Yes. Thank you. I am going to focus on the humanitarian

issues specifically and not have to cover quite as broad a waterfront

as Walter has to do.

You pointed out very correctly that Sudan is on the screen for

many, many folks right now; much more than we have ever seen

before. I have been involved in Sudan for 20 years, and I think it

is because of President Bush’s personal involvement and publicly

expressed interest, it is because of the Danforth initiative generally,

it is because of the perhaps almost surprising success in the

Nuba Mountain cease-fire, which all over Sudan has enthused people;

and while it is imperfect as all of us are, it certainly has created

a bottom-up groundswell for peace. And it has clearly helped

bring our European allies closer together with us in terms of how

we approach Sudan.

So I believe there is an opportunity here, but approaching the opportunity

needs to be tempered with some of the ground-based realities

that we have to overcome, too. And I know my colleague,

Walter, understands that.

I believe that specifically in the area of Government-of-Sudan-instigated

problems regarding humanitarian access and related

issues, those are, in fact, the fatal flaw in their approach to the

U.S. Government initiative and the opportunity it presents.

There is a clear disconnect between some of what they say and

what actually occurs on the ground in the humanitarian sphere. So

I would have to say the opportunity is real. The U.S. initiative is

serious. We are all trying very hard to move this forward.

The way the Sudanese Government is approaching the humanitarian

issues is distinctly undermining this initiative, I would say,

at this point. It regularly imposes formal barriers on flight access,

humanitarian flight access. It institutes bureaucratic restrictions

that impede deliveries to those in desperate need.

They target humanitarian programs directly. These actions

amount to what I believe to be a deliberate strategy that they

think they can get away with, even while moving forward with respect

to improving bilateral relations and so forth. The disconnect

is between those public statements and what the security apparatus

of the state of Sudan actually does in the field.

We have an immediate concern, that is Western Upper Nile, or

a unity state, as some would say. This is a place in which there

has been essentially blanket closure of humanitarian access for a

period of months.

This is a real problem for us, because not only does it mean we

cannot respond adequately, but we do not even know adequately,

in many cases, from our own information.

The U.N. tells us that as many as 300,000 people are at immediate

risk, but we know there is 1.7 million people who are closed

off from humanitarian services in the South because of closure by

the Sudanese Government.

Most recently, there has been somewhat of a focus on the fact

that for the month of July, because the humanitarian flight access

issue is a monthly issue, the United Nations has to go monthly to

the Government in Sudan and say, basically, ‘‘Please give us access

to these locations.’’

And we did get a blip up for the month of July of what appeared

to be 18 locations. We have done at USAID a detailed analysis of

those 18 locations, and it is not what you would call a major breakthrough

in any way, shape, or form. In almost all cases, they are

not new locations that open up new populations in desperate need

to us. That does not mean there are not some, because there is one

in particular that does give us a new opportunity.

But in general, it is not—and if you wish a written summary of

these 18 locations, we would be happy to provide it to you, as well

as a map for the record.

It is amazing how bureaucratic this system gets. So,

for example, when the U.N. supplied this month’s request for flight

access clearance, it included much of what has been requested in

the past. The government actually denied access to a number of

places that it has approved consistently over a long period of time

for the first time this time, saying they cannot identify those locations.

It is the kind of thing that we will go back and we will raise that

with the government, and then 3 or 4 weeks from now, they will

come back again. We are always into this back and forth kind of

a process that slows everything down.

Our immediate concern in the humanitarian sphere is Western

Upper Nile. We are immediately concerned because some of the dynamics

parallel what happened in January 1998 in western Bahr

el Ghazal. Not all of the dynamics do, but some of them do.

And what was the result of the combination of events on the

ground and the closure of flight access by the Government of

Sudan? The result was that 100,000 people died who did not need

to die. This is why we are so concerned about Western Upper Nile.

Second, we have a continuing concern about this issue. This is

not a new issue for us. This current regime came to power June

30, 1989. Since it came to power, it has been manipulating the humanitarian

programs, and most specifically humanitarian access by

the U.N. and the NGOs to desperate populations.

So it is not a new issue. It is, unfortunately, an issue that has

almost become routine. We, the international community, have not

figured out precisely how to deal with this.

