves and persevere through each one of these processes. Considerable progress has been made in establishing functioning institutions where there previously were none.

Ministries are functioning, revenue is coming in, payments are being made, and a legal framework is being built.

Today, USAID is working with the GOSS to intensively address logistical and training needs to prepare for the upcoming referenda and mitigate conflict. We have concentrated our support on public sector financial management, and we are helping establish legal and regulatory frameworks that will facilitate growth in the private sector.

At the same time, USAID is continuing its development programs in the south to improve people's lives and provide them with an opportunity to make their needs understood, and working in close coordination with the GOSS to ensure that the gains are sustainable.

- Southern Sudan has among the highest maternal mortality rates in the world—one woman dies for every 50 live births. Infant mortality is also unacceptably and shockingly high, at 1 death for every 10 live births. For years, USAID has worked to improve these indicators, expanding urgently needed services to 13 counties in the south. As a result, more than 2 million people in southern Sudan have improved access to high-impact maternal, child health, and family planning services.
- Less than half of people living in southern Sudan have access to potable water and only 7 percent have access to proper sanitation. This threatens the lives of southern Sudanese—especially children—so USAID is working to improve water supply and sanitation facilities in four southern states and the Three Areas through borehole drilling, hand pump repair, and latrine construction, as well as hygiene promotion. USAID is also marketing purification tablets in 16 urban and semiurban market towns to promote better household hygiene and create demand for sanitation.
- Improving access to education is vital to building Sudan's long-term human capacity. USAID programs focus on primary education, girls' education, teacher training, and institutional development. Activities target out-of-school youth, women, girls, and other vulnerable and marginalized groups. They also enhance GOSS capacity to sustainably manage the education system and establish more equitable gender-based policies in education. As a result, Sudanese citizens have greater access to improved education services and English language instruction. They also have more confidence in the government's ability to deliver these services. Primary school enrollment has increased markedly—from 1.1 million in 2007 to 1.4 million in 2009.
- To improve the south's devastated infrastructure USAID is rehabilitating hundreds of kilometers of roads and building electricity-generating systems across southern Sudan and the Three Areas. In 2009, seven permanent bridges were completed along the Juba-Nimule road, the entire road was maintained, and critical repairs were completed. As a result, travel time has been reduced from 6 to 3.5 hours between the two towns, and daily traffic has nearly doubled. In 2010 and 2011, the road will be paved, creating the south's first paved road outside the state capital of Juba. This year, USAID began implementing a 5-year, \$55 million project designed to ramp up agricultural productivity, increase trade, and improve the capacity of producers, private sector, and public sector actors in southern Sudan to develop commercial smallholder agriculture. A primary focus is helping smallholder farmers' and producers' associations to enhance production, facilitate marketing, extend agricultural credit, and promote post-harvest storage and processing technologies in high-production areas near improved road networks in southern Sudan.

However, make no mistake: the situation in the south remains volatile. Community insecurity and interethnic clashes worsened in 2009, killing more than 2,000 people and displacing at least 250,000 others. An alarming new aspect of the conflict is that women, children, and elderly are now routinely victims of the violence. There are several reasons for these clashes. Southern Sudan is only very slowly emerging from nearly a half century of violent conflict. The GOSS is not yet functioning at a high enough capacity to protect the people who live in rural and remote areas. Rule-of-law institutions including the police, courts, and prisons are understaffed, ill-equipped, and only functional in major urban centers. Poverty and lack of economic opportunity is widespread, and small arms are widely prevalent among the civilian population, especially the youth in cattle camps. Armed youth are well-organized and well-equipped, with some operating in criminal gangs that lack respect for government authorities or traditional leaders.

The Lord's Resistance Army (LRA) also continues to terrorize the people of southern Sudan, killing over 200 people and displacing 70,000 during the past 18 months alone. We appreciate the efforts of Senators Feingold, Brownback, and Inhofe to

sponsor the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act and hope that the LRA will soon cease to be a threat to the men, women, and children of southern Sudan.

USAID continues to respond to emergency needs resulting from ongoing conflict and associated displacement in southern Sudan. Humanitarian programs include provision of primary health care, nutrition, agriculture and food security, water, sanitation, and hygiene services. They focus on mitigating tensions caused by a lack of resources or their inequitable distribution and ensuring the successful return and reintegration of more than 2.2 million people to southern Sudan and the Three Areas. USAID continues to prioritize delivery of essential basic services in areas of high population returns, while incorporating disaster risk reduction activities to better address long-term recovery challenges. Working closely with the GOSS, USAID humanitarian programs provide a vital link between relief and long-term development initiatives, while minimizing potential gaps in assistance.

To build up the capacity of southern Sudan, USAID is also a central contributor to the Juba Diplomatic Expansion, mentioned by Special Envoy Gration in his testimony. This diplomatic expansion in the Juba Consulate General will include staffing and material assistance aimed at expanding our existing foundation of long-term U.S. presence in the south, no matter the outcome of the January 2011 referendum. During the lead up to and immediately after the referendum, USAID personnel from the Civilian Response Corps will likely deploy as interagency subject matter experts to complement ongoing efforts to strengthen Government of Southern Sudan capacity during this critical period.

THE THREE AREAS

Stability is the most essential aspect of a peaceful transition in the Three Areas of Abyei, Blue Nile, and Southern Kordofan. In peaceful times, communities on both sides of the border share natural resources, trade and economic interests, movement of pastoral populations, and an array of local cross-border political and security arrangements. During the civil war, southern Sudanese communities that border the north suffered tremendously from repeated attacks by the Sudan Armed Forces and by northern tribal militia groups resulting in killings, burned villages, stolen cattle and repeated displacement. These grievances have yet to be reconciled. High expectations for visible benefits of peace remain unmet, and tensions and instability remain high.

