

THE CURRENT HUMAN RIGHTS SITUATION IN SOUTH SUDAN

HEARING BEFORE THE TOM LANTOS HUMAN RIGHTS COMMISSION

**UNITED STATES
HOUSE OF REPRESENTATIVES**

**ONE HUNDRED AND FOURTEENTH CONGRESS
FIRST SESSION**

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JULY 10, 2015
—

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FRIDAY, JULY 10, 2015

HOUSE OF REPRESENTATIVES,
TOM LANTOS HUMAN RIGHTS COMMISSION,
Washington, D.C.

The Commission met, pursuant to call, at 10:31 a.m., in Room 2172 of Rayburn House Office Building, Hon. James P. McGovern and Hon. Joseph R. Pitts [co-chairs of the Commission] presiding.

Mr. McGOVERN. Good morning, everybody. On behalf of the Tom Lantos Human Rights Commission, I would like to welcome everyone to this very important hearing on the dire human rights and humanitarian situation besetting the young country of South Sudan.

I have the honor of co-chairing the Commission with my esteemed colleague, Congressman Joe Pitts, whose presence I welcome today.

I also want to welcome my other colleague, Congressman Mike Doyle, who is with us.

And I want to extend a special welcome to our witnesses. I want to thank you for your time. I want to thank you for your work and your passion for upholding human rights in South Sudan and around the world.

I also want to recognize the members of the diaspora organization, South Sudan Women United, who are in the audience today. And I want to thank them for their efforts to their churches to promote peace and reconciliation in South Sudan.

And finally, I want to thank the Commission staff for organizing the hearing.

We are here today to discuss the grave human rights and humanitarian situation in South Sudan, the world's newest country. Yesterday marked the fourth anniversary of the founding of the Independent Republic of South Sudan on July 9, 2011, after nearly 40 years of war between Sudanese Government and southern insurgents. I supported South Sudan's struggle for independence, and I remember the hope that blossomed when the referendum on independence passed with nearly 98 percent of the vote.

But today, for a huge share of the South Sudanese population, that hope has been replaced by utter despair. In December 2013, less than 13 years after independence, a political dispute erupted between President Salva Kiir, an ethnic Dinka, and former Vice President Riek Machar, an ethnic Nuer, and quickly escalated.

Since then, more than 2 million South Sudanese have been forced to flee by violence, about 70 percent of the country's estimated total population. One point five million people are internally displaced, and another 600,000 have fled as refugees to neighboring countries. Two thirds of those who have fled are minors under the age of 17. The U.N. has estimated that 4.6 million people, nearly 40 percent of the population, will

face life-threatening hunger by July 2015; that is to say, by right now.

This is not the future for which the people of South Sudan voted. What kind of violence are we talking about that could generate such a massive humanitarian crisis? The U.N. mission in the Republic of South Sudan reported that from the very outset of the violence, gross violations of human rights and serious violations of humanitarian law have occurred on a massive scale. Civilians were not only caught up in the violence, they were directly targeted and often along ethnic lines.

The State Department's list of conflict-related abuses includes ethnically-targeted killings, torture, disappearances, child soldier recruitment, and sexual violence. In the event that that list is not sufficiently vivid, in May, UNICEF informed the world of brutal and horrifying killings of South Sudanese children, with reports of boys being castrated and left to bleed to death, girls as young as 8 gang raped and murdered, and children tied together before their attackers slit their throats, while others were thrown into burning buildings.

To complicate things even further, the South Sudanese Government recently kicked out U.N. humanitarian coordinator Toby Lanzer after he talked publicly about the food crisis in the country. Mr. Lanzer had sought to address the growing humanitarian crisis in South Sudan and to ensure that the South Sudanese civilians received lifesaving aid. His expulsion comes on top of the systematic denial of access for humanitarian actors to civilian populations by all sides of the conflict. It is a cynical move that can only exacerbate the already dire humanitarian situation.

On July 4, our Independence Day, New York Times columnist Nicholas Kristof wrote about the unimaginable stories of rape, castration, and mass murder committed by the Government of South Sudan, a government that the United States helped install. The role we play leaves us with special responsibility. President Obama is about to travel to Africa. He should take the time to talk to some of the survivors of this newest incarnation of the Sudanese conflict, and finding some way to stop the violence in South Sudan should be among his top priorities.

Meanwhile, maybe it is time we leave aside the diplomatic niceties involved in organizing humanitarian aid in favor of just massively dropping food. Would the South Sudanese shoot down U.S. planes bringing aid? Would we then have enough reason to sanction the country's top political leaders? I am profoundly troubled that we need to be here today, but I remain deeply committed to making sure that we in Congress are doing as much as we can to provide for the basic needs of the South Sudanese people and to protect their fundamental rights.

For this reason, I look forward to the testimony of our distinguished witnesses and, in particular, their recommendations as to what further actions the U.S. Congress can and should take to put an end to this conflict in South Sudan and to redress its terrible consequences.

And with that, I would like to turn it over to my co-chair, Congressman Pitts, for an opening remark.

[The prepared statement of Co-Chair McGovern follows:]

**PREPARED STATEMENT OF THE HONORABLE JAMES P. MCGOVERN, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF**

MASSACHUSETTS AND CO-CHAIR OF THE TOM LANTOS HUMAN RIGHTS COMMISSION

Good Morning. On behalf of the Tom Lantos Human Rights Commission, I would like to welcome everyone to this very important hearing on the dire human rights and humanitarian situation besetting the young country of South Sudan.

I have the honor of co-chairing the Commission with my esteemed colleague, Congressman Joe Pitts, whose presence I welcome today. I also welcome the other members of the Commission who have joined us this morning.

I extend a special welcome to our witnesses – thank you for your time, your work, and your passion for upholding human rights in South Sudan and around the world. I also want to recognize the members of the diaspora organization South Sudan Women United who are in the audience today, and thank them for their efforts, through their churches, to promote peace and reconciliation in South Sudan.

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But today, for a huge share of the South Sudanese population, that hope has been replaced by utter despair. In December 2013, less than three years after independence, a political dispute erupted between President Salva Kiir, an ethnic Dinka, and former vice president Riek Machar, an ethnic Nuer, and quickly escalated. Since then, more than 2 million South Sudanese have been forced to flee by violence -- about 17% of the country's estimated total population. 1.5 million people are internally displaced, and another 600,000 have fled as refugees to neighboring countries. Two-thirds of those who've fled are minors, under the age of 17. The UN has estimated that 4.6 million people – nearly 40% of the population – will face life-threatening hunger by July 2015; that is to say, by right now. This is not the future for which the people of South Sudan voted.

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Mr. PITTS. Thank you, Mr. Chairman, and thank you for your leadership on this. To the distinguished panelists and guests, I am pleased that the Commission is holding this hearing, one on such an important subject and at a juncture as critical as today.

Just four years ago, four years after South Sudan gained independence from Sudan, the world's newest state is on the brink of failure. Secession from Sudan was overwhelmingly supported by the Southern Sudanese and the national community recognized the decision as an unprecedented step toward peace in a region plagued by civil war for nearly 40 years. Four decades of pervasive conflict crippled the region; more than 2.5 million people were killed; more than 4.5 million were displaced in the ongoing war; and in December of 2013, less than three years after independence, political tensions within South Sudan erupted in violence.

While ethnic tensions were not the basis for the initial outbreak of violence, the political dispute between former Vice President Riek Machar and President Salva Kiir exasperated longstanding ethnic and political grievances. And fighting between forces loyal to Kiir and ethnic Dinka and those loyal to Machar and ethnic Nuer quickly developed into ethnically motivated violence. Those who once stood together to support South Sudan's self-determination are now embroiled in a civil conflict that demonstrates the same brutality and devastation that has defined the region's decades long war.

Reports paint an increasingly nefarious picture of both SPLM government forces and opposition forces committing egregious acts of violence, human rights abuses against civilians, and violating of international humanitarian law. According to the State Department's 2014 human rights report on South Sudan, conflict-related abuses, including ethnically targeted killings and violence, and extrajudicial killings, torture and disappearances and mass displacement of civilians, are among the most serious problems in the country.

Women and children are specifically targeted by government and opposition forces. UNICEF estimates that 13,000 children have been recruited as child soldiers in the conflict. Conflict-related sexual violence, including the reported rape and murder of girls as young as 8 years old, have also been reported. Humanitarian response to the crisis has been severely hindered by funding shortfalls, access challenges, threats against U.N. and other aid agency personnel, and undergoing hostilities.

U.S. and international officials have recognized that the conflict in South Sudan is a man-made crisis created by the country's leaders. President Salva Kiir and opposition leader Riek Machar demonstrate an unacceptable disregard for civilian life and the growing humanitarian catastrophe enveloping the region. The U.N. estimates that up to 4.6 million people, nearly half of the country's population, will face life threatening hunger this month.

As the conflict continues, the humanitarian situation will only continue to deteriorate. And the U.S. has played a key role in relations between Sudan and South Sudan, most notably in facilitating the comprehensive peace agreement in South Sudan's subsequent independence. We have also been the leading humanitarian supporter, giving \$1.24 billion in humanitarian aid since the outbreak of violence in December of 2013. As South Sudan continues to unravel, it is vital that the United States and the international community must demonstrate the political will and provide the humanitarian, peacekeeping, and diplomatic resources needed to contain the crisis and bring an end to the conflict.

So I thank the witnesses for their participation here today. Look forward to working with the administration, NGOs, my colleagues in Congress to help bring about a climate of peace that has long eluded this region.

And yield back to my distinguished co-chair, Mr. McGovern.

Mr. McGOVERN. Thank you very much. And we are going to yield to my colleague, Mr. Doyle, and Mr. Cicilline, for any opening comments. We have got a couple of votes, but I will yield to you guys.

Mr. DOYLE. I will be brief, Mr. Chairman. Thank you very much. And thank you for all of you being here today.

I want to particularly thank the experts who have taken time from their busy schedules to bring us up to date on the horrendous human rights situation in South Sudan. This is a situation that pains all of us very deeply. We all had such great hopes for South Sudan after the establishment of a sovereign state in 2011, so it is simply heartbreaking that so many people in South Sudan have suffered so greatly as a result of the conflict between the government and the country's different ethnic groups.

The atrocities afflicted by both the South Sudanese Government and rebel groups have been extensively documented. Restrictions on basic freedoms, forced recruitment of children, mass displacement, torture, and murder are just the top of the list of human rights abuses and war crimes. The side effects of this conflict are devastating as well: hunger, malnutrition, broken families, instability, economic collapse, just for starters.

The United States can't sit idly by in the face of this humanitarian disaster. We need to do our part in international efforts to put an end to these human rights violations and guide South Sudan towards a peaceful, more stable state. Everyone knows this is not going to be easy. That is why the testimony from today's panelists is so important. We look forward to learning what actions these experts think Congress should take to end the devastating human rights abuses being committed in South Sudan.

Only when the violence stops can we begin meaningful work on the economic advancement of the South Sudanese people through better education, healthcare, infrastructure, and government. We can't turn away from the world's newest country. Rather, we must redouble our efforts to help end the violence, forge a lasting peace, and work to rebuild South Sudan after years of terrible violence and destruction.

The people of Sudan and South Sudan deserve an end to this nightmare. We are all committed here to working with this Commission and this Caucus on Sudan and South Sudan to do everything we can to bring an end to this suffering.

Mr. Chairman, thank you for your indulgence.

[The statement of Mr. Doyle follows:]

**PREPARED STATEMENT OF THE HONORABLE MICHAEL F. DOYLE, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA
AND MEMBER OF THE TOM LANTOS HUMAN RIGHTS COMMISSION**

Good afternoon, everyone, and thank you for being here today. I particularly want to thank the experts who've made time in their busy schedules to bring us up to date on the horrendous human rights situation in South Sudan.

This situation pains me deeply. We all had great hopes after South Sudan's establishment as a sovereign state in 2011. It's simply heart-breaking that so many people in South Sudan have suffered so greatly as a result of the conflict between the government and the country's different ethnic groups. The atrocities

inflicted by both the South Sudanese government and rebel groups have been extensively documented: restrictions on basic freedoms, forced recruitment of children, mass displacement, torture, and murder are just the top of the list of human rights abuses and war crimes. The side-effects of this conflict are devastating as well: hunger and malnutrition, broken families, instability, and economic collapse, just for starters.

The United States mustn't sit idly by in the face of this humanitarian disaster. Only when the violence stops can we begin meaningful work on the economic advancement of the South Sudanese people through better education, health care, infrastructure, and government. We need to do our part in international efforts to put an end to these human rights violations and guide South Sudan towards a peaceful, more stable state. It won't be easy. That's why the testimony from today's panelists is so important. I look forward to learning what actions these experts think Congress should take to end the devastating human rights abuses being committed in South Sudan.

We mustn't turn away from the world's newest country; rather, we must redouble our efforts to help end the violence, forge a lasting peace, and work to rebuild South Sudan after years of terrible violence and destruction. The people of Sudan and South Sudan deserve an end to their nightmare. I'm committed to working with this Commission and the Caucus on Sudan and South Sudan to do everything we can to bring an end to the suffering. I want to thank all of our panelists for your testimony today. We greatly appreciate your insights and welcome your recommendations for addressing the violence in South Sudan.