For example, in much of the entire State of Equatoria, much of

Equatoria has had blanket closure for more than 3 years. The

areas have not been conflict zones for more than 3 years, but nevertheless

they are closed to us. And it opens up our own personnel

and the NGO personnel to really serious risks, because the areas,

while not being primarily government-SPLM conflict zones, are unstable

zones.

By denying us flight access, what it means is we have to send

our people in on the ground. It has cost a fair number of lives of

humanitarian workers.

OK. Is this part of a strategy? I do not know. But there is no

logical explanation for closing down a big chunk of an entire state

over a long period of time like this when it has not been a battle

zone between the two warring parties.

Perhaps, third, I would point out we have an emerging concern

on this issue. So we have an immediate concern, a persistent concern,

and now an emerging concern.

This current government has long chafed under the OLS regime.

They have wanted it to be subject to their military strategy, in my

opinion. And that has been the nature of the actions they have

taken.

But more recently, what they have begun to do is very coherently

and forcefully push to move the entire humanitarian operation inside

the parts of Sudan that are under government control.

That is what USAID Administrator Natsios feels is absolutely

unacceptable. The proposals of the Sudanese Government are to

move them, the operations, into government-controlled areas, to put monitors in places like Lokichokio, Kenya that actually check

out each and every flight that would go from there to the South,

to require visas for humanitarian workers to work in the South,

even though they are in areas that are not under the control of the

government. It is an emerging concern.

We have started a series of meetings with our European donor

colleagues, Japan and others, to coordinate amongst the donors on

all of these particular concerns that I have laid out for you.

I think the issue is that the U.S. peace initiative, which we all

in the administration support, is really predicated on Senator Danforth’s

conclusion that there is sufficient goodwill amongst the parties

to justify our moving forward.

It increasingly gets harder to see goodwill when you are confronted

with a blizzard of activities like this that have been engaged

in by the Sudanese Government. Obviously, the preferred solution

here is that the government realizes this is the fatal flaw in

its strategies and listens to Walter Kansteiner when he tells them

that we want unfettered humanitarian access across the board to

needy civilians. So we should use our every capacity to achieve

this.

If that does not happen, as we have indicated publicly elsewhere,

it is our intention in USAID to try seriously to explore with our

donor colleagues a new approach that eliminates the possibility of

a unilateral veto by the government on humanitarian access.

The U.S. peace initiative is too important and it has too much

potential to be undermined by the kind of Government-of-Sudan actions

that I have outlined as problematic for us.

Thank you.

Mr. Chairman, and members of the Subommittee, thank you for inviting me to

testify here today. As many of you know, this is a critical time for Sudan. The Intergovernmental

Authority on Development (IGAD) peace process is well underway,

with senior representation by both parties to the conflict. At the same time, a major

military offensive is affecting thousands, and access to humanitarian services has

been denied to hundreds of thousands more. This demonstrates the dichotomy of

Sudan. The country is riding a fine line between opportunity and disaster.

Under this Administration, the U.S. government has been thoroughly engaged on

Sudan. President Bush personally has made a number of strong statements about

the conflict in Sudan; Senator Danforth has extended his term as the President’s

Special Peace Envoy; and USAID Administrator Andrew Natsios, the President’s

Special Humanitarian Coordinator for Sudan, has committed more resources to

Sudan than in any other year in the last decade, especially in development assistance

for southern Sudan.

I will focus my testimony today on the ways that humanitarian activities can enhance

the ongoing peace process and how diplomatic intervention can further humanitarian

goals.

During the first phase of the U.S. initiative under Special Envoy Danforth,

USAID and the Department of State worked exceedingly well together to test the

willingness of the Government of Sudan (GOS) and Sudan People’s Liberation Movement

(SPLM) to move toward a just peace, while at the same time improving the

lives of war-affected people in Sudan. That link between humanitarian programs

and the peace process will remain strong over the next six months.

Although most of USAID’s funding will support continuing programs in the sectors

of health, food security, education and economic revitalization, new initiatives

linked directly to the peace process will include: improving humanitarian access to

populations in need; preparing the South for peace whatever its final form; expanding

programs that cross GOS-SPLM front lines to reinforce local reconciliation; addressing

underlying causes of vulnerability in marginal regions of northern Sudan;

and following up on the previous Danforth initiatives, especially on the humanitarian

efforts in the Nuba Mountains.

