Thank you very much, Mr. Chairman, and,

again, thank you for this opportunity to participate in the hearing

and the opportunity to testify on behalf of Catholic Relief Services.

With your permission, I would like to just summarize very briefly

some of the recommendations and statements made in my written

testimony which has been submitted to you.

I will start by reemphasizing, as was said by Mr. Winter, the fact

that the situation in Sudan is urgent and deteriorating, putting at

risk, as has been stated by the United Nations, 1.7 million lives,

and the fact that the lack of humanitarian access directly contributes to the loss of these innocent civilian lives. The Khartoum Government

bears the greatest responsibility to this lack of access.

Recent atrocities include the fact that over 40 aerial attacks on

civilians by the Government of Khartoum have been reported since

January of this year. We know that there are many more that are

not reported.

These attacks have caused massive displacement of families,

countless deaths and injuries, and interruptions to life-sustaining

activities such as the planting of crops, as well as the provision of

education and primary health services.

Over the past year and a half, staff members from five humanitarian

aid organizations have been killed, including one of my own

staff, Onen Joseph Clay, who was killed last September while having

to drive in a flight-denied area.

Another, albeit more subtle, atrocity is the Khartoum Government’s

arbitrary denial of flight access for humanitarian assistance.

Huge areas of southern Sudan, much of which is only accessible by

air, remain off limits. Again, Mr. Winter did an excellent job describing

the situation. And I reemphasize that the areas of southern

Blue Nile, Upper Nile, eastern Equatoria and Bahr al Ghazal

continue to not allow access. And, in fact, places like eastern

Equatoria have been subject to flight denial since 1998.

Again, the situation is urgent. Acute and chronic malnutrition

has been registered throughout much of these regions. These are

conditions similar to those leading to the famine in 1998 in which

an estimated 100,000 people died.

Let me cut to the chase and, if you would allow me, I would like

to underscore the recommendations made in our written statement,

many of which, I think, qualify under the idea of the toolbox that

you mentioned earlier.

The United States and the international community must make

progress in humanitarian issues, including those of access, a clear

priority as part of any negotiations in relationship with the Khartoum

Government.

We talked earlier of the three-pronged approach in terms of the

goals of the administration’s policy toward Sudan, counter-terrorism,

humanitarian assistance, and peace process. And I think

that there is a need to, as has been discussed previously, to assure

that there are clear linkages between those goals, and that when—

that conditions which are granted because there is progress in one

goal are not actually seen as signals of acceptance under other

goals.

How can the Khartoum Government be applauded in making

progress on counter-terrorism internationally when they are carrying

out terrorism on their own, within their own boundaries?

The United States—the United Nations and donor governments

must ensure unimpeded humanitarian access to all at-risk populations.

Access would be better assured by naming the Operation

Lifeline Sudan security management teams as the independent

mechanism for approving these requests. So, again, here is a clear

action that could be taken in order to assure unfettered access to

all populations.

The verification mission as brokered by Senator Danforth must

be implemented without delay. Monitors must be granted

unimpeded access to all areas of Sudan, especially where the oil is

being developed. And I was pleased to hear that there is some

progress being made on this. I think that this has to be seen as

a critical activity and carried forth with full support and as agilely

as possible.

Related to the issue of access, but also equally if not more important

in terms of supporting the peace process, corporations and

governments involved in the Sudanese oil market, the oil, must be

made to recognize and take responsibility for stopping the impact

these activities have in escalating the war; limiting humanitarian

access and ultimately contributing to this loss of innocent life that

we have been discussing.

And finally, again as described by John, the right of the people

of Sudan to determine for themselves how they are governed as a

society must be upheld. This should be viewed as an essential

building block for peace and an instrument leading to greater political

self reliance amongst the people of Sudan.

In conclusion, Mr. Chairman, Congress has a crucial role to play

in saving the lives of innocent Sudanese and ensuring a viable future

for the Sudanese peoples. I urge you to seek the support of

your colleagues and act on these recommendations immediately.

I thank you for calling this hearing and for the opportunity given

to Catholic Relief Services to testify.

And I would also like to thank the American people for their support.

Without both the private and public resources that you provide,

we would not be able to carry out our life saving mission in

Sudan.

I welcome the opportunity to respond to any questions.

Thank you, Mr. Chairman, and members of the Subcommittee on African Affairs,

for organizing this hearing. I am honored to have the opportunity to testify. My

name is Paul Townsend and I am the Country Representative for the Sudan Program

of Catholic Relief Services, based in Nairobi, Kenya. Catholic Relief Services

has been involved in Sudan for 30 years, has been a founding member of Operation

Lifeline Sudan, and is today the largest private voluntary organization operating in

southem Sudan, serving an estimated 400,000 Sudanese.