I would also like to thank the Tom Lantos Human Rights Commission for hosting this event – and for honoring Tom's life by continuing his efforts to bring an end to human rights abuses around the world. Thank you.

Mr. CICILLINE. Thank you. I want to thank you, Mr. McGovern and Mr. Pitts, for calling this very timely and important hearing.

The deterioration of the situation in South Sudan is extremely alarming, and the true human, economic and social costs cannot be fully understood yet. When South Sudan voted for independence from the North in 2011, the world embraced the first peaceful break from the borders drawn on the continent of Africa since colonial powers drew up artificial states. Unfortunately, the inherent ethnic tensions of the state that were intended to be dealt with by the power-sharing arrangement put into place post-independence proved too strong. And the personal failures of President Salva Kiir and former Vice President Riek Machar led to a brutal decline in the human rights situation in this country.

Today, there are reports of mass murders, targeted rapes, the use of child soldiers, and a myriad of human rights violations by both sides. Indescribable violence and brutality is pervasive and unrelenting. The United Nations peacekeeping forces remain in control of protected areas for civilians and have no doubt saved countless lives. But President Salva Kiir has prevented U.N. human rights monitors from entering the country, and there have been attacks on U.N. protection of civilian sites.

In short, the toll on civilians has been immense and there must be more that the international community can do to protect civilians and bring this conflict to a resolution. Moreover, we must ensure that the victims of this conflict have access to justice through some sort of independent judicial mechanism in the long term. But in the short term, our challenge is how to bring more attention, more help, and a sense of urgency to this crisis. I look forward to the testimony of our witnesses, and, again, thank our chairman for calling this very important hearing.

With that, I yield back.

Mr. McGOVERN. Thank you, Mr. Chairman. Mr. Hultgren, would you like to have a --

Mr. HULTGREN. Just really want to say thank you for the work all of you are doing. Looking forward to hearing how we can be helpful fighting for freedom there, for protection. And so not much of a comment other than I am here to learn, to listen and to learn, and find out how we can be helpful.

So with that, I yield back.

Mr. McGOVERN. We have Congresswoman Plaskett and Congressman Capuano. Do you want to -- Mr. Capuano.

Mr. CAPUANO. Thank you, Mr. Chairman.

As the founding member and current chair, continuing chair of the Sudan Caucus, I want to just take a minute to, first of all, thank all of the people who have been involved with this issue from the start and continue to be involved.

Let's be honest, if South Sudan and/or Darfur or the Blue Nile, if they all fell off the map tomorrow, most of our constituents wouldn't notice. We are here not because of the political importance but because this is the right thing to do. People should not turn their back on other people in the world, no matter how important or unimportant or how much power or influence they have, just because they don't have much. As a matter of fact, I personally think it is more important for us to stand up for those with the least amount of influence and power and financial wellbeing because they have no other voice. And for those of you who have been working with my office for these many, many years

on all of these issues, and now unfortunately to many of our great surprises the problems within South Sudan, I just want to say thank you and congratulations. You are doing God's work. You are doing something that hopefully you will be rewarded for in the future, because no one is going to reward you for it now. And honestly, I hope that with your perseverance that we can solve or help solve this problem amongst our friends.

I also want to say the same thing with the State Department. I have had my issues with the State Department on different issues, on the Sudan issue of the State Department, and we have walked hand in hand more often than not. And I will tell you that without their perseverance and their continued attention to this issue, again, it would fall off the table and it would be ignored.

And finally, I just want to suggest that for those of you who haven't seen it -- and I can't remember the number now -- we have a bill that four co-chairs and Mr. Rooney filed a bill called the South Sudan Peace and Promotion Accountability Act. And really what it is, it is a statement of facts, all the facts that you have already heard, all the facts you already know, to be perfectly honest. But it is a way to keep this issue at the forefront to the best of our ability so that we can continue to have focus on it. And with that, I yield back.

And, Mr. Chairman, thank you to and your colleagues for having this hearing, again, to keep our focus on an issue that would be too easy to ignore and close our eyes to. Thank you, Mr. Chairman.

Mr. McGOVERN. Well, thank you.

And what I am going to do now is we are going to suspend this hearing because we have four minutes before we have a vote. And I don't want anyone to rush through their testimony here because this is important stuff. So I apologize. We were told the votes weren't going to be until like 11:15, but surprisingly, we are early. So it just messes everything up a little bit. But I apologize.

Please, people, sit tight. I wish we had coffee to offer you but we don't. So but we will be back -- I think there is five votes -- as soon as the votes are over, we will be back. I am sorry. Thank you.

[Recess.]

[11:26 a.m.]

Mr. McGOVERN. We are back. And I apologize for the interruption, and at this point I would like to introduce our first panel of witnesses from the administration. I am pleased to welcome Ambassador Susan Page, the Department of State's Special Advisor to the U.S. Special Envoy to Sudan and South Sudan. And former Ambassador to South Sudan, Ms. Linda Etim. Am I pronouncing that right or --

Ms. ETIM. That is right.

Mr. McGOVERN. Am I close enough?

Ms. ETIM. That is perfect.

Mr. McGOVERN. Perfect, all right. The United States Agency for Development's Deputy Assistant Administrator for Africa. The State Department and USAID both play a significant role in our government's response to the conflict in South Sudan, and if people have written statements they want to formally submit to the record, by unanimous consent, it will be accepted. And why don't we begin with you,

Ambassador Page. We will welcome you and please enlighten us. Thank you.

STATEMENTS OF AMBASSADOR SUSAN PAGE, SPECIAL ADVISOR TO THE U.S. SPECIAL ENVOY TO SUDAN AND SOUTH SUDAN, U.S. DEPARTMENT OF STATE; AND LINDA ETIM, DEPUTY ASSISTANT ADMINISTRATOR, AFRICA BUREAU, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

STATEMENT OF AMBASSADOR SUSAN PAGE, SPECIAL ADVISOR TO THE U.S. SPECIAL ENVOY TO SUDAN AND SOUTH SUDAN, U.S. DEPARTMENT OF STATE

Ambassador PAGE. Mr. Chairman, thank you very much. And to the other panelists and members of the Commission who were here previously, I would like especially to thank the members of the Lantos Commission for inviting us here today and thank you to the Commission for all of your hard work on shedding light on human rights issues around the world, and in particular for your attention to the conflict and humanitarian crisis of South Sudan.

Let me first begin by expressing my thanks on behalf of the Special Envoy, Ambassador Donald Booth, for your invitation. He regrets that he could not be here in person, but given the grave nature of the conflict in South Sudan, he is at this moment in Ethiopia meeting with leaders from the region, the mediators, and others seeking a solution to end the conflict. I will endeavor to represent him and to answer any of your questions at the end.

On a personal level, the conflict in South Sudan troubles me deeply. Beginning in May of 2002, I had the honor and privilege to serve on the mediation team for the Horn of Africa's regional body, the Intergovernmental Authority on Development, or IGAD, that along with the United States and other countries and organizations helped the Government of the Sudan and the Sudan People's Liberation Movement and Army secure a peace agreement in January of 2005 to end one of Africa's longest running conflicts.

As many of you know, included in the Comprehensive Peace Agreement, or CPA, was the right of the people of South Sudan to vote for self-determination, including voting to secede from Sudan after a 6 1/2-year interim period. Despite ongoing localized conflicts within Sudan and South Sudan, including disputes over land, cattle rustling and ethnic tensions, many of us recall the joy and profound hope that we felt at South Sudan's first independence celebration on July 9, 2011, four years ago yesterday.

Despite the lack of development in South Sudan, the limited infrastructure and nascent institutions, we hoped that the people of South Sudan could build a new nation and never experience the type of violence and despair that defined the second Sudanese civil war that lasted for more than two decades.

When the South Sudanese achieved independence in 2011, all of us shared in this sense of promise. As the first American Ambassador to the world's newest nation, I was so excited to work with the government, and especially the people of South Sudan, to help them achieve the objectives and goals they set for themselves as they listed in the motto of their new nation: Justice, Liberty, and Prosperity.

But the cracks in the ruling Sudan People's Liberation Movement and Army, or

SPLM/SPLA, were already present at independence, with the challenges only increasing over time. So much so that in July of 2013 the president of the republic, Salva Kiir Mayardit, dismissed the vice president, Riek Machar, and his entire cabinet. A faction of the ruling party called for significant changes within the SPLM, and shortly after the end of the SPLM leadership conference on December 15, 2013, the tensions boiled over into an armed conflict beyond just the SPLM and SPLA and spread to large parts of the countryside, taking on an ethnic nature as people fled the violence.

My colleagues and I at the embassy held numerous meetings to ensure the safety of embassy personnel and Americans throughout the country, providing endless evacuation flights. I will never forget the moment when I said goodbye to my remaining staff members, including one dual national South Sudanese/American citizen as they boarded our very last formal evacuation flight in January of 2014 while only a few of us remained behind to try and assist the people of South Sudan survive this new wave of violence.

The hope that South Sudan could avoid the kind of brutal conflicts apparent in so many other new nations more than 50 years earlier dissolved, and that is why our disappointment at the opportunity squandered is so great.

The conflict has now been going on for more than a year and a half, and the humanitarian catastrophe is only getting worse. More than 2.2 million people have fled their homes throughout the country since the onset of the conflict, and now 4.6 million people remain at risk of extreme life-threatening hunger.

My colleague from USAID, Deputy Assistant Administrator for Africa, Linda Etim, will address the humanitarian situation and the impact of this crisis on South Sudan's development, and our response. But I would like to speak to you briefly on the peace process and specifically our focus on justice and accountability.

Like you, we are angered and deeply disturbed by the abuses against civilians that have been perpetrated by the parties to this conflict, as documented by the most recent UNMISS, the peacekeeping mission in South Sudan, and United Nations children's agency, UNICEF, reports. Tragically, these brutal tactics, violence, including sexual violence against women and children, forced conscription, destruction of property and forced displacement, have taken place all too often in Sudanese/South Sudanese history.

Despite the denials of South Sudan's leaders and their commitments to cease hostilities, both sides have continued offensive operations, some of which have included these types of deliberate abuses against civilians. The findings of these reports and other credible sources paint a harrowing picture of failure on the part of South Sudan's political and military leaders from both the government and the opposition and those allied with them, to rein in their forces, reach a peace agreement, and take serious steps to address the immense suffering of their people, despite repeated commitments to do so. I appreciate the reporting by the U.N., often under difficult circumstances, to bring these atrocities to light and to add urgency to the peace process.

Since the beginning of this conflict on December 15, 2013, senior officials in our government have regularly engaged with South Sudanese Government officials, the Army or the SPLA, the armed opposition, other political parties, religious leaders, civil society actors, women, youth, heads of state and government from the region, other international partners like the Troika which includes the United States, the UK and Norway, along with the European Union, China, the African Union, and U.N. officials, to

support an inclusive political agreement to decisively end the conflict.

As you know, the Intergovernmental Authority on Development, known as IGAD, has mediated talks between the parties since the outbreak of the conflict 19 months ago. We have directly supported these talks financially along with expertise, including helping to stand up a monitoring and verification mechanism for reporting on violations of the cessation of hostilities agreement signed by the parties on January 23 of 2014. This mechanism, known as the MVM, has released credible reports that even the United Nations has utilized in its designations of commanders for sanctions.

In the peace process, the parties have made numerous commitments to cease hostilities, to form a transitional government, to undertake a period of security and governance reform, and to establish an accountability and reconciliation mechanism. Unfortunately, they have not yet made the compromises needed to reach a final agreement and to begin this process.

IGAD has recently announced the formation of IGAD Plus, which includes more robust involvement by the AU, the African Union, the United Nations, the Troika and China. We will continue to play a role in this process and will work to ensure that all of the regional and international stakeholders are united in pressing the parties to compromise and to agree to a comprehensive negotiated settlement. It is essential that the international community speak with one voice.

In our role we have focused on ensuring that the process leads to a viable agreement that can bring a sustainable peace. In our view, to do that, a peace agreement must be more than just a settlement among the elites, but must establish a representative transitional government that can oversee significant reforms, including public financial management and security sector transformation, support mechanisms for justice and reconciliation, as well as adopt a new constitution through the voices of the people leading to a pathway to a credible election as has been agreed in principle by both the government and the opposition. A transitional government will be a key component to restoring a government representative of all of its people that can take on the difficult tasks of reform, accountability, and supporting the reconciliation of communities torn apart by war.

In addition, we have been advocating for an inclusive peace process that brings in civil society, other political parties, faith leaders, women and youth groups that are independent from the warring parties. We will continue our engagement in the peace process, work urgently to ensure international consensus, and to increase the pressure on the parties to finalize an agreement as soon as possible.

I note that last week the U.N. Security Council announced its first set of sanctions designations against six military commanders, three from each side, who have led military offenses and attacks on civilians.

We along with our partners in the Security Council, led this effort following the call from the African Union Peace and Security Council for U.N. sanctions on those that are undermining peace in South Sudan. It also follows the designations under President Obama's executive order. These designations demonstrate the international community's outrage over the brutal attacks on civilians that have occurred since the conflict began and send a message that the parties must reach an agreement and end the fighting.