However, progress is being made. Two years ago, people and local authorities in Kurmuk, Blue Nile, were disillusioned by the lack of peace dividends and tangible improvements in political integration, economic opportunity, and access to services promised by the CPA. At that time, it was quite possible that Kurmuk could return to war because many residents believed that they were better off before the peace. In 2008, USAID began a robust program that made \$6 million of small, in-kind grants to Sudanese authorities, organizations, and companies for a range of activities including infrastructure (air strips, staff residences in isolated areas), reconciliation meetings, and expanded social services such as education (a large new secondary school), health (two training institutes), and water. We sought to concentrate activities in one place, implement them rapidly, support state and local government ownership and eventual management, and link to civil society to build capacity and accountability. This model resulted in a critical mass of visible improvements in Kurmuk that has changed the mentality of citizens who are now more contented with peace and with the performance of their local and state governments. Many of Kurmuk's residents now believe their government is committed to peace and development. They are also more confident that they and their government are better prepared to take on future challenges.

Simultaneous with southern Sudan's referendum on unity in January 2011, the people of Abyei will vote in their own referendum on whether they want to be part of southern or northern Sudan, regardless of the outcome of the south's referendum on unity. Blue Nile and Southern Kordofan will remain part of northern Sudan, but they will go through popular consultations to ascertain the will of the people on constitutional, political, and administrative issues. Both of these processes have the potential to have game-changing effects on the country. Abyei is a critical, resource-rich area, and its status will be critical to planning the future. And the popular consultations, if implemented well, could stand as an example of federalism and popular engagement that could guide Sudan in creating a new constitution when the interim constitution expires in 2011.

In addition to our ongoing humanitarian and development assistance programs, USAID has planned a comprehensive program to support these political processes, including technical assistance for administering the referendum and implementing

popular consultations, promoting and enabling civic participation, and conducting international observation. The involvement and support of Sudan's national and state governments are critical for international efforts to be effective.

DARFUR

Since 2003, the crisis in Darfur has affected an estimated 4.7 million people, including 2.7 million people that were driven from their homes. The conflict in Darfur has evolved to include more local, intracommunal conflict and opportunistic banditry, with primarily economic rather than political motivations, in addition to attacks between armed movements and the government, and rebel-on-rebel attacks. USAID and the international humanitarian assistance community continue to provide immediate, life-saving assistance to conflict-affected populations as security and access permits. However, many needs remain, particularly in remote, rural areas outside of the camps. USAID provides support to conflict-affected people both within and outside camps through nongovernmental organizations, U.N. agencies, and U.N.-managed cluster-based humanitarian coordination mechanisms. We encourage partners to actively coordinate to ensure that assistance is complementary, comprehensive, and consistent, and that assistance provided meets appropriate international standards. USAID partners provide emergency relief supplies and implement emergency programs in a variety of sectors, including health, nutrition, water, sanitation, hygiene, food security, agriculture, shelter and settlements, economic recovery, protection, and coordination.

However, ongoing violence continues to significantly hinder delivery of humanitarian assistance to vulnerable people in Darfur, as do bureaucratic impediments imposed by the Sudanese Government. The increased frequency of kidnapping, carjacking, robbery, and interethnic violence has caused a number of international humanitarian organizations to either temporarily suspend their programs in Darfur or relocate international staff from remote field locations to urban centers. In addition, despite peace negotiations, the Sudanese Government and armed opposition groups have restricted humanitarian access to civilians affected by significant conflict in the Jebel Marra region of Darfur in early 2010.

Following the Sudanese Government's March 2009 expulsions of humanitarian organizations, the agencies that remained—and to some extent Sudanese Government ministries—adapted to ensure delivery of life-saving assistance in Darfur. Although swift actions successfully averted a humanitarian crisis, service provision in many sectors remains challenged primarily by the reduced presence of the United Nations and nongovernmental organizations in many locations and poor access due to continued insecurity. We do not have the eyes and ears on the ground in Darfur that we used to, which hinders our ability to monitor our assistance.

However, more than a year after the expulsions, we are trying to shift our focus from gap filling to the evaluation of program quality and ensuring effective need-based aid delivery within the existing humanitarian context. The Sudanese Government has demonstrated a willingness to support some humanitarian efforts through primary health care service delivery and safe drinking water provision. As other critical needs remain, additional engagement and support is necessary, and USAID continues to support the United Nations in advocating for increased Sudanese Government support in all humanitarian sectors, including protection.

The expulsions resulted in a significant loss of capacity for humanitarian protection activities in Darfur and measurably slowed ongoing activities such as women's centers and livelihoods activities. Remaining relief organizations have continued to conduct humanitarian protection activities, including support for victims of sexual and gender-based violence and development of child-friendly spaces, and the U.N. Population Fund (UNFPA) has made some progress in garnering state and federal support for programs in sexual and gender-based violence. In North Darfur, the Sudanese Government Humanitarian Aid Commission has authorized the reestablishment of nine women's centers, and UNFPA has government approval to revitalize a women's center in a camp in West Darfur, including a training curriculum on sexual and gender-based violence.

USAID continues to seek opportunities to expand humanitarian protection activities and encourages partners to mainstream these activities within their ongoing and proposed programs. Some examples of protection mainstreaming include distributing food aid to women and monitoring vulnerable children after distribution; ensuring that latrines are well-lit, lockable, and separated by gender; and providing training for livelihoods that do not require women to walk significant distances from the safety of their communities.