We are all familiar with the tragedy in Sudan. With an estimated two million

lives lost in this conflict and four and a half million more displaced since 1983

alone, Sudan is the most desperate humanitarian disaster on our planet.

In light of the recent, intense, and sustained international diplomatic efforts following

in the wake of the Danforth Mission, the people of Sudan are offered a

unique opportunity to move forward on a political solution to their 19-year long

deadly civil war. As in most civil conflicts, the questions remain as to the depth and

breadth of the political will of all parties involved, particularly the Government in

Khartoum and the Sudan Peoples Liberation Movement/Army (SPLM/A).

In response to your invitation, Mr. Chairman, I’ll primarily direct my remarks to

the issues of humanitarian access into Sudan. I will emphasize, in particular, several

obstacles to the stated U.S. policy goal of unimpeded humanitarian access

throughout Sudan.

It is important to note that the vast majority of casualties in the Sudanese conflict

have been non-combatants who died of famine and health-related causes. Any meaningful

attempt to staunch the loss of life in Sudan must recognize humanitarian concerns

as an intrinsic and inseparable component of political negotiations. If the current

humanitarian crisis continues to deteriorate we could see a situation as devastating

as the famine of 1998 in which an estimated 70,000 people died. The tremendous loss of life in such a scenario would undermine any peace process currently

underway.

The size and geographical complexity of Sudan make it one of the most difficult

places in the world to deliver humanitarian services. An estimated 25-30 million

people live in an area roughly equivalent to the size of the United States east of

the Mississippi River. The southern third of the country is racked by war, famine,

intense human displacement, and is strewn with the bones of millions of Sudanese

women, children, and men. More than 5 million people live in this region nearly the

size of the state of Texas. Medical facilities, communications, and essential road infrastructure

are largely non-existent throughout much of this region. Overland travel

is severely hindered by impassable rivers and mangrove swamps, and is rendered

nearly impossible during the rainy season.

Operation Lifeline Sudan is a UN-coordinated relief effort comprising UN agencies

and more than forty international and local non-governmental organizations. In response

to the severe famine in Sudan in 1988 that claimed the lives of more than

250,000 people, the Government in Khartoum, the Sudan People’s Liberation Movement/

Army and the United Nations jointly established Operation Lifeline Sudan

(OLS). OLS was the world’s largest humanitarian effort of its kind, and the UN’s

first negotiated access program. Today, it remains one of the most extensive and

complex relief operations in the world.

OLS was established through the signing of the Beneficiary Protocol by the three

main parties—the Government in Khartoum; the SPLM/A; and the UN. This protocol

set forth a series of guarantees to ensure a safe and continuous supply of humanitarian

assistance (access) to populations most affected by the war in Sudan.

The first principle of the protocol affirms that war-affected populations have the

right to receive humanitarian assistance, a right enshrined in international humanitarian

law through the Four Geneva Conventions of 1949, an the two Additional

Protocols of 1977.

Despite its commitments, the Government in Khartoum has systematically ignored

the humanitarian protection afforded by the Protocols.

As part of the Operation Lifeline Sudan agreement, flight requests must be submitted

to the Government in Khartoum and the Sudan Peoples Liberation

Movement/Army for approval each month, with the understanding that either

party can approve or deny access based on their respective security assessments.

These assessments are made without prior consultation and with no recourse

for appeal.

In direct contradiction to its obligation as a signatory to the Geneva Conventions

and the OLS Beneficiary Protocol, the Government in Khartoum has consistently

restricted humanitarian access to vulnerable populations in Sudan

through the abuse of this approval process, and has obstructed the delivery of

essential aid and services through other bureaucratic barriers.

Some areas in Sudan such as the Nuba Mountains have been inaccessible to

humanitarian agencies for years, and currently the Bahr al Ghazal and Western

Upper Nile regions, precisely where there is the greatest need for assistance,

have been denied access to sustained humanitarian assistance for several

months. Eastern Equatoria, where Catholic Relief Services supports over

200,000 internally displaced and war-affected people, has been consistently denied

flight access since 1998.

Typically the Government in Khartoum denies access to 25 locations per month.

This month the Government has denied access to approximately 50 locations in

southern Sudan, and all of Eastern Equatoria, placing an additional 1.7 million

people at risk of famine and disease.