The way for South Sudan's political and military leaders to avoid additional designations is clear. Stop all attacks on civilians, end the fighting, and agree to a peace

agreement. However, we know that sanctions alone do not bring justice or end the cycle of impunity that has persisted throughout conflict both in Sudan and Southern Sudan for years, long before the outbreak of this current conflict. Many South Sudanese have long urged that those responsible for the crimes that have been committed in South Sudan during the current tragic conflict must be held accountable in order to break the cycle of violence and revenge and build a stable, lasting peace.

In early May Secretary Kerry announced that we will be providing \$5 million to promote justice and accountability in South Sudan. These funds will support South Sudanese and international efforts to support a credible, impartial, and effective justice mechanism such as possibly a hybrid court or other mechanisms to hold perpetrators of violence in South Sudan to account.

As you are aware, such a process does not yet exist. We made this announcement to make clear that we are committed to making sure that such a process for creating an accountability mechanism is established and that there is a pathway to justice. The message to those with arms should be that there will be accountability for atrocities, eliminating the need for yet more retributive violence, and that the United States and other international partners will take action so that impunity that has plagued first Sudan, then Sudan's Southern Sudan region, and now independent South Sudan for years finally comes to an end.

Furthermore, the \$5 million in funding will also support a documentation and transitional justice project through the State Department's Bureau of Democracy, Human Rights, and Labor's global initiative for justice, truth, and reconciliation. The project will also support the creation of a documentation and community memory center that will serve as an archive, as well as a public space promoting broad civic engagement and peacemaking.

The initiative will help the South Sudanese to achieve evidence of the gross human rights abuses occurring during the conflict, engage South Sudanese civil society in peace-building and justice, preserve records for use in possible future transitional justice mechanisms and dignify the victims. These funds are an addition to the ongoing U.S. support for local reconciliation efforts. It is critical that we support both accountability mechanisms, which will be needed to achieve justice for the grave abuses that have occurred in this conflict, as well as reconciliation efforts to help heal the deep divisions that have occurred within South Sudan's communities.

We also continue to call for the immediate release of the African Union's Commission of Inquiry Report and the investigation into abuses committed in this crisis. That report was finalized a year ago.

Last month both the Special Envoy and I traveled to Geneva to enlist the support of members of the Human Rights Council to pass a strong human rights mechanism. To this end, earlier this month the Human Rights Council adopted a consensus measure calling for the Office of the High Commissioner for Human Rights to undertake a comprehensive assessment of the human rights situation in South Sudan and to assess steps taken by the government of South Sudan to ensure accountability for human rights violations and abuses. This is yet another example of the United States and the international community taking action to advance accountability and to break the cycle of impunity. In addition, the United Nations' panel of experts issued its first report late last month and will continue in its efforts as well.

Again, I would like to thank you very much for offering me this opportunity to present in front of you, and I look forward to answering any questions to help the administration and Congress with any ways forward. Thank you.

Mr. McGOVERN. Thank you very much, Ambassador.
Now we will hear from Ms. Etim.

**STATEMENT OF LINDA ETIM, DEPUTY ASSISTANT ADMINISTRATOR,
AFRICA BUREAU, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT**

Ms. ETIM. Great. Good morning. And thank you, Chairman McGovern, and members of this Commission. I think today having this hearing shines a spotlight on the situation in South Sudan, and it has really been your leadership and the consistent support from all of Congress for the people of South Sudan over years that have really helped them through these difficult times. We believe that today it is more important than ever.

I really would also like to thank you for the opportunity to discuss specifically what USAID is trying to do to help. My remarks, therefore, are going to focus on two main points. First, to echo Ambassador Page's outrage at the viciousness of the recent atrocities and the extreme scale of the humanitarian crisis. And second, how the U.S. people's support for both humanitarian and development programs through USAID are making a concrete difference in the people of South Sudan's lives.

Before I begin with these main points, let me provide some background on USAID's response. The United States is the largest donor in South Sudan, as you have already stated, Chairman. Our humanitarian programs are saving lives there daily, but in this context it is impossible to do traditional development programs. And for that reason we have made significant shifts already to our development programs since the conflict began. The aim of all of our programs is to assist and to maintain the resiliency of the South Sudanese people in light of their current circumstances. No U.S. aid assistance or funding has gone directly to the Government of South Sudan. We also cut back activities that work with the central government except to support essential services that directly benefit the South Sudanese people.

It is unacceptable that the Government of South Sudan is not prioritizing the needs of its people and that it spends 70 percent of its budget on security and the war effort, but the people of South Sudan still need our help. So as I mentioned before in my first point, we are outraged by this manmade crisis. As Ambassador Page already outlined, the human rights abuses being committed against the South Sudanese people, and particularly against women and children who are the most vulnerable, is unacceptable. We are deeply concerned about the threat to human life caused by widespread food insecurity and an increasingly troubled economy.

By the end of this month, experts project that up to 4.6 million people, and that is nearly half of South Sudan's population, will face life-threatening hunger. Regardless of whether the data this year will indicate a formal state of famine, people are dying of hunger in South Sudan right now. In conflict-affected areas, 43 percent of health facilities are being destroyed or have been destroyed, and all signs show that the crisis is just getting worse. Even as the fighting has intensified in recent weeks, we know that the economy is teetering on the brink of collapse. Rising inflation, currency depreciation are making food, safe drinking water, and other basic goods less available and less affordable to South Sudan's population. Millions of people who normally rely on subsistence agriculture have been unable to plant crops this year.

Thousands of families, particularly those in the most conflict-affected states, have sold what few assets they have, and this is usually the livestock that they have as their only resource, and they now have nothing to fall back on. Many are barely surviving on wild foods that they forage in swamps. And right now this is the rainy season, and last week the World Bank announced that South Sudan had fallen back into low income status after briefly emerging from that status during independence.

We are particularly troubled by the growing attacks on humanitarian staff and cargo. At least 30 humanitarian staff have been killed since the crisis began, and South Sudanese aid workers are being particularly targeted, and they have been detained and beaten. As many as 150 staff from several of our partner organizations are missing. These conditions further complicate what has already been a challenging operating environment. As many of you know, even without this conflict, South Sudan is one of the world's most logistically challenging operating environments. The severe lack of infrastructure is compounded by rains that make nearly 70 percent of the country inaccessible by road for weeks at a time. In a country the size of Texas, we have got less than 200 miles of paved road.

And this brings me to my second point. Even in the face of these challenges, we are responding with urgency. USAID programs are making a concrete difference in people's lives. We are providing assistance to the South Sudanese people, and this is at the core of USAID's mission, to end extreme poverty and to promote resilient democratic societies.

In June, the United States pledged an additional \$133 million to address the crisis, bringing our total emergency assistance since the conflict began to more than \$1.2 billion. Last year our emergency assistance helped avert a famine, and this year it is still helping to stabilize communities that would be at even greater risk.

In addition, USAID is working to protect civilians at risk of violence. In Malualkon, a place that has suffered some of the most appalling violence of the conflict, and I think you have outlined some of the conditions that we have seen there, more than 30,000 people have fled to the safety of the United Nations' compounds. Even there, what we are seeing is that women and girls often can be at risk for sexual and gender-based violence when they use latrines or when they go out to collect water. So USAID has funded the installation of lighting around the perimeter to increase their safety, visibility.

More broadly, we are helping to prevent gender-based violence by including women and girls in the decision-making about water and sanitation access. We have seen that by giving them leadership roles in the process that they are empowered to create plans that best help to keep them safe.

In recent months, also, thousands of children have been recruited or abducted by armed groups. Some 400,000 children have lost access to school, bringing the total number of children out of school to an estimated 1.7 million children. In response, we have launched an emergency education program that has reached tens of thousands of conflict-affected children both in government-held areas and in opposition-held areas, children also who are in camps.

Other programs are expanding children's access to schools in the rest of the country, even in areas that are not currently under conflict, so that this crisis does not deny another generation of South Sudanese children an education.

Since the conflict has erupted USAID has also played a key role in trying to bring donors together to speak with one voice. USAID has worked with the donor community to develop a set of operating principles that laid out priorities for donor assistance, and also laid out standards for what we would expect in our work with the government.

Of course, in an emergency situation, humanitarian support is saving lives, but it is not enough. It is important to keep in mind, as Ambassador Page pointed out, that South Sudanese people have been traumatized by decades of conflict. The current fighting did not emerge out of nowhere. The trauma that comes from repeated cycles of violence can turn victims into perpetrators, as revenge is seen as the appropriate way of response.

Much of the conflict we see now results in the absence of opportunities for young people. And particularly in rural areas, we see that youth lack resources to lift themselves out of extreme poverty. Cattle rustling and other forms of banditry has been seen as an acceptable form of actually getting by. And what we have seen as well is that these are the communities that are often more susceptible to recruitment when we see violent conflicts emerge.

To help end this destructive cycle, the people of South Sudan need local mechanisms for reconciliation, for justice and accountability. They need this so that old grievances do not fester in an atmosphere of impunity.

To compliment Secretary Kerry's announcement last year, following the consultations with community and religious leaders, USAID began developing a trauma-informed community empowerment program. While it is still in a pilot phase, our steering committee, which is made up of a diverse group of South Sudanese community and religious leaders, are now looking for ways to expand this initiative into a national program for healing and empowerment.

As we know, education is also an important tool for ending destructive cycles of violence. We are investing in education, and as I mentioned before, we are investing in women, including through a partnership with the Indiana University. We recently welcomed back to South Sudan 14 women scholars who earned master's degrees in education at Indiana University. Their degrees focused on emergency education. They are an ethnically diverse group of women from across all of South Sudan. They told us about their commitment to their country, to using education as a means of addressing societal risks. They told us about their desire and indeed their intent to come back to their country even now so that they can make a difference. Through this program we believe that they are now equipped to help South Sudanese universities, the education system, and others to promote social cohesion, peace-building, and conflict mitigation. We hope that efforts like these will lay the groundwork for broad reconciliation, and, indeed, that is critical for the people of South Sudan to move beyond this difficult time.

So let me just close by saying that, as we have mentioned before, we are troubled, deeply concerned, horrified that the government and the opposition continue to fight despite constant pressure from the United States Government, from the international community, and from their own people. They are putting at risk the wellbeing of their people, including many of whom, millions of whom, in fact, are facing life-threatening hunger.

The United States Government's decades of assistance to the people of South Sudan during their many years of hardship has established a legacy of good will between

our people. It is important that that good will continue in helping this country find a peaceful and stable path forward. I know in the face of such devastation it is very difficult to imagine what the future may hold, and whether there is anything that the U.S. Government can do or whether U.S. citizens can do to actually make a difference.

We believe that, by focusing on people and not institutions, that our investments will continue to have an impact that can last through and beyond this crisis.

Thank you, and I look forward to your questions.

Mr. McGOVERN. Well, thank you very much. Thank you both very much for your excellent testimony, and we have been joined by Mr. Franks of Arizona, and Congresswoman Barbara Lee of California, and so I will be very, very brief here.

And one is that -- let me begin by saying I appreciate what the administration is doing. And I know everybody is trying to figure out a way to encourage a peaceful resolution to what has been -- can be characterized only as a terrible, terrible, terrible humanitarian crisis -- a violent crisis, as well as trying to deal with some of the immediate issues that have arisen as a result of the violence.

And so I want to thank you for what you are doing, and I am -- I haven't given up hope. I think none of us have. And the fact that we are in a hearing room that is filled with people, notwithstanding the fact that we have had a couple of delays here in terms of votes, the people are still here because they are concerned about the situation I think is an indication that, you know, there are a lot of people wanting to be supportive of a solution. And so I want to note that for the record.

Let me just ask a couple things. One is general and then kind of political and one is more kind of in response to the immediate humanitarian crisis. I am just trying to figure out what pressures can be brought to bear that haven't already been brought to bear to try to encourage a settlement here? You know, I think the United States can only do so much. You know, the countries in the region, you know, Uganda, Kenya, Ethiopia, among others, you know, have issued statements saying that, you know, they want a peaceful resolution to the situation, but the question is: Can they do more? I mean, beyond critical statements and regional communiques threatening punitive actions, have any of the African governments or regional bodies taken substantive steps to pressure South Sudan to hold individuals responsible for human rights abuses?

And I think you mentioned the African Union Commission of Inquiry Report. Have we seen a copy of that? And maybe you can give me your response.

Ambassador PAGE. Sure. Thank you very much, Mr. Chairman. We have not seen the final report of the African Union Commission. You may recall that there was a leaked alleged report which I think everyone has seen only because it has been in the press, which was denied as being any way related to the final report.

It is expected that sometime before the end of this month that the African Union Peace and Security Commission will actually meet to hopefully decide to publicize the report. They have met before and decided to wait to not impinge upon the peace process, as they said, but I think everyone now recognizes that, you know, a year after the conflict began and the report, that it is time to actually release it. So that is the expectation.

I think that one of the best actions that took place was the African Union's statement last month actually calling upon the United Nations to institute sanctions. And that really was the triggering action for the United Nations Security Council to take forward that regime because some of the members of the Council had been reticent to try to move forward when the region had not yet expressly stated it was willing to impose sanctions, and as you know, that -- the sanctions resolution had absolutely no -- the sanctions designations had to opposition.

So that is one way that the African nations have made some inroads, in addition to the fact that the Kenyan Government, the Ethiopian Government, the Ugandans, everyone has actually called the leaders directly, gotten them together, tried to even force them to make compromises, but, unfortunately, they have not been successful in that

actual outreach.