While recent developments give cause for hope and justify energetic U.S., engagement,

optimism must be tempered. Historically, the GOS’s record on humanitarian

assistance to war-affected civilians is not at all good. The GOS continues to send

contradictory signals on its commitment to supporting humanitarian efforts. While

the government takes steps forward on the geographically limited Danforth initiatives,

it takes steps backward in the overall provision of unhindered humanitarian

access. Currently hundreds of thousands of war-affected and displaced Sudanese in

Western Upper Nile are denied access to assistance by GOS flight bans.

In Western Upper Nile, the area where the fiercest fighting is taking place, the

government has prevented aid agencies from delivering life-saving food and other

commodities. It is this combination of active conflict and denial of access that created

a famine in 1998 in Bahr el Ghazal, where up to one hundred thousand people

died. If the current situation cannot be changed in Western Upper Nile, and the

GOS continues its manipulation of food and other assistance, such as the limitations

the GOS has placed on flight access in the month of July, there is a strong risk

that we will again witness the unnecessary deaths of tens of thousands of innocent

Sudanese.

Full access for aid agencies to deliver life-saving humanitarian assistance is our

number one priority. The main avenue for assisting the Sudanese population affected

by war is through Operation Lifeline Sudan (OLS), an international relief

program based on an agreement between the United Nations (UN), SPLA, and GOS

negotiated in 1989. At that point, the former Government of Sudan gave OLS unfettered

access because the warring parties were participating in a peace process. It

was all too clear to the international actors at that time that, in the Sudan context,

humanitarian access was a necessary precursor for successful peace negotiations.

When the current government in Sudan came to power two months later, it began

frequently and habitually denying access to OLS in violation of the agreement.

USAID, with strong and persistent Congressional interest, began supporting NGOs

working outside the OLS in order to minimize civilian deaths. The non-OLS initiative

was not designed to be a complete program meeting overall needs, but to fill

gaps in the larger OLS program caused by the GOS manipulation of OLS. In an

ideal situation, where the warring Sudanese parties fully respect the principle of humanitarian

access, there would be no need for agencies to work outside a common

U.N. framework.

In recent months, access by international agencies to civilians in need has eroded

dramatically. The GOS is now proposing major revisions to the current OLS framework

to increase its control. In June, in Western Upper Nile (the focus of the current

humanitarian crisis), the GOS cleared six organizations to work in only five

locations for five days, far short of what is needed. If access to this area does not

improve immediately, famine may result.

The GOS impedes access in two ways—by outright denial of access to certain locations,

and by adding bureaucratic steps that encumber the monthly flight clearance

process. Given its limited ability to negotiate with a member state, the U.N. has

requested donors to engage the GOS bilaterally in parallel humanitarian access negotiations.

It is clear that the U.S. and other donor governments must assume a forceful and

unified stance towards GOS non-compliance with various humanitarian agreements

it has made to date. On June 27, in Geneva, USAID convened the humanitarian

arms of eight donor countries to seek consensus on coordinated donor actions on humanitarian

access. I can tell you that all of the governments present were in sync

on the humanitarian access issues. On June 28, Administrator Natsios released a

statement, and from this, a formal demarche was given to the GOS. It called on the

Government of Sudan to approve without delay all flight clearance requests made

by the UN/OLS for the month of July. This, however, has not happened.

While the initial increase in the numbers of locations given access for July 2002

shows an increase of 18 locations, a further analysis shows a different picture. The

number of places to which the GOS denies access, saying they cannot be identified

properly, remains the same at 41. Amazingly, some of these locations ‘‘unknown’’ to

the GOS, such as Marial Bai and Marial Lou in Bahr el Ghazal, are places OLS

has been flying to for years. Those locations are well known, and have been previously

approved by the GOS. There were 23 locations that were categorically denied

access in July. Of these 23 locations, nine were in Western Upper Nile, seven

in Bahr el Ghazal, and the rest in Equatoria. The continual denial of locations in

Upper Nile is especially problematic because U.N. reports show large unmet needs

and a population that is largely displaced. Out of the five locations approved in

Upper Nile, only three are actually in Western Upper Nile, the worst hit area. Almost

all of Equatoria continues to be denied as it has been for more than three

years. The only positive result is the approval of one location in Ruweng County,

where a U.N. assessment shows the entire population of 74,000 in need of food and

non-food items.