While continuing to provide crucial emergency assistance, USAID has also begun to look toward opportunities for early recovery in Darfur. In areas of relative secu-

urity, windows of opportunity exist to build on our current programming with activities that are more developmental in nature. Our early-recovery initiative will start several quick-implementation projects that aim to rapidly deliver benefits for selected communities, while building experience among local partners that will allow USAID to more easily scale up into a larger development program when peace and security return and the situation stabilizes.

CONTINGENCIES

With all of these uncertainties, USAID has placed a high priority on planning for contingencies and improving our ability to respond to them. Around the world, our emergency programs are designed to be flexible, need-based, and ready to respond rapidly to issues as they emerge. International Disaster Assistance funds are, by their very nature, flexible, allowing us to reallocate resources to respond to situations. After the March 2009 expulsions, for example, it was this flexibility that made it possible for us to rapidly shift funds to expand programs among our remaining partners.

We are also supporting an enabling environment for community security in southern Sudan. These efforts aim to address some of the root causes of conflict and put in place rapid, demand-driven responses to bolster understaffed and underequipped state and local government officials through the provision of equipment, training, and visible infrastructure projects. In Jonglei, a USAID-provided riverboat now allows a county commissioner to quickly visit villages that have become flashpoints for violence and work to resolve conflict before it erupts.

But perhaps most vital to our ability to respond to situations as they emerge is our long-term presence throughout Sudan's most volatile areas. Two years ago, Abyei erupted in violence that devastated the town and displaced more than 25,000 people. The Abyei area has long been a priority for USAID, and our ongoing presence there allowed USAID and its partners to rapidly assess the situation and provide essential emergency assistance to those most in need. With USAID funding, a group of USAID partners was able to mobilize and coordinate a response to mitigate the impact of the emergency because they were already on the ground, and because they had already spent years building trust among the local community.

Nobody knows for certain what the future holds for Sudan. In 2000, could anyone have predicted the extraordinary signing of the CPA and the relatively sustained peace that has followed? Could we have foreseen the sheer devastation that would visit Darfur and its people? Could we have anticipated an orderly census and elections and the opportunity for self-determination among a people who had only known war?

Twenty years of civil war not only destroyed farms, roads, and buildings, but also families, communities, and hope. Today, we continue our efforts to restore hope for the people of Sudan by giving them our commitment to work together to build a new future, full of promise and opportunity, and to walk with them to the end of the roadmap and beyond.

Thank you, Mr. Chairman and members of the committee, for giving USAID the opportunity to submit this testimony for the record. We appreciate your attention to Sudan and your ongoing support to our work in Africa.

RESPONSES OF SPECIAL ENVOY TO SUDAN J. SCOTT GRATON TO QUESTIONS BY SENATOR RICHARD G. LUGAR

Question. The Comprehensive Peace Agreement was concluded in January 2005 with the help of a large group of international actors, including Sudan's neighbors, Norway, the U.K., the United States, as well as the United Nations.

- What has been the role of the broader international community as the CPA has been implemented?
- How significant a role does the United States play today, and what will be that role in the future?

Answer. The broader international community has been involved since the signing of the Comprehensive Peace Agreement (CPA) largely through their participation in the CPA-mandated Assessment and Evaluation Commission (AEC). The AEC, staffed with international experts and led by a senior British diplomat, provides a venue for the international community to speak with one voice in monitoring and encouraging CPA implementation. Other coalitions, including the U.S.-U.K.-Norway Troika, the wider Sudan Contact Group, and the Envoy-6—which includes the envoys from the five permanent members of the U.N. Security Council and a representative from the European Union, provide useful fora for multilateral diplomatic

engagement on Sudan. Sudan's neighbors, particularly Egypt, Ethiopia, Uganda, and Kenya, have undertaken periodic high-level diplomatic engagement, especially in the last year, to push both parties to renew their commitment to implementing the CPA's provisions.

International community engagement has also focused on critical areas of humanitarian, development and peacekeeping assistance, particularly in Southern Sudan, have sought to promote economic and social development and build the capacity of the Government of Southern Sudan to undertake accountable and transparent governance and begin to provide basic services to citizens. During the CPA Interim Period, the largest financial contributors in Sudan after the United States have been the United Kingdom, Japan, Canada, Norway, the Netherlands, and the European Commission; these and other international donors have also been active contributors to UNDP and the World Bank-managed Multi Donor Trust Funds. The Trust Funds, however, proved slow and cumbersome in disbursing donor funds; to date 62 percent of funds have been disbursed.

The United Nations Special Representative of the Secretary General for Sudan (SRSG) has deployed UNMIS peacekeeping forces, and civil and political affairs elements focusing on crucial CPA-related processes, such as the national elections in April and the upcoming referenda on the future status of Southern Sudan and Abyei. The African Union is playing an increasingly active role, primarily through President Mbeki and the African Union High Level Implementation Panel on Sudan (AUHIP), on CPA-related issues, in particular referenda preparations and the negotiation of post-CPA arrangements. The United States is currently undertaking intensive discussions with the U.N. and AU regarding international collaboration on support for remaining CPA issues, referenda preparations, and technical and political assistance to post-referendum negotiations.

The United States played a crucial role in encouraging the Government of Sudan and the Sudan People's Liberation Movement/Army to negotiate and sign the 2005 Comprehensive Peace Agreement (CPA). Since the CPA's signing the United States has been the international leader in diplomatic engagement and bilateral assistance to Sudan, having provided more than \$6 billion in assistance since 2005. The United States is also a major supporter of the two U.N. peacekeeping missions in Sudan: UNMIS and the UN/AU mission in Darfur. In June 2009, the U.S. Special Envoy to Sudan organized a Forum for Supporters of the CPA in Washington, DC, to re-energize international attention on the CPA. Through the summer and fall of 2009, the U.S. Government facilitated direct talks between the CPA parties to agree to resolve 12 outstanding CPA issues.