Mr. McGOVERN. Let me ask you a question about U.S. sanctions. We have limited our sanctions to date to military commanders. Am I right?

Ambassador PAGE. That is correct.

Mr. McGOVERN. And why haven't we also sanctioned political leaders? For example, should the governor of Lakes State who the State Department's 2014 Human Rights Report describes as having ordered the forced recruitment of child soldiers be sanctioned? Have we thought about that as well?

Ambassador PAGE. Yes. We are constantly reviewing the list of those who were sanctioned under -- first under President Obama's executive order of 2014, but we also consider that the most important thing and most important way for them to avoid, both political and military leaders, for them to avoid sanctions is by reaching a peace agreement. So nobody is off the list, and we are constantly reviewing that. And now that we have designations by the Security Council, that is an international mechanism that is not just, you know, limited to the United States.

So we have been focusing on trying to inform them that the United Nations Security Council sanctions, as well as the regime that was put in place, are the one way that we have united action against those who are obstructing the peace process, and that other names can be added to that list.

Mr. McGOVERN. I know my colleagues have questions, but I just want to ask one more. Ms. Etim, this is probably more for you. You know, I mentioned in my opening remarks about how the South Sudanese Government recently kicked out the U.N. humanitarian coordinator, Toby Lanzer, after he talked publicly about the food crisis in the country, which by all accounts is real. And, you know, forced hunger has become a weapon of war.

And I am trying to figure out, you know, in the short term, I mean, what can the international community do more than we are doing right now to respond do that? Is it a question of resources, or access, or both, or the ability to be able to get our humanitarian workers in the right places to administer the food? We have got to do something because otherwise you are going to have a whole bunch of people go hungry, and the crisis is now, not two months from now. It is now. And I am looking for out-of-the-box creative ways to get people the food that they need so they don't die of starvation.

Ms. ETIM. So I think there are two questions, and one is what can we do and are we doing enough right now as an international community to actually address the fact that so many people are facing life-threatening hunger, starvation, risk of famine. The answer is I think the humanitarians on the ground, yes, they are doing everything that they can do.

The U.S. Government, as I have mentioned, has put in \$1.2 billion, but at the same time, the World Food Program's appeal is underfunded. And so, again, as a donor, I think that the United States has really showed aggressive leadership and will continue to do so. But we continue to call on the rest of international community to actually do more to --

Mr. McGOVERN. Well, that is a resources issue. So let's -- we can solve the money part of it. How do we get it to the people who need it?

Ms. ETIM. Right. So the second issue, right, is access. The main reason we cannot actually address the crisis is because there have been a number of challenges to

reaching the people in need. A number -- millions of people, for instance, who are currently hiding in swamps, are inaccessible to humanitarian aid workers. Those are the populations that are most at risk, I think, of this life-threatening hunger that we are talking about right now. And unless we have government and opposition forces willing to adhere to humanitarian standards and allow for this access to move forward, we are going to be very concerned about the crisis that we are facing.

So, again, in areas that are accessible, the humanitarian community is able to address the needs. We are able to get out there even as -- with all of the logistical challenges, they found really creative ways, out-of-the-box thinking with mobile teams, air drops, different pipelines, moving things through barges and over land. We have a very flexible and adaptable NGO community who has a long history of being in South Sudan and are very dedicated to reaching the people.

I mentioned that South Sudanese aid workers are being targeted, but many of them are still on the ground willing to risk their lives to get food to both government- and opposition-held areas when they can, when there are these windows of opportunity. But they are often blocked. There are bureaucratic hassles that we see on the government's part.

You mentioned Toby Lanzer being kicked out. That creates a chilling atmosphere for people who actually want to shine a spotlight on what is actually happening on the ground. So the bureaucratic hurdles have to stop from the government. And on the opposition side, they need to adhere to international principles and let people -- the aid workers do their job by giving assistance.

Mr. McGOVERN. And this may seem like a -- I mean, a, you know, a pretty basic question, but for those who are in areas that are inaccessible, and I am assuming that the government or the rebels are not going to give us the permission to get access to some of those people to make sure they get fed. I mean -- and can we air drop more food there, I mean, you know, without the permission of the government?

Ms. ETIM. So we are. I mean, the World Food Program is actually air dropping food in real time. But, again, it is an imperfect science and where do you target the food? Also, we want to make sure that we are taking into account protection concerns. What we have seen is if we don't actually do analysis of what the protection concerns are in different areas, that sometimes places where you actually give food can be targets for further violence. And so we want to make sure that we are constantly reviewing what the situation is, and our partners are very savvy and they -- when there are windows or two weeks of time when they can get into a community or figure out what is going on on the ground, they adapt very flexibly and try to lean forward on what they are doing.

In places where we can't land, people are conducting air drops. It is really expensive, but it is actually happening in real-time. And, again, as I said, we are also using barges going -- rivers. Prop planes when air strips can be dried out for two weeks at a time. But, again, it is very difficult.

Mr. McGOVERN. Thank you.

Mr. McGOVERN. Mr. Franks.

Mr. FRANKS. Well, thank you, Mr. Chairman, and I want to thank both of the chairmen for their commitment to the human rights around the world, and just for their attention to the plight of millions of innocent civilians in South Sudan. Appreciate all of you being here so very much. I know that yesterday marked the fourth anniversary of

South Sudan's independence. And international community, of course, viewed the country's secession from Sudan as an unprecedented step toward peace in the region that had been plagued by decades of war. We had hoped so much that things would get a lot easier, and I know that in less than three years after South Sudan became the world's newest state, in a sense, that political strife and things of that nature have escalated into really the unimaginable violence that you have described here today, and the political parties and the tribes who had worked so closely together now are, you know -- once for the cause of self-determination, now have turned against each other. And that is such a hard thing.

And today the world has witness to yet another campaign of terror carried out by both government and opposition forces, which includes summary execution, torture, rape, intimidation, and other egregious acts of violence against innocent civilians.

The United States, as you all know, has been one of the region's biggest supporters, and I believe, as I know the people on this panel do, that it is vital that the United States and international community continue to express a commitment, even a renewed commitment to addressing the humanitarian, peacekeeping and diplomatic needs of South Sudan. And as the chairman said, the fact that you are all here is an encouraging thing, and I know that sometimes the greatest challenge from any of us is to hear these things and say: I want to help and fix that. I want to do that right now. And sometimes it is hard to know what that is. So that is really the predicate of my one and only question, even though it has two parts. You know, politicians always split things down the middle sometimes.

But, first of all, what do you think more than anything else is the primary dynamic that has caused all of this tragedy since the secession? And, two, what is the one most important thing that we can do to help the innocent people involved right now be able to survive and move toward the freedom that everyone has wanted them to have for so long?

Ambassador PAGE. Thank you very much. I will also answer in two parts. I will answer the first part, and I think my colleague will answer the second part.

I think, first and foremost, one of the things that united the Southern Sudanese while they were fighting the Sudanese was that they had a real objective that they wanted to achieve. They wanted to have a say in the running of their government. They didn't necessarily want -- I mean, obviously lots of people wanted independence, but even the peace agreement was designed with the priority on the unity of the country. But that, if after 6 1/2 years they voted to secede, they had that right to do so.

Unfortunately, what happened after independence was that they no longer had that unifying enemy, if you will, and all along, the South Sudanese had never been very united internally. There had been a lot of conflicts, land disputes. I mean, you say tribal, we say tribal disputes, but a lot of it was over where to graze cattle. You have disputes over farmers versus cattle keepers, and all of that became exacerbated when you have a whole new group. If you recall, Juba, the capital of South Sudan, had been a garrison town. It was controlled by the Sudan armed forces. So once the staff moved out and you have a new government in place in South Sudan, many of them are moving with their cattle to a locale that is not normally meant for cattle.

Power, corruption, I mean, a lot of different dynamics. And they didn't really have a sense of what does it mean to be South Sudanese. It doesn't only mean not being

Sudanese, or not only being African versus being Arab. They need to develop what that means so that when you say "I am a South Sudanese," they can say that with pride and it means this. So I think those are some of the -- I mean, some of what led to the crisis. And as we have seen around the world, including in the developed world, power does crazy things to people, and you want access. In lots of countries where the only route to financial means is by being in the government, you don't have that many other options. And so you get access to not just money but jobs for your family, and so I think these are some of the things.

Just very briefly, what can we do? I mean, I think we are doing the right thing. As Ms. Etim alluded to earlier, we even pre-positioned food prior to the conflict, and a lot of that food was actually destroyed, stolen, et cetera. It is very difficult in a country that has such limited infrastructure, as she mentioned, even trying to do the air drops, which we have done consistently, even before this conflict broke out. How do you drop food into areas where it is a swamp?

So everything is just that much more challenging in a place like South Sudan, even if everything else was great. Pre-conflict, we still had these challenges of infrastructure, limited infrastructure, lack of roads, you know, a very diverse population of people with different needs. So I think we need to continue. I think we need to continue the pressure. Just because they are not listening now does not mean that they won't at some point realize they need to take into consideration the needs of their people and deliver services to them, that that is not the responsibility of the international community is to protect their own citizens. It is primarily their responsibility.

So I think we need to keep the pressure on, continue with sanctions if they don't do the right thing, and conversations. You all have a lot of contacts with South Sudanese leadership, even if they are not necessarily the top one or two. But it is not just a conflict between two people. It is the whole nation that is going down. Make those calls, have those conversations with people, let them know that this really is appalling as well to you all.

Thank you. I don't know if Linda wants to add anything.

Ms. ETIM. Sure. I think -- I am from USAID, so I am going to be a little bit biased towards community solutions as well.

You will not have lasting peace without these leaders getting out of the way of the people. But at the same time really continuing to support community resilience and empowerment programs we think is absolutely critical and key, and it is something that investments in them we found actually have some returns.

We have a number of different communities that we have been supporting through peace conferences, these peace markets, conflict mitigation programs, all of these things. Obviously these are small scale efforts. I am not going to say that these efforts will completely prevent conflict from coming to these areas, but what we have found is that in areas where we have this programming, these communities are more resilient in coming back afterwards, and they are also more resistant to conflicts and being manipulated into joining conflicts that are not their own.

And so, again, I think that what we can do right now in this phase, even as we don't have leaders that are accepting peaceful solutions, is continue to say that the United States' people are committed to the people of South Sudan and provide them with -- the people with the tools they need to actually resist I think really negative forces that are

happening right now.

Mr. FRANKS. Thank you.

Mr. McGOVERN. Mr. Cicilline.

Mr. CICILLINE. Thank you again for your testimony, and thank you to the organizations that you represent and the people who are doing this incredible work, including the NGOs and the humanitarian aid workers who are really doing God's work.

I think there are two issues for us to focus on. One is how do we bring peace and resolution to the conflict. And then what are we doing today and what additionally do we need today to be sure that we are responding to the humanitarian crisis.

So, Ambassador Page, if you could tell us what is the current strategy of the United States to attempt to bring this conflict to resolution, and what leverage do we have, what impact can we have on the warring factions, how do we use that leverage to help reduce the violence on the ground today?

Ambassador PAGE. Naturally you give me the complicated questions.

I think one of the ways that we are trying to do that is by working with the region. As the chairman had mentioned earlier, the countries in the region, the neighbors, we are trying to stress to them that it will be much better for them to have peace in the region than any destructive actions, both within South Sudan, but also with what they might be doing that is hampering the peace settlements coming to South Sudan.

One of the reasons that Ambassador Booth is not here is because, I don't know how his wife handles this, but he is constantly in the region. He is discussing with the leadership of the region, he is discussing with the armed factions, but also, just as the embassy is, on the ground. We have longstanding ties as the assistant -- Deputy Assistant Administrator mentioned. We speak to people all the time. That is the job of the people in the Embassy. It is his job as well as the Special Envoy. Our office meets with people regularly.

I mean, I know many of the people who are here in the audience because we talk to them, not just the international NGOs, but the local populations. We talk with the diaspora. It may sound limited, but the one way is by talking to everyone and hearing different kinds of solutions. Hearing from the unarmed actors who maybe don't usually get an opportunity to speak. Some of the programming that we have done for the peace process was even -- through USAID, through some of the funding that we had -- was to publicize what was happening in the peace process, in the talks in Addis Ababa, so people on the ground within South Sudan, not just Juba, but within South Sudan, actually knew that there was a peace process going on, that something was happening, that they weren't just by themselves and completely alone.

I think those are the kinds of thing that sometimes they have -- it seems, oh, that is just so little, but it makes a difference. The actions that Ms. Etim is speaking about, working with the communities, helping them to get a little bit ahead. When you look at the youth bulge in Africa, I mean, 70 percent of the population of South Sudan is under the age of 30. I mean, that is the future. Those are the people that we are trying to reach and address.

So I think we have to continue to work with the region. Imposing a solution by the United States is not going to be, in my view, a lasting solution. It has to be owned by the South Sudanese. And how to get that is by continuing to talk to them and helping both the opposition understand that they have committed atrocities. It can't just be that

one side gets a victory and the other side gets nothing. It is a process. So I think even the small things, again, as broad as our resources are, we are hoping to avoid a whole generation of people without access to anything. It should be the government doing that. It should be a united group of people running the government, but that is not happening.