In addition to a listing of the areas requested for access, the Government in

Khartoum has demanded maps and coordinates of the locations to which relief

assistance is to be supplied and the airstrips to be used. The Government in

Khartoum has repeatedly employed military gunships and Antonov bombers to

disrupt humanitarian operations and displace human populations. in February

2002, government gunships attacked a crowd of civilians who had gathered for

food distribution. Many other attacks on civilian populations and humanitarian

operations have been recorded but little has been done to stop these vicious attacks. When pressured to respond, the Government in Khartoum issues tepid

statements suggesting that these ‘‘attacks’’ are nothing more than ‘‘regrettable

mistakes’’ or ‘‘technical errors.’’ The Government continues to impede humanitarian

operations in Western Upper Nile, Bahr al Ghazal and the Equatoria regions

to the present.

The Government in Khartoum has demanded that all flights entering Sudanese

airspace from the south be cleared by the air control tower in Juba. This creates

an impossible situation given that the Juba tower has a radio range of approximately

50 nautical miles, and that aircraft enter Sudanese territory approximately

150 nautical miles away from Juba, much too far to establish the required

VHF radio contact.

Recently the Government in Khartoum called for the closure of the Lokiehoggio

base, the main center of operations for humanitarian agencies going into opposition

held areas of Sudan, an option declared ‘‘unacceptable’’ by the U.S. Special

Humanitarian Coordinator Andrew Natsios.

Again in direct contradiction to the OLS Beneficiary Protocol signed as part of

a tripartite agreement, the Government in Khartoum unilaterally declared in

May of this year that access into Western Upper Nile would be limited to five

days only and all flights would be required to originate from within government

controlled areas.

These are but a few examples of a long history and a clear intent of the Government

in Khartoum to manipulate the delivery of international humanitarian aid. According

to recent testimony from USAID,

All parties to the conflict in Sudan bear the responsibility to ensure safe access for

the delivery of humanitarian assistance to non-combatants, and it is clear both parties

have failed in those responsibilities. Military insecurity and the misappropriation

of aid consistently impede the delivery of humanitarian assistance. I want to stress

that in the ease of Sudan, though, that it is abundantly clear that the greatest obstacle

to the delivery of humanitarian assistance now is the long-standing practice of

flight denials. The party responsible for these flight denials is clearly the Government

in Khartoum.

In some areas, flight denials by the Government in Khartoum are endangering

the lives of humanitarian agency staff by forcing the use of highly insecure overland

routes. Traveling overland in these areas exposes staff to multiple security risks including

landmines, military ambush, and armed theft and attack. Over the past 18

months staff members of at least five humanitarian aid organizations have been

killed, including Onen Joseph Clay of Catholic Relief Services, killed in the line of

duty September 1, 2001.

The crisis is made all the more urgent in that Sudan is now facing a potentially

severe famine. It is critical that full access be granted to humanitarian personnel

so that a comprehensive assessment and appropriate preparations be made to avert

this impending human disaster. According to a recent UN report, more than 1.7 million

people are currently at risk. Acute and chronic malnutrition has been registered

throughout many of the regions of the Upper Nile, Bahr al Ghazal, and Equatoria,

conditions similar to the famine in 1998. Overland deliveries of humanitarian assistance

to these regions will be impossible or seriously inadequate due to severe obstacles

posed by overland travel. Flight access to these areas must be guaranteed—absent

of this, tens of thousands of people face an uncertain future.

A serious concern to those of us involved in the delivery of humanitarian and development

assistance to the peoples of Sudan is oil. The Catholic Bishops of Sudan

have repeatedly called upon oil companies, their governments, and the international

community to halt all exploration and development of oil in Sudan until peace can

be negotiated. As a result of further oil development, and the attempt to create an

extensive buffer zone to protect investments and workers, we continue to witness

the forced displacement of hundreds of thousands of southern Sudanese. As people

are forced to move from their homelands, they join the millions of others who have

been forcibly displaced, thus deepening the humanitarian crisis. The Government in

Khartoum denies to an increasing number of displaced persons the means necessary

for their survival. Oil thus perpetuates and deepens the humanitarian crisis and

will continue to do so unless and until a consistent policy is developed to adequately

deal with the full impact of the Government’s program to take control of oil-rich regions

in southern Sudan.

One of the most difficult issues confronting the people of Sudan is that of political

self-determination. Since 1994, this principle has become a galvanizing force for

many Sudanese even if a full and developed understanding of its meaning and application

has not been publicly debated. The Sudan Council of Churches including

the Catholic Church of Sudan continue to endorse this principle as a means to two

complementary ends: a respect for the fundamental dignity of the Sudanese people

in all dimensions of their lives; and as a powerful political instrument providing additional

incentive to all parties to commit to a substantive and measurable peace

process.