The United States will play a leading role in encouraging the parties to carry out peaceful and credible referenda processes, and for the parties and international community to respect the results. In addition, the U.S. Government will continue to provide development assistance to support the implementation of the referenda, as well as popular consultations in Blue Nile and Southern Kordofan states. Whether Southern Sudan chooses unity or secession, the United States will be a key partner in ensuring that the Government of Southern Sudan has the capacity to govern in a transparent and accountable manner, and to provide basic services to its people. The United States will also continue to closely monitor the political, humanitarian, and human rights situations in Northern Sudan, including Darfur and other marginalized areas such as Eastern Sudan, and will look for opportunities to achieve U.S. goals and objectives in the North no matter what the outcome of the referenda.

Question. The Comprehensive Peace Agreement is a complicated series of agreements concluding in a referendum on unity in the south of Sudan. While many important elements, such as borders and wealth sharing remain to be agreed, the referendum on unity may well be the decisive element between war and peace.

- What considerations would compel the North and the South to avoid conflict at this moment? How is the international community reinforcing these? Does the CPA or do ongoing negotiations allow for the option of extending a period of transition to ensure South Sudan does not become a failed state upon its creation?
- What is the prospect that the referendum will not be agreed to be held by the Government in Khartoum or that the minimum parameters for the poll will not be achieved to make it valid? What would this mean in terms of the CPA and in terms of those international partner countries that have been party to the agreement?
- United Nations
 - What role does the United Nations play in the CPA implementation and what role after July 2011?

- What mandate does UNMIS have with regard to CPA implementation? What role does UNMIS have as of July 2011?
- What initiatives has USUN undertaken with regard to Sudan over the last 18 months?

Answer. Most Sudan analysts agree that both parties to the Comprehensive Peace Agreement (CPA) benefit politically and economically from peace, and that neither benefit from a return to civil war. Despite this, the events of the next 12 months are likely to place significant strain on the relationship between the parties as well as their individual relationships with key domestic constituencies, which could push them toward increased confrontation. Key near-term sources of potential conflict include the runoff to and conduct of the referenda in both Southern Sudan and Abyei, Northern rejection of referenda results, failure to reach an adequate understanding of post-referenda arrangements between North and South, and the inability of the Government of Southern Sudan (GOSS) to govern effectively and maintain adequate control over the security situation in the South.

Continuation of the partnership and high-level productive dialogue between the CPA parties over the next 12 months will be crucial to prevent conflict from re-emerging. This includes indications of progress on key post-CPA issues such as continued oil revenue-sharing, citizenship rights, and division of debts and assets, which may provide an incentive for the North to accept Southern independence. The international community, including the African Union High-Level Implementation Panel on Sudan, the United Nations, and key actors such as the United States, Norway, and the United Kingdom, continue to play an active role in bringing the parties together to resolve these and other key issues. In addition, the United States must continue to focus attention on conflict mitigation and prevention in Southern Sudan and the Three Areas, including by continuing efforts to build the governance capacity of the GOSS, professionalizing the Sudan People's Liberation Army and Southern Sudan Police Service, and focusing on conflict mitigation and peace building activities at the state and local levels in flashpoint areas.

The CPA prescribes a 6-month period after the referenda before the close of the CPA's Interim Period and implementation of the referenda results. Any amendment to this arrangement or extension of the Interim Period must be agreed upon by both parties, which we view as unlikely.

Credible, peaceful, on time referenda for Southern Sudan and Abyei are milestones of the Comprehensive Peace Agreement and are high priorities for the United States and other international actors in Sudan. The Southern Sudan referendum is likely to face significant challenges, not least due to the nearly 2-year delay in the establishment of the Southern Sudan Referendum Commission and Southern Sudan's vast size and limited infrastructure. While many important lessons were learned in the April 2010 elections, little time remains for referenda preparations. With just 6 months remaining, significant efforts will be needed to conduct credible referenda on time.

Although the ultimate responsibility for the organization and management of the referenda (and the creation of an acceptable political and security environment) falls to the Government of Sudan and the Government of Southern Sudan, international support for the referenda must be robust, in an effort to maximize the credibility of the result. Support includes U.S. Government technical support on referenda administration, civic and voter education, and international observation, implemented in coordination with logistical and technical assistance by the United Nations Mission in Sudan (see answer below), and an international donor Basket Fund managed by the U.N. Development Program.

Given the enormity of the decision and the potential consequences of the Southern Sudan referendum—namely, the emergence of a new, independent state in Africa—it is critical that the entire referendum process be deemed credible to ensure that the results are accepted by domestic and international stakeholders. This will also likely facilitate international recognition of an independent Southern Sudan, should that be the outcome of a credible referendum process, and help dampen Northern reluctance to accept referenda results. This includes achieving the required 60-percent turnout of registered voters necessary to consider the referendum legal, agreed to by both CPA parties and embedded in the 2009 Southern Sudan Referendum Act. If this threshold is not met, the referendum will need to be rerun within 60 days of the declaration of the final results of the first vote. Robust voter education, careful planning around polling locations in both Northern and Southern Sudan, and due attention to security considerations will be required to ensure that all eligible voters who wish to register are able to do so, and that all registered voters are able to cast their ballots.

Aside from the United Nations Mission in Sudan (UNMIS), the U.N.'s multi-dimensional peace support operation focused on supporting implementation of the

CPA, the U.N. facilitates high-level meetings on Sudan and CPA issues, such as the June 2010 briefing on Sudan at the U.N. Security Council by officials from the U.N. and the African Union, including former South African President Thabo Mbeki. Throughout the CPA's Interim Period, the U.N. has been mindful of the agreement's cease-fire and security arrangements and wealth- and power-sharing frameworks. After the end of the Interim Period in July 2011, the U.N. plans to continue providing support to Sudanese peace and development processes primarily through the activities of its agencies (such as the World Food Programme, U.N. Development Program, etc.), funds, and programs.