So the best I think that we can do is some of what we are doing. It is not to say it is the only solution, but getting the opposition, getting the diaspora, getting the women, the church groups, the faith leaders, they are involved, but they are stumbling with how to make them -- make the leadership make the tough decisions, and sometimes it just takes time. Even though we are impatient, sometimes we just need to keep doing what we are doing.

Mr. CICILLINE. And you mentioned the U.N. sanctions. Are those effective in terms of, you know, what are the sanctions for, should we be looking at a broader group of individuals to, you know, to suggest those sanctions be imposed, and how do we ensure that we don't impose sanctions that end up causing more harm to the South Sudanese population?

Ambassador PAGE. Personally, I think the sanctions are extremely helpful. I know from my own conversations with people, and I know from some of the reactions to President Obama's and National Security Advisor Rice's speeches, their statements yesterday on independence, they take note of what we said. So even while they may be disappointed that we are targeting the leadership of the people that we once supported so strongly, they are not doing the right thing.

And, again, this is not one side or the other. They both have to make agreements and there are a lot of fundamental reforms that have to be made. I think that they do worry about the sanctions. The beauty of the United Nations' sanctions is that they are not unilateral. They are not only the United States, where possibly they don't have resources in the United States, but a Security Council resolution makes all of those Member States have to take those steps.

So if they have resources in Uganda, if they have resources in Kenya, if they have resources in, you know, Australia, those are United Nations Member States, and they have to take sanctions against them, asset freezes and travel bans.

I think that is pretty significant. Once they start realizing they are not going to get to do business as usual, it will have an effect, and I think we should continue to look at adding more people if this conflict continues to drag on.

Mr. CICILLINE. Thank you.

Ms. Etim, my final question is, it has been reported that there are over two million displaced persons, about 235,000 are living on U.N. bases in Sudan and over a half a million are residing in bases in neighboring countries, with I assume the balance being just sort of throughout South Sudan. And there have been a number of reports of attacks on the U.N. missions there and the bases, in fact, where refugees or internally displaced persons are being housed. Could you just speak a little bit to what the current situation is in terms of on this and kind of bases and the protection of the South Sudanese people in those different locations?

Ms. ETIM. Sure. I think, you know, always -- whenever we talk about the protection of civilian sites for the U.N. mission in South Sudan, we always do so with a lot of gratitude to the U.N. mission and the personnel there. They took an unprecedented step in opening their doors and allowing hundreds of thousands of people to sort of have

protection from the fighting and the conflict, sometimes at great personal risk to themselves.

I was just in Juba last month, and in speaking to the SRSG, the head of UNMISS there, what she said is that she knows that the environment is very fragile, that this is a very complicated situation for the U.N. team there, but that they are committed, and in fact their primary mandate now is the protection of these people and these civilians.

The conditions in the camps I think are steadily improving. Again, the U.N. camps were not originally designed to house or hold this number of people. But the U.N. has been making steady improvements in ensuring that people there have access to clean water. Again, as I mentioned before, we are working also on protection issues because we know that in camps like this, even as people flee violence, sometimes they then end up being inside a situation where people are desperate and angry and traumatized, and that often manifests itself in violence against the populations inside, and so we are doing a lot of conflict mitigation work within those camps in partnership, I think, for a lot of the NGOs that are behind me in here today.

In general, outside of the country in the refugee camps as well, we are working with our partners at the State Department in the Population, Refugee and Migration Bureau to make sure that we are continuing to try to provide child safe spaces within these atmospheres so that children who have been losing a lot of parents, we see a lot of orphans, and who are also traumatized have access to psychosocial support and care while they are in these camps. And as I mentioned before, we have also prioritized emergency education, and a lot of these education services are being provided within these camps so that these children actually have access to education even while they are fleeing violence.

So, you know, I think it is a really heroic job that the U.N. has done. Again, many, many more people are actually not in these protection of civilian sites, and so that is concerning. The wider range of people are actually without the protections right now. But where they can find it, we think that it has been very effective and very helpful.

Mr. CICILLINE. Thank you.

I would like to yield now to Barbara Lee.

Ms. LEE. Thank you very much. Let me thank you both for being here today and for the unbelievable job that you are doing with, of course, minimal resources. And I want to thank your staff and all of our NGOs for staying the course.

This is mind boggling, really, what has taken place. I have been to Juba, Darfur, Khartoum, of course Chad, many times. And it is hard to imagine of this unravelling, and it seems like we are back to where we were four or five years ago. And so I just want to ask you a couple of things that haven't necessarily been raised quite yet, and I don't believe in your testimony or in terms of questions.

First of all, Darfur, what is the status of -- you know, we did declare Darfur as genocide. I mean, what was taking place in Darfur. And we don't hear much about what is taking place in Darfur anymore.

Secondly, years ago we sponsored legislation asking China and the Arab League, and this was bipartisan legislation, I led the effort to ask China and the Arab League to step up. We have a lot of leverage with China and the Arab League. I don't know what has taken place since then.

Thirdly, we did the legislation on multilateral sanctions. Not sure where -- how

effective they have been. Should we keep insisting and pushing forward on these multilateral sanctions or have they been relaxed at all by this administration, given some of the other dynamics that are taking place.

And, finally, let me just ask you what -- if there were -- you know, we have legislation to codify the bilateral sanctions, so does -- as co-chair of the South Sudan and Sudan caucuses, we all are working on a variety of efforts. But what do you think Members of Congress need to focus on and do immediately that would help try to bring this humanitarian disaster to a halt?

I mean, now, what, cholera is breaking out in Juba? I mean, this is like unbelievable in terms of a humanitarian crisis. So what do you think we should do?

Ambassador PAGE. Thank you very much. I agree with you. The humanitarian situation is awful. And, in general, the situation in South Sudan, I think while we understood the fragility of South Sudan even long before independence, I don't think anybody expected this nature of the conflict to go this far this fast and to last this long.

I think Darfur let me take slightly separately because it is related to Sudan and not South Sudan, if you don't mind. But I think in terms of Congress, we know that there has been legislation introduced with respect to South Sudan. I don't know all of the details and how it was introduced finally with the specifics. But I think one of the important aspects would be that we do believe that there will be an agreement sooner rather than later because the country really is unravelling quite fast and the economy and all the other aspects that go into this. I would hope that the legislation would allow an out so that when peace is achieved in South Sudan, that we are not permanently making it impossible to revert and reverse course to provide assistance for the people of South Sudan. So that is one thing I think that legislation can be very helpful. But it should really have some way that once a peace agreement is signed that we can also provide the kind of assistance that will be necessary and urgently needed to get South Sudan back on its feet and to prioritize, again, the people as we are doing.

Maybe just very briefly, with respect to Darfur, the Special Envoy has made a number of visits and trips to Arab League states, Member States, and he is trying to advance the process on Darfur. I would be happy to brief you separately on some of the other details. I am not sure how far to go on Sudan at this point, but the administration has not rolled back any of the sanctions, so I can assure you on that front. We are working hard to try to merge the two tracks, which includes Darfur and getting a real cessation of hostilities there, as well as the two areas of Sudan, which is the Nuba Mountains, or Southern Kordofan, and Blue Nile, and to have a ceasefire there as well, so that humanitarian assistance that has been blocked by the government in some of these areas can, in fact, go forward.

And, again, I am happy to either come back or provide additional details if you would like. But the sanctions are still there and, you know, much to the chagrin, of course, of the Government of Sudan, who is desperate to have the sanctions lifted. But right now they are still a state sponsor of terrorism, they are still on the list, and the sanctions are still fully in place.

Ms. LEE. And China and the Arab League, any movement there?

Ambassador PAGE. I am not sure that I am fully prepared right now, but I am happy to get back to you with details. I know that we are working very closely with China, especially as they have such strong interests on the oil in both Sudan and South

Sudan.

On the South Sudan side, I can say that China has been extremely engaged, has made it very clear to both the Sudanese as well as to the South Sudanese that they need peace. Obviously, they want their investment to be returned on the oil, but also because they are trying to use their leverage. They have convened the parties in Sudan. The South Sudanese warring parties, they have convened them in Sudan with other regional partners, to tell them exactly that, that you need to reach an agreement. And they did not stand in the way of our sanctions at the United Nations. And they said that as long as the African Union was in favor of that, they would go along. And, obviously, the African Union asked the U.N. to put sanctions on those who were hindering the peace process.

Ms. LEE. Thank you. Thank you very much.

Mr. McGOVERN. Ms. Plaskett.

Ms. PLASKETT. Good morning. Or good afternoon. Thank you. Thank you so much to the Commission for putting this together and for the witnesses and everyone who is here.

Thank you, Mr. Chairman, for the opportunity to ask these questions and to learn and shed light on what is going on in South Sudan.

So I had quite a number of some very specific questions that I hope that you would answer as succinctly as possible so that we can move on to some other issues.

The first one for you, Ambassador Page, would be to ask about the effectiveness of the asset freezing and the travel bans, and whether or not that has had an effect on putting pressure on the government. I know that Amnesty International talked about that, and I wanted to know your thoughts.

Ambassador PAGE. Sure. I do believe that the asset ban and -- asset freeze and travel ban has been very useful because I think that the South Sudanese never expected the United States even to consider doing something like that to South Sudan. So I think even just psychologically it has been a huge -- it has made a real big impact, and I know because the leadership has talked to us about it on numerous occasions.

Ms. PLASKETT. Great. That is wonderful.

And then the question I had for you, Ms. Etim, regarding the -- USAID. When I looked at the breakdown that you have of the USAID funding, I know that 70 percent of South Sudan Government's resources you said were related to the conflict, specifically fighting. And then I look at the resources that USAID is providing.

Could you explain to me the difference between the agriculture and food security, which I see is 14 percent, and how is that different from what you categorize as nutrition, which is 6 percent? What is the difference in that, or is that really the same?

Ms. ETIM. I think the easy thing would be to say it is the same, but nutrition also includes a number of other sort of related and complementary efforts, which would be whether it is through water, or looking at the nature of the products that we are producing, or sanitation issues that are combined with it. But they were intertwined.

Ms. PLASKETT. They are intertwined, okay.

And then, I guess, the broader question I have is probably one that speaks to the issue that is really important to me as a mother, is the children. You know, when you look at the atrocities, I understand how many families are in the swamps and the dysentery that affects those children. Can you talk a little bit about the U.S. Government's assistance that is directed specifically towards the children and the families

in those displaced areas?

Ms. ETIM. Yes. I think that we have seen overwhelmingly that the children are impacted by this and by the overwhelming number of children that we see in our camps without parents; and that, as we have noted, a lot of atrocities really directed at this next generation. And so --

Ms. PLASKETT. Excuse me for interrupting. Do you think that the conflict and the warfare is systematic towards those children as a means of cutting off the next generation of individuals to come after them, or what do you think?

Ms. ETIM. So it is a concern. It is an increasing concern that we have, that children are being disproportionately affected. And we are hoping right now -- and, again, the scale is not quite there, but I think you don't need a scale to hear the stories that we have heard about children in schools, some of the, you know, burnings and different atrocities that you have heard, children being forcibly recruited into being soldiers. I mean, we have seen that.

What we haven't determined officially is whether or not this is a deliberate attempt to scar the next generation on each side, or whether or not we have a situation where the conditions are so terrible that there is a cycle of revenge that is going on that is really unprecedented. Either way, we continue to call on both the parties to stop directing violence at children and to leave them out of this conflict.

And I think that, for USAID, we know that children are particularly fragile, and that is why we have a lot of work that is dedicated to the trauma healing. The work with communities to actually reintegrate some of these kids back into school, making sure there are spaces for them to be, and normalizing the idea that kids are not supposed to be holding guns, but they are supposed to be holding pencils.

We are making sure as well that we continue, I think, aggressive diplomatic messaging that people will be held accountable for targeting and really exploiting young people. But we know that, again, when a child is hurt or targeted over time, that takes years and years of recovery, and so we are training social workers and community leaders on psychosocial support services so that we actually are empowering communities to understand what these kids have been through and to be part of a longer-term solution. But there is really no easy answer for it. It is a pretty devastating development in this conflict.

Ms. PLASKETT. Thank you.

And then my last question is around that educational sector, is that I didn't see any specific breakdown as to the funding that is going to educational purposes for the children. I know that you spoke anecdotally about the young women from Indiana State University. But can you give us a number as to how much, whether it be through USAID or, Ambassador, through other resources that the government has, in funding in that area? Thank you.

Ms. ETIM. Sure. I think interestingly enough, because the South Sudanese people prioritize education so much, they have been putting an enormous amount of pressure on their government. And what we actually have seen is that in an area where government workers are not being paid, we are actually seeing the government continue to pay teacher salaries -- well, again, inasmuch as they are paying anybody's salaries right now, but there is a budget item for education.

We have also seen a lot of governors of different states within South Sudan look

at developing plans that they can make sure that schools are open. And we have secured agreement through the Minister of Education, by popular, I think, pressure from the people of South Sudan, to allow us access to children in opposition held areas. And so, again, typically, we push for access for food and feeding and health services, but education is something that usually you will see people say 'no' to. And we continue to work both in opposition-held areas and in government-held areas as well.

As far as funding, USAID spends yearly over \$30 million a year on education. Again, we work both on emergency education but also development programs. We are working in areas of South Sudan even outside of the conflict states. We continue our development education programs.