Notwithstanding the future political status of people living in areas outside the

control of the Government in Khartoum, there is a serious lack of civic education,

empowerment, and institution building. This represents a major obstacle to full political

participation and to progress towards a viable and just peace. Greater attention

must be given to the development of institutions capable of promoting informed

political participation and the rule of law. This holds true equally in southern

Sudan, in Nuba Mountains, in other marginalized areas, and throughout all of

Sudan.

A crucial obstacle to implementing U.S. policy in Sudan is the fact that the

United States and the international community have yet to identify and employ the

incentives and pressures necessary to ensure that the parties to the conflict in

Sudan honor their agreements. As Special Envoy Danforth alluded to in his report,

the history of Sudan is littered with failed agreements. The current efforts to address

this conflict will only be credible to the extent the parties are held accountable

for the commitments they have made.

The United States and the international community must make progress

on humanitarian issues, including those of access, a clear priority as part of any

negotiations and relationship with the Government in Khartoum.

The United States must encourage the United Nations to strengthen its

leadership role in ensuring access and sustained humanitarian assistance, and

end the use of arbitrary flight denials by naming the Operation Lifeline Sudan

Security Management Team (SMT) as the independent mechanism for determining

humanitarian access.

The Verification Mission, as brokered by Senator Danforth, must be implemented

without delay. Monitors must be fully supported and granted

unimpeded access to all areas of Sudan, whether Government or opposition

held, especially where oil is being developed. The mandate of the Verification

Mission must be broad in scope and coordinated with other diplomatic and humanitarian

efforts so as to further the cause of peace.

Corporations and governments involved in the exploration, extraction, production,

and sale of Sudanese oil must be made to recognize and take responsibility

for stopping the impact these activities have in escalating the war, limiting

humanitarian access, and ultimately contributing to loss of innocent lives.

The right of the people of Sudan to determine for themselves how they are

to be defined as a people and governed as a society must be upheld. This should

be viewed as an essential building block for peace and an instrument leading

to greater political self-reliance among the peoples of Sudan.

The recommendations I have outlined reflect a strong consensus in the American

Catholic community. I have appended some of the policy statements that embody

this consensus.

In conclusion, Mr. Chairman and Members of the Subcommittee, I would underscore

that Congress has a crucial role to play in implementing the recommendations

I have outlined. If you find merit in the recommendations, I would urge that you

seek the support of your colleagues and build these proposals into resolutions and

appropriations passed by the Congress. I would also ask that you work hand in

hand with the Bush Administration and its special envoys to ensure humanitarian

access in Sudan and to prevent the repeat of another looming tragedy. I would further

request that you support the work of the United Nations and non-governmental

organizations in their unrelenting efforts to prevent widespread famine and human

suffering in Sudan. I thank you for your consideration and welcome the opportunity

to respond to any questions.

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Thank you, Mr. Chairman. As I suggested earlier

and it has been suggested by others, I think the first step is

to assure that the issues of humanitarian assistance, and particularly

the issue of access, are clearly linked to the overall relationship

and negotiations that occur between the Government of the

United States and the Government in Khartoum.

I think that if incentives are given for progress made on certain

fronts, they, again, do not create any disincentive for actions that

are being carried out on other fronts such as the issue of access.

I think eliminating the Khartoum Government’s veto on access—

again using the OLS security management team is another way. I

think there are many good things about the OLS framework that

can be continued to be used.

I think there are—given the purchasing of increased military

hardware, there are additional risks to non-OLS access, and that

may increase over time. And if within the framework of OLS, we

can get beyond this veto question, then it will be or it will then

eliminate the issue with respect to access being arbitrarily denied.

And, again, by having security assessments being carried out by

the security management team, there is an element of impartiality

or an international monitoring occurring in terms of the conditions

on the ground with—under which humanitarian assistance can be

provided.

I would support USAID’s proposals for an internationally monitored

flight clearance mechanism. Complementing this, I would

support the idea of U.N. monitors and peacekeepers again pushing

the envelope on the monitoring process that has been and was first

presented by Senator Danforth.

And I would consider other options. The Sudanese Catholic

Bishops, for example, have called for monitored no-fly zones. And

I think we have seen that in other areas of the world. This is a

mechanism that can be used.

It is tremendously challenging, because of the extent of the territory

under consideration. But I think, again, a very much more aggressive

approach to monitoring and to supporting this unimpeded

access is the toolbox that can best serve our needs and the needs

of the innocent lives of the Sudanese.

I think good progress is being made. I am extremely

concerned that there are peace negotiations occurring on

the one hand, and bombing and air attacks and human rights violations

occurring on the other.

And I cannot—it is hard for me to understand how a process, a

peace process can continue with our support without the cessation

of hostilities at least being a precursor to that process.