The original UNMIS mandate was set forth in U.N. Security Council Resolution (UNSCR) 1590 in 2005 and tasked UNMIS with supporting CPA implementation by performing several major tasks, including: monitoring and verifying the implementation of the Ceasefire Agreement and investigating violations; assisting in the establishment of disarmament, demobilization, and reintegration programs; developing a police training and evaluation program, and otherwise assisting in the training of police; assisting the parties to the CPA in promoting the rule of law, including an independent judiciary, and the protection and promotion of human rights; and providing technical assistance to the CPA parties, in cooperation with other international actors, to support preparations for and conduct of elections and referenda.

The UNMIS mandate has been renewed and clarified at times to refine UNMIS' responsibilities. UNSCR 1812 of April 30, 2008, tasked UNMIS with providing technical and logistical support to help with border demarcation and to begin preparations to support national elections. UNSCR 1870 of April 30, 2009, added language regarding support for the referenda. This language regarding referenda support continues in the most recent renewal with UNSCR 1919 of April 29, 2010, which directs UNMIS to prepare to play a lead role in international efforts to assist with referenda preparations. The resolution also emphasized that UNMIS should continue assistance to the parties to implement all elements of the CPA, including creation of the referenda commissions and popular consultation bodies, along with implementation of the Permanent Court of Arbitration's decision regarding Abyei. In light of increasing violence in Southern Sudan, the renewal also called for UNMIS to implement a civilian protection strategy in areas at high risk for conflict.

The United States led the negotiations regarding the renewal of UNMIS' mandate resulting in the adoption of U.N. Security Council resolution 1919 on April 29, 2010, which renewed the mandate until April 30, 2011. UNMIS, per the U.N. Secretary General's July 2010 Report, has initiated a strategic planning process focusing on the role of the U.N., both in the remainder of the interim period and beyond, as called for in UNSC resolution 1919 (2010). We hope that the U.N. will continue to engage robustly in efforts relating to peace, security, protection of civilians, assistance, human rights, and other needs. If the U.N. establishes another presence on or after April 30, 2011, the Security Council must fashion a mandate, in consultation with the Sudanese, which is responsive to the security, assistance, and other needs in Southern Sudan at that time. Given that the CPA will end 6 months following the January 2011 referenda, any successor U.N. mission would not have CPA-related functions.

The U.S. Mission to the U.N. (USUN) liaises with other delegations and international organizations on Sudan-related issues in New York, and engages with Security Council members on Sudan during the quarterly U.N. briefings on UNMIS and the UN/AU Mission in Darfur (UNAMID). With regard to UNMIS, USUN works closely with other Security Council members and the Department of Peacekeeping Operations to ensure adequate planning for the referenda to take place. USUN has also encouraged the U.N. to begin working with the parties on its post-referenda presence in Sudan. USUN also informs the Council of our bilateral position on Sudan during briefings on Sudan by International Criminal Court (ICC) Prosecutor Luis Moreno-Ocampo and briefings by the head of the African Union High-Level Panel on Darfur, former South African President Thabo Mbeki.

Question. The Director of National Intelligence has indicated that Sudan is currently at greatest risk of extreme violence and mass atrocities.

- How has this affected the administration's efforts to contribute resources and diplomatic effort to this region since that DNI determination that you confirmed at the hearing?
 - Please provide a list of costs to the United States of its commitment to Sudan since 2001, to include the costs associated with Darfur and our contributions to the United Nations, on an annual basis.
 - Please provide an overall percentage of U.S. assistance vice other donors to Sudan since 2001.

- Characterize and estimate as much as is possible the costs of an outbreak of war in Sudan in human and financial costs.
- While the Special Representative for Afghanistan and Pakistan has cobbled together a large staff of over 40 people in Washington alone, how has the office of the Special Envoy for Sudan fared in its requests for support? Please be specific as it relates to resources, personnel, hiring methods and length of term.
- What other agencies and USG individuals are working alongside the special envoy's efforts to improve the outcome in Sudan to achieve U.S. goals? Please be specific in identifying and enumerating the details.
- What if any planning is there to deal with the consequences of the Sudan referendum on unity for the south?
 - What is/will be the policy of the United States if the referendum asserts independence for the South, or independence is determined by unilateral declaration by the Government of South Sudan?
 - What role does the United States expect to take and with what means and what partners if the referendum determines an outcome or conflict ensues?

Answer. The United States remains committed to preventing violence in Sudan. In an effort to build the capacity of Southern Sudan, the U.S. Government has undertaken a "Diplomatic Expansion" to include staffing and material assistance on the ground in Sudan to support U.S. Government's foreign policy objectives. Operating under Chief of Mission authority, staffs from the Department of State's office of the Coordinator for Reconstruction and Stabilization (S/CRS) and the Civilian Response Corps (CRC) are and will continue to provide support to Embassy Khartoum and Consulate General Juba as well as complement USAID's robust presence in the runup to and following Southern Sudan's January 2011 referendum.

U.S. assistance appropriated from FY 2001 to FY 2010 and allocated to Sudan by State and USAID totals approximately \$10.7 billion to date. This includes the costs of humanitarian food and nonfood assistance, security, peacekeeping, reconstruction and development assistance for all of Sudan as well as Darfur related assistance in Eastern Chad. An estimated \$5.6 billion of this assistance was related to Darfur/Eastern Chad and approximately \$3.27 billion of this total was CIPA funding for support to UNAMID and UNMIS.