This year, I think we are very proud to say that a lot of children hadn't had access to learning because their books had been in English, and a lot of them actually speak Arabic, or they hadn't been in local languages, and we have been working with a lot of our NGO partners to develop a curriculum where we have now translated basic learning materials into nine local languages so that children will have access to education in their own language.

Mr. McGOVERN. Thank you.

Well, let me thank you both for being here. And thanks for your testimony and thanks for the work that you are doing, and we appreciate you taking the time to be here. And we look forward to working with you to find ways to advance peace and to deal with this terrible humanitarian crisis. But many thanks.

Ambassador PAGE. Thank you very much.

Mr. McGOVERN. I am now pleased to welcome members of our second panel. We will first hear from Akshaya Kumar from Sudan and South Sudan Policy Analyst with the Enough Project. After Ms. Kumar, we will hear from Adotei Akwei, Managing Director of Government Relations, Amnesty International USA. Finally, we will hear from Bill O'Keefe, Vice President for Government Relations and Advocacy, Catholic Relief Services. I want to thank you all for being here. I'd like to formally submit your testimonies for record. If you want to summarize or add to it, please feel free to do so. And with that, I will turn this over to Ms. Kumar to begin. And welcome.

STATEMENTS OF AKSHAYA KUMAR, SUDAN AND SOUTH SUDAN POLICY ANALYST, ENOUGH PROJECT; ADOTEI AKWEI, MANAGING DIRECTOR, GOVERNMENT RELATIONS, AMNESTY INTERNATIONAL USA; AND BILL O'KEEFE, VICE PRESIDENT FOR GOVERNMENT RELATIONS AND ADVOCACY, CATHOLIC RELIEF SERVICES

STATEMENT OF AKSHAYA KUMAR, SUDAN AND SOUTH SUDAN POLICY ANALYST, ENOUGH PROJECT

Ms. KUMAR. Thank you, Congressman McGovern, and Congresswoman Plaskett, and the rest of the members of this Commission for your ongoing commitment to the people of South Sudan.

It is bittersweet that we come together today, four years after South Sudan's independence, not to measure what has been accomplished but instead to reflect on all that has been lost. Four years ago, I stood shoulder to shoulder with my South Sudanese

friends and colleagues under the hot sun in Juba to celebrate a dream long deferred come to fruition.

At that time, we listened to Ambassador Susan Rice tell the swelling crowd that South Sudan's peaceful referendum and separation proved that few forces on Earth are more powerful than a citizenry tempered by struggle and united in sacrifice. Now, 19 months into a new and equally devastating civil war, that legacy is in deep jeopardy. But now the South Sudanese people's struggle and sacrifice continues because of their own kleptocratic leaders' folly, which is testing both their resolve and wisdom.

Congressman McGovern and Congresswoman Plaskett, I would like to focus on the questions which you have asked the panel so far. So first, to Congressman Franks' previous question about the dynamic that has caused this violence. The cold, hard truth is that there are people who profit from the war economy in South Sudan and the grand corruption that enables it.

With billions in oil revenues missing from state coffers, hundreds of acres of land bartered away for pennies on the dollar, and corruption and currency speculation running rampant, South Sudan was hijacked by violent kleptocrats long before it became an independent state four years ago. And since the 2005 peace agreement that ended the earlier war between the northern and southern parts of Sudan, South Sudanese leaders have been taking advantage of their country's rich potential to line their own pockets, just as leaders in Khartoum had done before 2005.

Now, since there is no embargo on South Sudan right now, no arms embargo or no comprehensive trade embargo, both warring sides continue to have unchecked access to the global financial system, which enables these hijackers to exploit South Sudan's rich natural resource endowments, loot its state treasury, and launder their profits to both get rich and wage war.

I would like to focus the rest of my remarks on the question that Congressman McGovern asked us, which is what pressures can be brought to bear that have not already been brought to bear in the case of South Sudan. The American people have long stood in solidarity with the people of South Sudan. For decades, that meant supporting their leaders in an international campaign to secure their freedom. Now that dynamic must change.

In South Sudan, the U.S. Government must be willing to impose punishing consequences on those most responsible for obstructing the peace, stealing from their own people, and committing atrocity crimes, even if that means targeting people that we have all considered friends in the past. That will require a three pronged approach: First, a measured escalation of existing individual targeted sanctions to ban the travel and freeze the assets of the country's political elite and their enablers.

I was very encouraged to hear Ambassador Susan Page say that nobody is off the list. And the U.S. Government must evidence that with a next, second rounds of targeted sanctions that looks at people who actually have decision-making power and authority in political circles in Juba.

Our second recommendation is legal action to confiscate the wealth that South Sudanese leaders have acquired through corruption and other illegal activity. This will jump start efforts to recover and return the billions in stolen assets that have been taken from South Sudan, billions that could be used to be funding development in that country today.

And finally, we recommend a hybrid court with jurisdiction over all kinds of atrocity crimes, which should include economic crimes like pillage and grand corruption.

Turning to my first recommendation, and this goes directly to the question that Congresswoman Plaskett raised earlier about the effectiveness of the current regime of asset freezes and travel bans, we think that we need to leverage the momentum created by the action last week and the designations to intensify efforts to collect information and develop dossiers to identify a second round of targets for multilateral sanctions.

This time, however, the sanctions should target two groups: the high-level political elite who are responsible for prolonging the war in South Sudan, and the facilitators who are providing financial and material support to both warring parties. Sanctions don't have to hurt the people of South Sudan, and smart, targeted sanctions and asset freezes like these would actually help reverse an asymmetry.

Until now, the real leaders of South Sudan have been insulated from the impact of the conflict while their people have suffered. It is time to address that. When President Obama is in the region in the next couple of weeks, he should press for cooperation and support for targeted sanctions enforcement, and that should be at the top of his agenda when he meets the President Kenyatta and Prime Minister Hailemariam.

Ambassador Page noted that with the U.N. Security Council's actions, regional countries, Kenya, Uganda, and Ethiopia, have an international legal obligation to enforce these sanctions. President Obama should make that message clear. But so far, both the U.S. and the U.N. sanctions have only been imposed against commanders on the ground, generals. And these are people who have little contact with the global financial system.

To utilize sanctions as a real instrument for financial pressure and human rights accountability, and to create an enabling environment for some real concessions at the peace negotiation table, we recommend that the U.S. Government keep three factors in mind when reviewing the next round of sanctions. The first is, what is the level of political influence and the role in the leadership structure of each warring side that a potential target would have? We want to be looking at people who could be making key decision-making roles.

The second is, these individuals' connections with the formal financial system outside of South Sudan. Until now, the individuals, who both the U.S. Government and the U.N. Security Council have designated, have little in the way of assets outside of South Sudan. And, in fact, in most cases, most of their assets are in the form of livestock. But that is not true for all South Sudanese. There is a class of individuals who have homes and bank accounts outside of the country, and there is a class who travel frequently. And so the third category that we think the U.S. Government should keep in mind when reviewing sanctions is the susceptibility that someone would have to a travel ban based on their lifestyle and their travel history.

But even with more hard-hitting targets, sanctions designations are only as good as their enforcement. And too often, adding a name to our Specially Designated Nationals list is considered an end in and of itself, a symbolic victory, instead of the starting point for real enforcement action.

So while sanctions do serve an important role for signalling, sanctions need to be seen as more than hollow words. But with active sanctions programs on Iran, Cuba, Russia, and Ukraine, and North Korea, we recognize the serious capacity constraints that the U.S. Department of Treasury's Office of Foreign Asset Controls faces.

Last year, the Enough Project worked with congressional appropriators to secure an additional allocation for this overworked bureau within the Treasury Department. Now that those funds have been appropriated, we recommend that this Commission urge Treasury Secretary Lew to prioritize those funds to support work on African sanctions regimes, whether they be the sanctions regime that Congresswoman Lee referenced earlier on Sudan, or this nation's effort in South Sudan.

Earlier this week, Representatives Capuano and Lee, along with McCaul, Fortenberry, and Rooney, made their support of this type of an approach clear by introducing a new legislative measure, H.R. 2989, which codifies the U.S.'s existing bilateral sanctions regime and asks the administration to prepare a strategy to deal with corruption and the illicit financial flows that are plaguing South Sudan.

The Enough Project is strongly in favor of this bipartisan bill, and I urge all the members of the Lantos Commission to consider cosponsoring this important measure before the President heads to Africa.

The second category recommendations that I have have to do with asset forfeiture, recovery, and ideally, returning stolen proceeds to South Sudan. Until now, South Sudan's leaders, who have been largely insulated from the impact of the war, have not felt the pain that they are putting their people through. Asset forfeiture actions could help address that asymmetry.

The U.S. Department of Justice's Kleptocracy Asset Recovery Initiative has conducted a number of successful investigations into grand corruption in Africa, most notably in Equatorial Guinea where a Malibu mansion and Michael Jackson memorabilia were seized and is in the process of being returned to the people of Equatorial Guinea, and in Nigeria. Just last week, this division announced that they have a new case to recover the proceeds of corruption from Chad.

This type of effort is essential for South Sudan, and so we hope that with greater interagency support from the FBI, the Department of State, the Department of Homeland Security, and others, the U.S. Department of Justice will be able to identify actionable instances of grand corruption where South Sudanese elites have used the U.S. financial system or bought properties in the United States.

Our research shows that most corrupt deals and transactions in South Sudan actually happen in U.S. dollars, and I think any of us who have traveled to South Sudan know that U.S. dollars are incredibly important and used for many financial transactions. And elites tend to offshore their assets and maintain homes and families in places like Australia, South Africa, the UK, Canada, and the United States.

So we believe that finding a nexus that would give our Department of Justice jurisdiction is possible within its existing mandate. And even if actual asset forfeiture actions are further down the road, at this juncture, active U.S. contributions to this effort are essential. When President Obama is in the region, he can also encourage President Kenyatta and Prime Minister Hailemariam to do the same. He should urge Kenyan and Ethiopian authorities to share intelligence and leads on the location of stolen assets from South Sudan through the Asset Recovery Interagency Network for Southern Africa.

This will allow them to share information without feeling like any sovereignty is compromised, because this is a system that a number of African states are already participating in, but Kenya and Ethiopia are yet to do so. This could be a key tangible outcome that President Obama could achieve while in the region in the service of the

attempt to recover all the money that has been stolen from South Sudan.

In addition to calling on contacts in the administration to support this, we recommend that this Commission complement these efforts by cosponsoring the Global Magnitsky Human Rights Accountability Act, H.R. 624. We recognize that Representative McGovern is already a cosponsor of this bill, and we thank you for your support.

This measure offers the President stand-alone authority to ban the travel and freeze the assets of human rights abusers and foreign officials accused of grand corruption, regardless of their origin. In the case of South Sudan, President Obama's Executive Order functionally does this for the specific geographic incidents of South Sudan. But what the Magnitsky bill does is create a framework that can be used in any country so that we don't get to the situation that we are in in South Sudan.

Finally, members of the Commission, there can be no peace without justice and accountability in South Sudan. We heard Ambassador Page discuss at length the U.S. Government's \$5 million pledge to support these efforts and a commitment to a credible, impartial, and effective justice mechanism. We think this thing can come in the form of a hybrid court for South Sudan. But to be truly effective, that court needs to have jurisdiction, not just over atrocity crimes like rape, murder, or crimes against humanity, but also the specific war crimes of pillage and actions of grand corruption.

As it stands now, war crimes pay in South Sudan. Changing that dynamic will require systemic efforts to make war more costly than peace. One important component of the international response is to deny those war profiteers the proceeds from their crimes. That can happen through sanctions, through asset forfeiture, or finally, through the actions in the long term of a hybrid court.

Members of the Commission, South Sudan has spent the last 19 months of its precious independence locked in a devastating conflict. That is 40 percent of the time that South Sudan has been independent. Now, 40 percent of South Sudanese are in need of emergency humanitarian assistance, while at the negotiating table, their leaders are arguing about who is going to get 40 percent of the proceeds from the oil revenues going forward.

A generation is being lost once more, and it is being lost due to a petty struggle between leaders over money. This is a great tragedy. But the greater tragedy is that all of this is happening in a climate of incredible impunity. With biting sanctions enforcements, asset recovery efforts, and a push for a hybrid court, together we can change that.

Thank you.

[The prepared statement of Ms. Kumar follows:]

PREPARED STATEMENT OF AKSHAYA KUMAR

Co-Chairs Pitts and McGovern, members of the Commission, thank you for your ongoing commitment to the people of South Sudan.

It's bittersweet that we come together today – four years after South Sudan's independence– not to measure all that has been accomplished but instead to reflect on all that has been lost. Four years ago, I stood shoulder to shoulder with my South Sudanese friends and colleagues under the hot Juba sun to celebrate as a dream long deferred came to fruition. We listened to then Ambassador Susan Rice tell the swelling crowd that southern Sudan's peaceful referendum and separation proved that "*few forces on Earth*

are more powerful than a citizenry tempered by struggle and united in sacrifice. And every problem created by human folly can be met by human wisdom and mended by human resolve." Now, twenty-one months into a new and equally devastating civil war, that legacy is deeply in jeopardy.

The South Sudanese people's struggle and sacrifice continues, but this time, it's their own kleptocratic leaders' folly that is testing their resolve and wisdom.