The United States specifically and donor governments generally must be willing

to define and articulate the consequences of GOS non-compliance, and they must be

ready to apply these consequences swiftly when a violation of an agreement occurs.

The U.S. government must link unimpeded access to an end goal of improving bilateral

relations between the United States and Sudan. If the GOS has real or perceived

concerns about military assistance being delivered to the SPLA from outside

sources, it must address these issues through other mechanisms, not through the

manipulation of humanitarian aid to desperate at-risk civilians.

In the meantime, USAID will continue to build the management and logistical capacity

of humanitarian non-OLS partners to make them a more effective avenue for

essential aid. To be consistent with Congressional intent, the amount of USAID disaster

assistance other than food in southern Sudan going to organizations outside

OLS has increased from 13 percent in 1998 to 45 percent last year. We will continue

this strong support for non-OLS agencies as long as the humanitarian access crisis

continues. Non-OLS partners continue to be a major part of our humanitarian response,

and we will not allow the GOS to portray this valuable assistance as anything

less than meeting a humanitarian imperative for the long-suffering civilian

population of southern Sudan.

Humanitarian access is not peripheral to the larger peace process. The issue of

unimpeded humanitarian access is a benchmark that must be reached for a genuine

peace process to move forward. It is the necessary proof of good intentions toward

desperate civilians in the South. As President Bush has said, ‘‘Sudan’s government

cannot continue to talk peace but make war, must not continue to block and manipulate

U.N. food deliveries, and must not allow slavery to persist.’’

A second USAID priority for the next six months is to promote stability among

different ethnic groups along the line of conflict so that an eventual just peace is

not engulfed by tribal warfare. In many countries, new peace agreements often unravel

because civil society is not ready for peace. One can imagine such a scenario

in Sudan. The Sudanese have been dependent on disaster assistance for many years

and have had their ability to again achieve self-reliance dramatically undermined.

Administrator Natsios has heard repeatedly from southern Sudanese affected by the

war of their desire to again be self-reliant. For this reason, USAID has committed

$42.5 million over the next five years in longer-term development programs, concentrating

on agriculture and education in southern Sudan. Implementation of these

programs will begin by the end of September of this year.

Historically, certain areas of Sudan have served as gateways between cultures

and across the historical North-South divide, and for the movement of people and

commerce. Increasing stability around these gateways will draw internally displaced

persons (IDPs) back to their home areas and build upon local peace initiatives. Recovering

markets will give peaceful economic alternatives to slave raiders, that is,

‘‘trade not raid.’’ Growing peaceful interaction among ethnic groups will enhance

stability. In the next six months, USAID expects to commence or expand these

cross-line programs in the Nuba Mountains and Abyei/Twic. We will facilitate the

return of IDPs to areas of origin, and will support economic livelihoods.

Our third priority is expanding humanitarian assistance to northern Sudan. Most

of USAID’s humanitarian assistance to northern Sudan goes to displaced southerners

living in urban areas. Northern Sudan also suffers from cyclical droughts, to

which USAID responded with relief programs in the mid-1980s, the early 1990s and

in 2001. USAID’s drought response in 2001 restored the principle of neutrality for

U.S. humanitarian aid by expanding our program to include drought-affected northerners.

This action also had a political resonance given the increasing bilateral engagement.

This was appreciated by other donors who perceived U.S. Sudan policy

in the past as being unbalanced.

Our area of focus in northern Sudan over the next six months will be Northern

Darfur and the Red Sea Hills, following up the current emergency drought response

with a program that addresses underlying causes of vulnerability. Additionally, possibilities

currently exist for some of the 2,000,000 IDPs in the greater Khartoum

area, as well as urban IDPs in other northern cities, to return to their home areas

in the South. Such opportunities will vastly increase should the peace talks succeed.

Other permanent solutions will also be supported for IDPs who may choose to remain

in the north.