For all donors, the U.S. Government assistance accounted for approximately 35–36 percent of total Overseas Development Assistance (ODA) to Sudan for the 2001–08 period. Information is not yet available for the period since 2008.

One major focus of the U.S. Government's strategy in Sudan, along with the correct implementation of the CPA and bringing peace and justice to Darfur, is to avoid an outbreak in hostilities because the possible human and financial costs of an outbreak of war in Sudan are incalculable. A full outbreak of violence could destabilize the country, potentially mirroring the Second Civil War that began in 1983 and resulted in an estimated 2 million civilian deaths and displacement of 4 million persons. We would expect large-scale conflict along the border, irregular low-level insurgency, increased military buildup in neighboring states, increased arms trade, increased draw in regional terrorist elements, and increased human insecurity including refugee flows and internally displaced persons. An increase in violence could also undermine Sudan's oil production and shipment capabilities, cutting the internal revenues to both the North and the South.

Over the past year, the Special Envoy's Office (S/USSES) has increased its staff significantly through fellows and details from DOD, CIA, and USAID. The Office of the Coordinator for Reconstruction and Stabilization (S/CRS) detailed four planners to S/USSES to consolidate interagency conflict prevention and stabilization plans that link U.S. Government strategy and policy to implementation plans and resource requirements. Through the Diplomacy 3.0 initiative, the Office of the U.S. Special Envoy to Sudan will gain three additional professional staff to help prepare for the referendum.

The Special Envoy works in close concert with the following agencies and offices:

- Department of State: S/CRS, AF, INL, IO, F, PRM, S/WCI, S/CT, S/GWI, EEB, CA, PD, PA, DRL, L, INR, ISN, DS, S/P
- U.S. Agency for International Development:
- U.S. Mission to the United Nations
- Department of Defense: OSD/Africa, OSD/StabOps, JCS/J5, AFRICOM
- Office of the Director of National Intelligence
- Department of Commerce
- Department of Treasury

The 2005 Comprehensive Peace Agreement (CPA) provides for the people of Southern Sudan to choose unity with the North or secession in an internationally monitored referendum in January 2011, and residents of Abyei a simultaneous ref-

erendum that will allow voters to choose whether Abyei retains its administrative status in the north, or joins Southern Sudan, irrespective of the results of the southern referendum.

The U.S. Government is working with the CPA parties in Sudan to prepare for orderly, credible, and peaceful referenda in January 2011. The U.S. Government supports referenda that reflect the will of the people and will respect whatever decision is made in a credible referendum process.

The U.S. Government will continue to work with the international community to stabilize Sudan and, depending on the outcome of the referendum, support an orderly transition to two separate and viable states or the continuation of Sudan as a single state.

RESPONSES OF SPECIAL ENVOY TO SUDAN J. SCOTT GRATION TO QUESTIONS
SUBMITTED BY SENATOR BARBARA BOXER

Question. As you know, in March 2009 the Sudanese Government expelled many of the largest aid organizations working in Darfur. During the hearing, you acknowledged that despite international efforts to rebuild humanitarian aid capacity since, specialized programming—particularly projects addressing violence against women and girls—remains dramatically reduced. What steps are you taking to ensure that the African Union—United Nations Hybrid Operation in Darfur (UNAMID) and humanitarian organizations are granted access to regions and camps in Darfur to work to restore this capacity—particularly medical care and counseling for victims of gender-based violence?

Answer. Sexual and gender-based violence (SGBV) has been endemic in Darfur since the conflict began in 2003. The situation for women and girls in Darfur further deteriorated after the March 2009 expulsion of 13 international NGOs and closure of three national NGOs. The Government of Sudan (GOS) also continues to restrict the movement of personnel from the U.N./AU (UN/AM) Mission in Darfur (UNAMID) movement. The United States Government facilitated the return of several NGOs to Sudan, but security conditions on the ground and restrictions imposed by the GOS continue to impede SGBV programming. As a result, USAID's Office of Foreign Disaster Assistance encourages its partners in Darfur to incorporate SGBV protection in all sectors in order to maintain coverage, where possible, for survivors of SGBV.

The United States continues to press the Government of Sudan (GOS) and the armed movements to allow UNAMID and humanitarian organizations uninhibited access to vulnerable populations and victims in need, especially in areas of conflict. USAID provides leadership, technical expertise, and official donor representation in the Darfur Humanitarian Country Team (HCT), which includes representatives from UNAMID and the U.N. mission in Sudan. The HCT meets frequently and provides a venue to discuss coordinated efforts to improve humanitarian access in Darfur. USAID also remains an active participant in the High Level Committee (HLC) for Darfur. The Sudanese Government and the U.N. cochair HLC meetings, which provide an opportunity for principals to discuss security and humanitarian access issues.

Despite these efforts, the ongoing conflict, insecurity, and targeted attacks against humanitarian assets and relief workers continue to significantly reduce humanitarian access and hinder the delivery of humanitarian assistance, which include assistance to survivors of SGBV, to affected populations in Darfur. In recent months, a number of international humanitarian organizations have either relocated international staff from remote field locations to urban centers or temporarily suspended programs in Darfur due to increased frequency of kidnapping, carjacking, robbery, and interethnic violence. To improve the broader security and humanitarian environment in Darfur, the United States is working with UNAMID and other stakeholders on the ground to design and implement a Darfur security and stabilization plan. At every opportunity, the United States emphasizes that UNAMID must have unrestricted movement and access to ensure the delivery of needed humanitarian assistance—assistance that includes support to victims of SGBV. UNAMID is developing a comprehensive strategy on SGBV prevention and response in consultation with other U.N. agencies in Sudan and Darfur as part of its efforts to improve the protection of women and girls in conflict. UNAMID has also intensified training on gender mainstreaming for UNAMID police and military units in an attempt to equip them to deal with SGBV cases and gender issues in communities.