In the face of nine broken agreements to cease hostilities, it is indisputable that there can be no military resolution to this conflict. Both sides' intransigence and callous disregard for human suffering have left them deadlocked on the battlefield. With each passing day that elites delay at the negotiating table in Addis Ababa or Nairobi, the economic collapse and humanitarian disaster back in South Sudan deepens. It's hard to imagine that anyone could possibly benefit from the tit-for-tat scorched earth campaigns that have driven over two million people from their homes and left one in ten South Sudanese households in Upper Nile facing catastrophic famine conditions. And it's even harder to conceive how any advantage could be gained from fighting that UNICEF confirms has often involved castrating young boys and raping young girls.

But the cold hard truth is that there are people who profit from the war economy in South Sudan and the grand corruption that enables it. With billions in oil revenues missing from state coffers, hundreds of acres of land bartered away for pennies on the dollar, and currency speculation running rampant, South Sudan was hijacked by violent kleptocrats long before it became an independent state four years ago. Since the 2005 peace agreement that ended the earlier war between the northern and southern parts of Sudan, South Sudanese elites have taken advantage of their country's rich potential to line their own pockets, just as the leaders in Khartoum had done before 2005. Since there is no arms embargo on South Sudan, both warring sides' continued unchecked access to the global financial system enables these hijackers to exploit rich natural resource endowments, loot the state treasury, and launder their profits to get rich and wage war. The American people have long stood in solidarity with the people of South Sudan. For decades, that meant supporting their leaders in an international campaign to secure their freedom. Now, that dynamic must change.

In South Sudan, the U.S. government must be willing to impose punishing consequences on those most responsible for obstructing the peace, stealing from their own people, and committing atrocity crimes, even if that means targeting those it considered friends in the past. This will require a three-pronged approach:

- (1) a measured escalation of existing individual targeted sanctions to ban the travel and freeze the assets of the country's political elite and their enablers,
- (2) legal action to confiscate wealth acquired through corruption and other illegal activity, and jumpstart efforts to recover and return the billions in stolen assets taken from South Sudan, and
- (3) a hybrid court with jurisdiction over all kinds of atrocity crimes, including economic crimes like pillage and grand corruption.

First, leveraging the momentum created by last week's sanctions designations at the UN Security Council, the U.S. government should immediately intensify efforts to collect information and develop dossiers to identify a second round of targets for multilateral sanctions. This time, however, the sanctions should target two groups: the high level political elite responsible for prolonging the war and the facilitators providing financial and material support to the warring parties. When the President is in the region in just a couple of weeks, pressing for cooperation and support for targeted sanctions enforcement should be at the top of the agenda as he meets with President Kenyatta and Prime Minister Hailemariam, as well as any other regional leaders he engages with at the African Union.

So far, the United States and the UN have imposed asset freezes and travel bans on a few South Sudanese field commanders who have little contact with the global financial system. As a consequence, sanctions have been more of a box-checking exercise rather than the instrument of serious financial pressure they should be.

To utilize sanctions as an instrument of real financial pressure in support of human rights

accountability and the peace process, we recommend that the U.S. government keep three factors in mind when reviewing candidates for designation: (1) their political influence and role in the leadership structure of each warring side, (2) their connections with the formal financial system outside South Sudan, (3) their susceptibility to a travel ban based on their lifestyle and travel history.

But even with more hard-hitting targets, sanctions designations are only as good as their enforcement. Too often, adding a name to our Specially Designated Nationals list is considered an end in and of itself, instead of a starting point for enforcement action. While sanctions do serve an important role as a signaling tool for the international community, in South Sudan, sanctions must be seen as more than hollow words. Law enforcement in the United States and in the region should view these sanctions designations like an arrest warrant. Unless there is execution, the mere act of designation is almost meaningless.

With active sanctions programs on Iran, Cuba, Ukraine, North Korea, and dozens of other situations, we recognize the serious capacity constraints that the Department of Treasury's Office of Foreign Assets Control faces. Last year, the Enough Project worked with Congressional appropriators to secure an additional allocation to this overworked terrorism and financial intelligence bureau in the Department of the Treasury. Now that these funds have been appropriated, we recommend that this Commission urge Treasury Secretary Lew to prioritize those funds to support work on African sanctions regimes, particularly the nascent effort in South Sudan.

Earlier this week, Representatives Rooney, Capuano, McCaul, Lee and Fortenberry made their support of this approach clear, with a new legislative measure, HR 2989, which codifies the United States' existing bilateral sanctions regime and asks the administration to prepare a strategy to deal with the corruption and illicit financial flows plaguing South Sudan. The Enough Project is strongly in support of this bipartisan bill, and I urge all the members of the Lantos Commission to consider co-sponsoring this important measure before the President heads to Africa.

Second, we're very encouraged by the prospects for asset forfeiture, recovery, and ideally, return, for South Sudan. Until now, South Sudan's leaders, who are largely insulated from the impact of the war, have not felt the pain that they are putting their people through. Asset forfeiture actions could help address that asymmetry. The U.S. Department of Justice's Kleptocracy Asset Recovery Initiative has conducted a number of successful investigations into grand corruption in Africa, most notably in Equatorial Guinea and Nigeria. Just last week, they announced a new case to recover the proceeds of corruption involving a senior Chadian government official. We hope that with greater inter-agency support from the FBI, the Department of State, and the Department of Homeland Security, the Department of Justice will be able to identify actionable instances of grand corruption in South Sudan with a strong connection to the United States. Our research shows that most corrupt deals and transactions in South Sudan occur in U.S. dollars and that elites tend to offshore their assets and maintain homes and families in places like Australia, South Africa, the United Arab Emirates, the United Kingdom, Canada, and the United States. We believe that finding a nexus is possible that would allow the Department of Justice to act on its own under its existing mandate.

Even if actual forfeiture action is further down the road, at this juncture, active U.S. contributions to intelligence gathering through existing networks like the Asset Recovery Focal Point Initiative could be catalytic in the efforts to trace the proceeds of grand corruption from South Sudan globally. We also recommend operational cooperation with the UK's newly formed National Crime Agency and the Royal Canadian Mounted Police to undertake joint investigations into stolen assets from South Sudan. Since these investigations are inherently multi-jurisdictional, engaging with the Camden Asset Recovery Inter-Agency Network or CARIN network and leveraging European support for asset recovery will be crucial for operational success.

Finally, President Obama will be well placed to raise these issues while meeting with President Kenyatta and Prime Minister Hailemariam during his upcoming trip to the region. He should urge Kenyan and Ethiopian authorities to share intelligence and leads on the location of stolen assets from South Sudan through the Asset Recovery Inter-Agency Network of Southern Africa (ARINSA), which has observer status in the globally influential CARIN network.

In addition to calling contacts in the administration to express Congressional support for the President's direct engagement in urging asset recovery work on South Sudan, members of this Commission can complement these efforts by co-sponsoring the Global Magnitsky Human Rights Accountability Act-H.R. 624, which uses Congress' power to tackle the nexus between corruption and human rights abuses. The Global Magnitsky Act offers the President stand-alone authority to ban the travel and freeze the assets of human rights abusers and foreign officials accused of grand corruption, regardless of their origin.

Representative Chris Smith introduced the measure in January of this year and it has garnered 50 co-sponsors, including both co-chairs of this commission: Rep. McGovern and Rep. Pitts. It's currently under consideration by the House Judiciary Committee's subcommittee on Immigration and Border Security and has the endorsement of 11 members of this commission. Thank you Rep. Capuano, Rep. Cicilline, Rep. Doggett, Rep. Eshoo, Rep. King, Rep. Jackson Lee, Rep. Polis, Rep. Rohrabacher, Rep. Schiff, Rep. Slaughter, and Rep. Waters for your support of this important measure.

Finally, there can be no peace without justice and accountability in South Sudan. In early May, U.S. Secretary of State John Kerry pledged five million dollars to help support documentation efforts and fund a "credible, impartial, and effective" hybrid court in South Sudan. By publicly endorsing the need for a tribunal even as peace talks stalled, Sec. Kerry confirmed that justice should not be held hostage at the negotiating table. Kerry's pledge, which comes after the African Union buried its own commission of inquiry's report on human rights abuses in South Sudan, is a welcome sign that accountability has not fallen off the international community's priority list.

Unfortunately, since then there has been limited traction on these issues. Despite a long-standing pledge from both warring parties to support the creation of a hybrid court for South Sudan, no work has been done to establish this mechanism. To help get the process moving again, we hope that Lantos Commission members might be able to call and weigh in with Secretary Kerry to highlight the importance of swift action on this file. While urging the President to push for the immediate release of the AU Commission of Inquiry report when he meets with African Union leaders, we hope you will also emphasize that any hybrid court should have jurisdiction to prosecute economic crimes, including pillage and grand corruption.

As it stands now, war crimes pay. Changing that dynamic will require systematic efforts to make war more costly than peace. One important part of the international response is to deny those war profiteers the proceeds from their crimes. The complement to that retributive effort is to establish transitional justice mechanisms with a mandate to consider compensation for victims of these abuses in the service of restorative justice. Public U.S. support for a hybrid court in South Sudan with an expansive mandate that tackles economic crimes and reparations can help add momentum to both efforts.

South Sudan has spent the last 18 months of its precious independence locked in a devastating conflict. Cholera is spreading through camps for the displaced and an entirely man-made famine is looming. Children are being recruited to fight a war with no end in sight. Young boys are being tied up before their throats are slit. Girls are being raped.

A generation is being lost once more. This is a great tragedy, but the greater tragedy is that all of this is happening in a climate of incredible impunity. With biting sanctions enforcement, asset recovery efforts, and a push for a hybrid court, together, we can change that.

Mr. McGOVERN. Thank you very much. Mr. Akwei.

STATEMENT OF ADOTEI AKWEI, MANAGING DIRECTOR, GOVERNMENT RELATIONS, AMNESTY INTERNATIONAL USA

Mr. AKWEI. Thank you. On behalf of Amnesty International, I would like to thank the members of the Commission for inviting us to testify and to present our analysis on this ongoing crisis in South Sudan.

Yesterday, July 9, marked the fourth anniversary of South Sudan as a state. Sadly, there is little to celebrate. The political conflict between President Kiir and former Vice President Machar and their supporters has devastated the country and put the hopes of the people of South Sudan for a new beginning, following decades of war, on hold, and has resulted in tens of thousands of deaths, 2.4 million refugees and internally displaced persons, and the increasing use of child soldiers.

In addition, perpetrators of human rights abuses remain at large, and a culture of impunity continues to be the norm. The lack of accountability for years of human rights abuses has been tragically facilitated by efforts of the global community to secure peace and has allowed parties to continue perpetrating even more violence and abuses. If the global community needed a poster child about the danger of failing to prioritize accountability and human rights in resolving conflict, they need look no further than South Sudan.

Among the core issues that Amnesty International is monitoring in South Sudan, of course, is the escalation of violence, which has included attacks in at least 28 towns in 2015 and villages in Unity State leading to massive displacement of civilians. There are also reports of widespread abuses against civilians marked by, quote, "new brutality and intensity" committed by government forces in southern parts of Bentiu. That is from the U.N. mission.

UNICEF also has estimated that approximately 9,000 children have been recruited by all parties to serve in armed forces as well as in armed combatant groups. In many ways, the sad comments from Representative Lee about being back where we started are actually all too accurate.

In addition, we also have a deepening humanitarian crisis where the increased violence has become a significant roadblock in the delivery of humanitarian assistance. We have had the safety and security of humanitarian workers deteriorate with at least five workers being killed. We also have parties to the conflict attacking U.N. sites. The international humanitarian law norms are being flagrantly violated and also represent a major challenge to the international community in terms of inspiring copycat behavior.

The Government of South Sudan is equally intent on shrinking political space. The authorities, especially the National Security Services, routinely harass and intimidate human rights defenders and journalists. Furthermore, the capacity of the police and judiciary to enforce the rule of law has been decimated due to the increased militarization of the country and the defection of many police officers.

State security forces continue to contribute to the culture of impunity and fear through their failure to hold perpetrators of abuses accountable and the arbitrary arrest and detention of journalists and human rights defenders.

The performance of the country's political leadership has been equally destructive.

While President Kiir has not signed a new national security bill, the fact that it was passed by the parliament was a major statement and a blow to fundamental human rights, such as freedom of expression, assembly, and association, that all the South Sudanese people and civil society organizations should enjoy. The bill, if passed, would give the National Security Services broad powers to arrest and detain without appropriate oversight mechanisms against abuse.

Members of the Commission, for a sustainable end to the conflict, perpetrators of human rights abuses need to be held accountable. Even though the Government of South Sudan has set up several inquiries into conflict-related abuses, none of these have resulted in independent and effective investigation or accountability.

In 2014, the African Union Commission of Inquiry on South Sudan finished its report. It reportedly contains recommendations on healing, reconciliation, accountability, and institutional reforms that could contribute to sustainable peace and help end the crisis. This report has not been released, and we do not know when it will be released.

In 2015, IGAD proposed a hybrid court for South Sudan, between the AU, the U.N., and the transitional government. Its jurisdiction would include genocide, crimes against humanity, war crimes, and other international crimes. The proposal also included the establishment of a national commission of truth and reconciliation and healing. This proposal was also made by U.N. Secretary General Ban Ki Moon over a year ago. We need to see further action taken on those ideas.