Finally, USAID will continue to follow-up on the Danforth Initiatives. The highest

priority is in the Nuba Mountains where, it is clear that diplomatic and humanitarian

cooperation is essential for saving lives and furthering the peace process. In

August, 2001, Administrator Natsios initiated negotiations an an airlift of eight

metric tons of food in the Nuba Mountains, an area that had been previously isolated

and specially targeted by the GOS. The successful delivery of the food in August

was followed by an extended military stand-down to permit a humanitarian assessment

of the region and larger deliveries of assistance. Both the delivery and the

stand-down required the State Department’s direct involvement and support. These

humanitarian interventions, in turn, helped pave the way for the Special Envoy

Danforth’s successful negotiation and implementation of a formal cease-fire agreement

in Nuba.

The Nuba Mountains cease-fire has not been perfect. Even though expanded humanitarian

assistance was part of the agreement, implementation of the food assistance

program there was blocked by the GOS from February until several days before

Andrew Natsios’ visit in June of this year.

The cease-fire is also not without risks for humanitarian workers. Just last

month, a USAID-funded tractor in the Nuba Mountains hit a landmine after a GOS

military officer detained groups traveling in and out of one small area. Six persons

died and several others were wounded. There have been several investigations to

determine whether the landmine had been newly planted, but regardless of when

it was planted, one must question whether the spirit of the cease-fire agreement

truly trickles down to the local commanders.

These weaknesses are real, and I believe the cease-fire is not replicable in toto.

However, there are many positive aspects of the Nuba Mountains cease-fire agreement

and its international monitoring that may be of use in other high-conflict

areas of Sudan. When the formal Nuba Mountains cease-fire agreement was signed,

the enthusiasm of the local population grew more rapidly than was anticipated, and

civilians and commerce began to move more freely. The impact of the Nuba ceasefire

outside Nuba has been striking; the local reconciliation has triggered ‘‘grassroots’’

discussion and anticipation of peace far beyond the borders of the Nuba

Mountains.

The degree to which the warring parties respect the agreement to protect civilians

from attack has significant humanitarian consequences. Since March, when both

parties signed this agreement, repeated bombings, continuing reports of gunship attacks,

and the ongoing forced displacement of civilians, indicate that the agreement

has had little positive humanitarian impact in Western Upper Nile or Bahr El Ghazal,

the two regions most likely to serve as a ‘‘proving ground’’ for true commitment

to protect civilians. Preliminary reports on the month of June show more attacks

recorded than in all of the other months this year combined.

Additionally, the GOS imposition of flight denials in these regions all but prevents

even ad-hoc monitoring of the agreement. In the absence of either a mechanism for

impartial monitoring and investigation, or a reversal of the GOS flight denial patterns,

there is little hope that the current situation will change. Finally, if the February

attacks on Bieh that killed twenty-four civilians serve as an example, even

the strongest international condemnation of attacks is not likely to produce adequate

results. (The GOS has yet to take definitive steps to prevent a similar incident.)

As a monitoring mechanism is implemented and as increased international

focus on the protection of civilians in Sudan grows, it is also clear there must be

well articulated consequences for violation to assure the agreement takes adequate

hold.

Mr. Chairman, I have outlined some of the political and administrative actions

needed for the humanitarian work to be successfully accomplished. Sudan’s needs

may actually increase in the short-run, especially if prospects brighten for a negotiated

settlement and USAID will be expected to respond to those needs. We will

continue to consult with you as this situation evolves.

I would like to thank the subcommittee once again for allowing me to testify

today. I have worked on Sudan for twenty years. I believe there are significant prospects

for peace, but it must be a just peace, and it cannot be negotiated while atrocities

take place. If the Government of Sudan is serious about peace, it must give

unrestricted access to war-affected civilians in humanitarian need. That must happen

now—not one month, two months, or three months from now. The world cannot

wait; the people of southern Sudan cannot wait.

Thank you.

May I add a couple of comments on this piece?

There were aspects of the slavery and abduction

project that relate to USAID. We have already funded a well-established

international agency that was already in the region where

most of the slavery activity occurs.

We have already provided a grant to them to provide additional

eyes and ears for monitoring purposes on slavery and abduction. As

Walter said, to some degree, this is a manipulation by the government

of groups for military strategic purposes.

We will be investing perhaps $1 million in the immediately affected

regions to try to improve the relationships between the two

groups.