Question. I understand that your office is currently preparing a Darfur stabilization plan that will include a strategic framework for addressing gender-based violence. When can we expect to receive the details of this plan?

Answer. The Office of the United States Envoy to Sudan, working with the African Union/United Nations Hybrid Operation in Darfur (UNAMID), the African Union (AU) and others, is developing a concept paper on the Darfur Security and Stabilization Initiative. The aim of the initiative is to encourage a Darfur-based dialogue among the stakeholders to minimize military operations, identify priority intervention areas that enhance security and stabilize communities, and provide an environment conducive for peace talks. One of the priority areas of intervention is law and order, within which stakeholders can address the issue of sexual- and gender-based violence (SGBV). The discussions on the process and the plan are ongoing with various stakeholders, but we hope to share the framework details as soon as possible.

Question. As you know, the United States is the leading international donor to Sudan and in order to realize treatment and support for women and girls in Darfur, the United States must take the lead. How is the United States working to prioritize funding for programs to prevent, combat, and treat gender-based violence in Darfur?

Answer. Since FY 2005, the USG has committed almost \$3 billion in food and nonfood humanitarian assistance to people affected by the crisis in Darfur and Eastern Chad. This has included funding for humanitarian protection programming, including support for victims of SGBV and SGBV prevention activities.

Security conditions on the ground continue to impede sexual- and gender-based violence (SGBV) programming. As a result, USAID's Office of Foreign Disaster Assistance encourages its partners in Darfur to incorporate SGBV protection in all sectors in order to maintain coverage, where possible, for victims of SGBV. Incorporation of SGBV protection in all sectors strengthens protection for all conflict-affected people and helps provide humanitarian protection services when more focused approaches are not possible. Examples of protection mainstreaming include: improving food aid through distribution to women; ensuring that latrines are well-lit, lockable, and separated by gender; and providing training for livelihood skills and activities that do not require women to walk significant distances from the safety of their communities.

Despite the lack of Sudanese Government support, the U.N. and other humanitarian agencies continue to implement SGBV programming in Darfur where security permits. In addition, USAID implementing partners work to combat and prevent incidents of violence through women's empowerment, skills building, and income-generation programs implemented as a part of broader livelihoods programming. USAID partners in Darfur implement a variety of livelihood training and support programs for women both within and outside internally displaced persons (IDP) camps. USAID-supported agriculture and food security programs empower women and enhance livelihood opportunities by targeting women, widows, and female-headed households in agricultural extension and livestock rearing training as well as seed distributions.

Question. How can the United States press the United Nations to prioritize efforts to address violence against women in Darfur, including through a sustained, consistent, and sufficient funding commitment?

Answer. The United States continues to advocate for, support, and coordinate with U.N. agencies on SGBV programs through diplomatic and assistance efforts. During the renewal process of the African Union—United Nations Hybrid Operation in Darfur's (UNAMID) mandate, the United States highlighted the need for continuation and prioritization of SGBV efforts. Supporting the efforts of U.N. experts and bodies to monitor and report on SGBV, including in UNAMID, the U.N. Security Council Sudan Sanctions Committee's Panel of Experts, the Human Rights Council's Independent Expert on the Situation of Human Rights, and the Special Representative of the Secretary General on Sexual Violence in Conflict, is also of critical importance.

To improve coverage and coordination of SGBV efforts in Darfur, the Department of State recently allotted \$1.86 million in Economic Support Funds for a SGBV prevention and response program in Darfur, to be managed by the U.N. Population Fund (UNFPA). USAID has also provided \$500,000 to UNFPA to facilitate technical coordination between humanitarian organizations working on SGBV prevention. UNFPA has been designated as the lead in Darfur to coordinate the U.N. and NGOs on the prevention of and response to SGBV. As of October 2009, the North Darfur Humanitarian Aid Commission had authorized the reestablishment of nine women's

centers and UNFPA had Sudanese Government approval to revitalize a women's center in an IDP camp in West Darfur that included SGBV training.

USAID continues to coordinate with U.N. agencies that work with the Sudanese Government to protect the legal rights of SGBV victims and gain support for SGBV activities throughout Darfur. Through both the Humanitarian Country Team and other channels, the U.S. Government coordinates with U.N. agencies on SGBV, working with the Sudanese Government to expand health, psychosocial, legal aid, and livelihoods support to vulnerable women and families in IDP camps and host communities, particularly the rural areas of Darfur.

The United States continues to work with the U.N. to advocate for better access for humanitarian organization. During the past year, the U.N. has advocated more heavily for formal Sudanese Government acceptance of the Office of the U.N. High Commissioner for Refugees (UNHCR), the U.N. agency mandated under the global humanitarian cluster system to lead humanitarian protection activities. To date, the Sudanese Government continues to prohibit UNHCR from leading humanitarian protection activities in North and South Darfur, asserting that UNHCR lacks a mandate to work with IDPs and that the organization is seeking to assume the government's role in protecting its people.

RESPONSE OF SPECIAL ENVOY TO SUDAN J. SCOTT GRATION TO QUESTION SUBMITTED BY SENATOR ROGER F. WICKER

Question. In order to prepare for a referendum in January 2011 and the possible separation of Southern Sudan, a number of things need to take place in a very short amount of time. Below is a list of issues that you have indicated need to be resolved and/or steps that need to be taken. Please identify what you are doing to help the Sudanese accomplish each of these tasks and the date by which each issue will be resolved.