I can tell you from personal experience, about 6 weeks ago, we

met with the head of the actual Arab tribe, Missarea, who have

done most of the slaving. They indicated very clearly to us that

they are observing, at least for the moment, a cessation of this activity;

and that the activity was done by them, they would say publicly

to us, at the behest of the government. It has been costing

them, as well as the Dinka population.

They are looking to back away from it at this point. It is for local

groups, like that, that we are intending to invest what we call resources

for crossline programs, so that we can pick up on that local

peace process, and actually build it, because these people do not

need to naturally kill each other off. This is part of, I think as Walter

indicated, a government strategy.

Yes. May I just add that I think, while this has

been conveyed over and over and over again to the Sudanese Government,

they do not seem to hear it. In all candor, every time we

meet with them, we tell them that much of the U.S. popular support

and congressional support for the U.S. position with respect to

the Government of Sudan is driven by their good behavior or bad

behavior on the humanitarian issues.

We tell them that candidly. Andrew Natsios tells every single official

he meets with when we go on these trips. We sit across the

table from them and look them in the eye and say, ‘‘You have to

understand our dynamics, because if you want a U.S. initiative,

you do not want it undermined by this.’’ They have not seemed to

grasp it yet. It is not because the message has not been put to

them many times.

Let me start with the second part of the question.

We have a mechanism. It is not an entirely sufficient mechanism,

but we have a mechanism for trying to respond to humanitarian

needs when, in fact, the government through normal processes does

not enable us to react. And that is the use of non-OLS organizations.

The bans that are put in place are bans, or negative responses,

to U.N. requests for access. So if they ban the U.N. program, we

use wherever we can non-OLS NGOs who are prepared to do this

kind of work and take the risks that are involved in going without

approval. We have expanded, in fact, our resources going in with

a number of non-OLS NGOs into the affected areas of Western

Upper Nile.

I cannot say that I can see a huge price having been paid yet by

the Government of Sudan. There was, I believe, a 1-month stand down

on the peace process in reaction, but mostly I think it has

been a public shame approach on our part.

It is not resolved. It is what I referred to in my

opening statement as this emerging problem. First of all, as you

are aware, the head of USAID, Andrew Natsios, is the designated

Special Humanitarian Coordinator for Sudan by the President. So

this is directly in his purview, and it is he who spoke the word ‘‘unacceptable’’

with regard to this kind of proposal.

It is unacceptable because the track record of the Government in

Khartoum on humanitarian issues would prohibit any rational person

from giving them full control of a humanitarian operation that

affects the people of the South, and I think that is pretty clear.

The initiative that they are taking now seemed to be forcefully

presented to the U.N., coupled with the idea that they might place

in Lokichokio, Kenya observers who would inspect flights that were

taking off for locations within the conflict areas of Sudan. This is

another aspect which is unacceptable.

They have also talked about instituting a regime that would require

visas for all humanitarian workers that go into the South,

even though they do not control the areas at all. And that too, to

us, is unacceptable. So their proposal has not moved forward. All

right. So in that sense of the word, I think our reaction has blocked

their insistence.

However, we have gone further. When this materialized, we organized

a group of donor governments’ representatives in Geneva

to talk about dealing with the immediate as well as the longer term

issues, the ones that you are raising now in terms of humanitarian

access.

We have another meeting in Geneva with about eight other

donor governments for the humanitarian programs on the 29th of

this month. That is specifically designed to see if we can see concurrence

amongst ourselves as to how to deal with the longer-term

issue about structure of the humanitarian issue programs.

This is Walter’s area on the intelligence and the

military aspects.

They do not change their behavior. They have not

changed their behavior yet in that regard, and that is the problem.

They certainly have been told the one does not substitute for the

other. Walter has done it most recently in Khartoum a few days

ago.

But we have repeatedly talked to them about this. We have repeatedly

said that this is the fatal flaw in their approach to dealings

with the United States, that much of the support, the broad based

support that exists in the Congress and in the population as

a whole, is really focused on the issue of how they behave in the

humanitarian context.

It is very clear they continue to behave very poorly. So while

they have been told repeatedly, they certainly have not gotten the

message yet clearly enough.

We suggested to them that the proof of their good

intentions with respect to the peace process is, in fact, how they

deal with the war-affected civilians. They do not seem to have comprehended

it fully yet, I must say.