1. Demarcate the North-South Border and Abyei
2. Finalize the Southern Sudan Referendum Commission and the Abyei Referendum Commission
3. Register voters and develop voting procedures in the South and Abyei
4. Hold popular consultations in Southern Kordofan and Blue Nile State
5. Decide citizenship questions, including for the 2 million Southerners who fled to Khartoum during the war and are unlikely to return to the South
6. Resolve the issue of assets and debts
7. Resolve water rights
8. Reach a revenue-sharing agreement
9. Accommodate pastoralists that move from the North to the South

Answer. CPA Issues. While attention is given to referenda preparations and post-Comprehensive Peace Agreement (CPA) negotiations, the CPA parties (Government of Sudan and Sudan People's Liberation Movement) need to ensure that remaining CPA issues are implemented. Many of these issues were discussed during U.S. Government-led trilateral talks with the CPA parties that led to agreement on 12 issues in August 2009. North/South border demarcation is central among them, and while some experts believe that field demarcation should happen prior to the referenda, others indicate that map delimitation is sufficient for North/South voters to know which side of the border they inhabit. The CPA parties have agreed on more than 80 percent of the North/South border line, while the remaining disputed areas must be agreed to by the Government of National Unity Presidency through a mechanism yet to be defined. Special Envoy to Sudan Scott Gration and Embassy Khartoum officials have consistently raised the need for demarcation with senior officials and have offered U.S. technical assistance with demarcation and the creation of a mechanism to resolve disputed border areas. However, the parties have not formally requested this assistance. Regarding Abyei boundary demarcation, the CPA parties have agreed to the boundaries as set by the July 2009 Permanent Court of Arbitration ruling. However, boundary demarcation in the field has stalled due to boundary demarcation committee fears over security in the Abyei region. As mandated by the CPA, popular consultations in Southern Kordofan and Blue Nile States should be held prior to the end of the Interim Period in July 2011. Planning is underway in Blue Nile; however delayed state elections need to happen before Southern Kordofan can hold consultations. Through USAID's implementing partners, the U.S. Government gives assistance to organizations that provide technical assistance and expertise in the form of training, consultations and study tours for individuals from the two states involved in preparing for and conducting the consultations. Given the civic engagement necessary to ensure adequate popular participation in these political processes, civic education is also a heavy component of these activities.

Referenda Issues. The holding of credible referenda in Southern Sudan and Abyei in January 2011, in accordance with the CPA's timeframe, is central to U.S. priorities in Sudan. As a cornerstone of the CPA, an internationally witnessed agreement, the outcomes of credible referenda should be respected by the Sudanese and the international community. Conducting credible referenda is contingent on the timely development of operational plans, to include registration procedures and polling plans, by the Southern Sudan and Abyei Referendum Commissions. The Southern Sudan Referendum Commission was sworn in on July 6, 2010, almost 2 years behind the schedule laid out in the CPA. However, the parties have yet to agree on nominees for the Abyei commission. Through USAID, the U.S. Government will provide technical expertise to the referenda commissions on procedures, planning, and logistics, similar to assistance provided to the National Elections Commission. This support will include capacity-building, logistics, equipment and supplies, and provision of referendum commodities. The U.S. Government and its implementing partners are closely coordinating with U.N. Mission in Sudan (UNMIS) and U.N. Development Program (UNDP) officials tasked with providing significant logistical and technical support to the referenda. In addition, USAID supports voter education and domestic and international observation of the referenda.

Post-CPA Issues. The negotiation of sustainable post-CPA arrangements is critical to North/South stability in the period following the referenda, especially in the event of southern secession. Such arrangements, if properly negotiated, could help facilitate long-term positive relations between both entities. In late June, the parties signed a Memorandum of Understanding setting out a framework for formal negotiations that was finalized in early July, and talks officially opened in Khartoum on July 10 under the facilitation of former South African President Thabo Mbeki's African Union High-Level Implementation Panel on Sudan. The talks are supported by the Intergovernmental Authority on Development (IGAD) and the IGAD Partners Forum, which includes the United States. The U.S. Government will work closely with international actors to ensure sufficient coordination and support to negotiations and to provide political engagement if requested by the parties. Additionally, technical assistance is being offered to the Southern Sudan Referendum Task Force through possible USAID-funded secondments and existing expert advisors who are embedded in relevant Government of Southern Sudan ministries.

Among post-CPA issues identified in the 2009 Southern Sudan Referendum Act, several are crucial to determining the post-CPA relationship between North and South. The citizenship status of southerners in the north and northerners in the south should be decided prior to polling so that voters' anxiety regarding their status is assuaged. The U.S. Government continues to urge the parties to reach a fair agreement that respects the rights of all Sudanese. The status of Sudan's substantial debts and national assets, both key areas of concern for the Government of Sudan, will require extensive consultations with International Financial Institutions (IFIs) and other governments, and will probably not be finalized until shortly before formal independence, if southerners so vote. The U.S. Government, through technical experts, may provide assistance to technical discussions on such financial issues, along with banking and currency issues. Water rights, which include access to transboundary aquifers and the possible division of Sudan's current Nile water quota, also remain unresolved, though some analysts indicate that this can be arranged at a later date.

The status of the oil sector and the sharing of the substantial revenue derived from it is the most significant post-referendum issue, and should be agreed upon prior to the referendum. The parties will likely require broad international technical assistance from oil and revenue experts. Given the urgency of the issue, the U.S. Government is closely coordinating with actors such as Norway who are well positioned to provide oil sector-related assistance. Last, determination of transborder access for pastoralists must be resolved prior to formal independence, and the U.S. Government is undertaking diplomatic outreach to the two parties to remind them of the urgency of this issue, especially for nomadic populations in the Abyei Area.