In July, the Human Rights Council adopted a robust resolution on South Sudan which requests the Office of the High Commissioner to undertake a mission to South Sudan and recommends follow-up actions for the Human Rights Commission, including the possibility of a mechanism such as a special rapporteur.

It is obvious that there have been many calls for accountability but that there has been a tragic lack of action. The prohibition of crimes against humanity and the rules of international humanitarian law exist to prevent and stop such abuses, even during armed conflict. And we all share responsibility in bringing justice for the civilians who have suffered from those abuses in South Sudan.

The attacks on the U.N. protection sites also symbolize a dangerous disregard for the international human rights norms, and the international community must not allow this to happen without consequence.

It is also time for the global community to leverage the new Arms Trade Treaty and bring moral and political pressure to push countries providing weapons to all parties to stop the flow of weapons into the region. It is time for the U.N. Security Council to impose an arms embargo on South Sudan. Small arms proliferation is a driver of conflict in South Sudan, and it would be truly a tragedy if South Sudan followed the example of the decades-long conflict in Sudan.

We must all redouble our efforts to make sure that by this time next year, the fifth anniversary of South Sudan's independence, we will actually have cause to celebrate the beginnings of a rebuilding of that country.

Specifically, we would recommend the following: The imposition of a comprehensive arms embargo on all parties in the conflict in South Sudan; the Security Council aggressively enforcing its imposition of assets freeze and travel bans against the individuals named last week. The Security Council must make public and act upon papers outlining options for accountability that were reportedly discussed on the 12th of

May. We also call upon the AU Peace and Security Council to make public the findings and recommendations of the report of the commission of inquiry in its mid-July meeting.

More directly here in the United States, we would like to actually call on the Obama administration to revisit the continuing practice of granting waivers to South Sudan based on the Child Soldier Prevention Act, which sends a mixed message and basically has not resulted in the change of behavior that the administration had hoped continued engagement would call for.

And finally, we would also call upon the U.N. Human Rights Council to move forward with the creation of a special rapporteur position. Thank you.

[The prepared statement of Mr. Akwei follows:]

PREPARED STATEMENT OF ADOTEI AKWEI

Introduction

On behalf of Amnesty International USA we would like to thank the Members of the Tom Lantos Human Rights Commission for the opportunity to present our analysis and recommendations on the ongoing crisis in South Sudan.

Amnesty International's Work on South Sudan

Amnesty International is the world's largest human rights organization, with more than 7 million supporters in over 150 nations and territories. There are 80 country chapters of Amnesty International. Here in the United States we have nearly 500,000 supporters whose dedication to human rights has impacted both policy and practice around the world.

Amnesty International has been seeking to protect and improve human rights in Sudan since its formation in 1961 and on South Sudan since it seceded from Sudan and gained its independence in 2011. AI has issued reports, held meetings with government representatives for South Sudan, and have also submitted reports to various UN and AU bodies.

Background South Sudan

The conflict that has devastated South Sudan began on December 15, 2013 when a rift in South Sudan's ruling party between President Kiir and Vice-President Riek Machar escalated into armed confrontation between their respective forces. Conflict continues in the Jonglei, Unity and Upper Nile states and the United Nations High Commission for Refugees reports that the conflict has resulted in 2, 400,000 refugees and internally displaced persons (IDPs).

The Cessation of Hostilities agreed to by both parties on January 23, 2014 has been violated numerous times by both sides. On March 6, 2015 the final deadline set by the Inter-Governmental Authority on Development (IGAD) to achieve a peace agreement failed due to a lack of consensus on the structure of the transitional government and future divisions of power. An IGAD proposal issued in early June has been rejected by both parties. While the deadline has been extended, the conflict still rages on.

As the conflict intensifies, civilians continue to bear the brunt of the conflict. During the week of June 15, 2015, the United Nations Children's Fund (UNICEF) reported that at least 129 children were killed in Bentiu in May with boys castrated and left to bleed to death and girls as young as eight raped and killed.

GENERAL CONCERNS AND OBSERVATIONS

2015: Escalating violence South Sudan

Despite international and regional efforts to establish peace, conflict and human rights violations continue unabated. On December 24, 2013 the UN Security Council approved an increase of the UN Mission in South Sudan (UNMISS) to 12,500 troops and increased the mission's police force to a

maximum of 1,323 personnel. The United Nations mandate was revised in May 2014 to focus on protecting civilians, monitoring and investigating human rights, creating conditions that facilitate the delivery of humanitarian assistance and supporting the efforts to cease hostilities.

However, the recent surge of military action delineates how international efforts have largely been ineffective. The Office of the High Commission on Human Rights (OHCHR) reported that between 29 April and 12 May this year at least 28 towns and villages in the Unity State have been attacked. These attacks by government forces on civilians and the resulting civilian displacement reflect the conflict driven human rights violations of early 2014. In Bentiu, civilian killings, abduction and sexual violence are not only still occurring, but escalating at an alarming rate. On 30 June UNMISS issued a report with findings of widespread abuses against civilians marked by a 'new brutality and intensity' committed by government forces in southern parts of Bentiu. Moreover, UNICEF estimates that approximately 9,000 children have been recruited by all parties to serve in armed forces and groups. The continuance of armed conflict is demonstrative of both the lack of interest on both sides to end the conflict, and the international community's reluctance to take bold steps to address continued atrocities.

Those who fled violence in Rubkona, Guit, Koch and Leer counties describe how government forces, mostly from the Bul section of the Nuer ethnic group, have been attacking their villages with axes, machetes and guns. Armed groups have also participated in the mass killing of civilians. On 25 April, an armed group with machine guns, large guns, and RPGs attacked the Atar village in Piji county and shot anyone they saw.

Those who survived these attacks sought refuge at UN protection of civilian sites. Intense fighting between the Sudan People's Liberation Movement/Army-In Opposition, government forces, allied youth and militia groups have caused thousands to flee to a United Nations base in Bentiu.

Government soldiers have targeted and killed people based on ethnicity and assumed political affiliation. Parties to the conflict have attacked hospitals and places of worship where civilians have taken refuge/sheltered. Currently the culture of impunity allows these abuses to go unchecked. Perpetrators need to be held accountable for their actions to deter further atrocities.

Deepening Humanitarian Crisis

South Sudan is in dire need of humanitarian assistance due to the conflict; however, obstruction of humanitarian assistance by parties to the conflict is a significant roadblock to delivering lifesaving assistance. Parties to the conflict have attacked UN and humanitarian workers. Five humanitarian workers have been killed, two UN employees abducted and three crew members killed when their UNMISS helicopter was shot down.

IDPs

The war has resulted in a massive Internally Displaced Persons crisis. In addition to the 2.4 million people who have been displaced, the UN Office for the Coordination of Humanitarian Affairs (OCHA) estimates that due to recent escalating violence some 100,000 people have been displaced because of the recent intense conflict in the Unity state. Thousands of others have fled into the bush or swamp areas.

Of the over 2 million persons who are displaced, 235,000 are living in UN bases in Sudan and over 500,000 are residing in bases in neighboring countries. However, parties have attacked these UN protection of civilian sites. Civilian casualties have been recorded from falling mortar shells. On December 19, 2014, 2,000 armed youth surrounded a UNMISS base in Akobo where civilians had sought refuge and killed two peacekeepers and an estimated 20 people. On April 17, 2015, 50 IDPs were killed during an armed assault on the UNMISS base in Bor.

Government Repression

Freedom of expression is heavily curtailed in South Sudan. Authorities, especially the National Security Service (NSS) routinely harass and intimidate human rights defenders and journalists. NSS arbitrarily detains journalists and orders some to leave the country. NSS officers have shut down newspapers, seized copies of papers and prohibited the publication of articles.

Furthermore, the weakness of the criminal justice system has resulted in rampant human rights abuses such as pretrial detention, failure to guarantee due process and fair trials, and arbitrary arrest and detention. State security forces are only contributing to the overwhelming culture of impunity and fear through their inability to hold perpetrators of human rights abuses accountable and the arbitrary arrest and detention of journalists and human rights defenders. Moreover, the capacity of the police and judiciary to enforce the law has been decimated due to militarization and the defection of many police officers.

On October 8, 2014 the Parliament passed a National Security Service Bill. However, President Kiir refused to sign it into law and sent it back for revisions. The Bill gives the National Security Service (NSS) broad powers to arrest and detain without appropriate oversight mechanisms against abuse. The fact that this bill was passed by South Sudan's Parliament is a cause for concern. Moreover, a draft Non-Governmental Organizations Bill was being considered by Parliament. This bill would have restricted the right to freedom of association by requiring registration, prohibiting NGOS from operating without being registered, and criminalizing voluntary activities that were carried out without a registration certificate.

South Sudan is not only plagued with the rampant conflict and militarization of the country, but also severe restrictions on the freedom of speech and assembly.

Need for Accountability

Even though the government of South Sudan did set up inquiries into conflict related abuses following the start of the conflict, none of these have resulted in independent and effective investigations or accountability. The African Union Peace and Security Council (PSC) has indicated its readiness to upon recommendation by the IGAD, initiate sanctions and other measures against any party that undermines the search to find a sustainable solution to the conflict.

After the start of the conflict, President Kiir formed a committee to investigate human rights abuses. The committee submitted a report to the president in December 2014; however, it has yet to be released to the public. Furthermore, the SPLA set up two investigation committees in December 2013. Approximately 100 individuals were arrested, all of whom escaped during a gunfight among soldiers in March 2014. While the SPLA has announced that it has rearrested two individuals, no information was made public about their identity or the charges against them.

In August 2014, the African Union Commission of Inquiry (AUCISS) on South Sudan finished a detailed report that contains findings and recommendations on healing, reconciliation, accountability and institutional reforms that would contribute to producing sustainable peace and an end to the crisis in South Sudan. However, the report has been shelved due to concerns that it would impede the peace process. Nevertheless, the release of this report could play a significant role in not only deterring human rights abuses, but also in informing the transitional justice process. The AU indicated that the report would be considered during a ministerial level meeting in mid-July. It however remains unclear whether this will result to actual publication of the report.

In addition in June 2015, the IGAD proposed a "hybrid court" for South Sudan between the AU, UN and the transitional government. Its jurisdiction would include genocide, crimes against humanity, war crimes and other international crimes. The proposal also included the establishment of a national commission for truth, reconciliation and healing.

Lastly, a Special Rapporteur to South Sudan would be a positive development for the international community to meet their responsibility to ensure accountability and justice for human rights abuses and violations of international humanitarian law. On 2 July, the Human Rights Council adopted a robust resolution on South Sudan, which requested the OHCHR to undertake a mission to South Sudan and to recommend follow-up actions for the Human Rights Council, including the possibility of a mechanism, such as a Special Rapporteur.

AMNESTY INTERNATIONAL'S RECOMMENDATIONS

- The UN Security Council must impose a comprehensive arms embargo against all parties in the conflict on South Sudan.
 - The UN Security Council must act quickly to impose asset freezes and travel bans against individuals and entities who have engaged in violations of international humanitarian law and abuses of international human rights law
 - The UN Security Council must make public and act upon a paper outlining options for accountability that Security Council members reportedly discussed on 12 May.
 - The AU Peace and Security Council must make public the findings and recommendations of the report of the Commission of Inquiry on South Sudan in its mid-July meeting
 - The Intergovernmental Authority on Development (IGAD), must quickly reconvene parties to the conflict and impress upon them that they are bound by commitments to abide by international humanitarian law incorporated within the 23 January cessation of hostilities agreement and recommitted to on numerous occasions over the past year, and to act on its repeated threats to impose targeted sanctions and an arms embargo.
 - The UN Human Rights Council must establish a Special Rapporteur for South Sudan.
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Mr. McGOVERN. Thank you very much. Mr. O'Keefe.

STATEMENT OF BILL O'KEEFE, VICE PRESIDENT FOR GOVERNMENT RELATIONS AND ADVOCACY, CATHOLIC RELIEF SERVICES

Mr. O'KEEFE. Thank you very much, Congressman McGovern and Congresswoman Plaskett for the opportunity for Catholic Relief Services to testify today.

I would also like to express my gratitude for Congress' financial support for and leadership on humanitarian development and peace efforts in South Sudan. Catholic Relief Services and other aid agencies have been able to provide lifesaving assistance due to your commitment and generosity.

For over 30 years, CRS has been present in what is now South Sudan, standing in solidarity, as the Catholic social teaching calls us to do, with the poor, the hungry, the victimized, and the vulnerable. In March, I visited South Sudan. I walked alongside my CRS colleagues in the field, spoke with state officials about relief and development programs, discussed peace and reconciliation opportunities with church officials, and witnessed the pain, suffering, dignity, and resilience of all those struggling through the horrific post-independence conflict.

During my trip, I spoke with a group of women in rural Jonglei state, who, with their families, had fled the violence to swampy islands in the middle of the Nile River. Having survived for 15 months, the women had begun to cross back for a few days at a time to rebuild their villages, with the hope that they would be able to permanently return soon.

The strength of their human spirit was absolutely remarkable to me, but their chances of resuming a normal life were slim so long as the unpredictable and senseless violence persists. Their future lies in the hands of powerful men who refuse to lay down their arms to talk, instead perpetrating atrocities against their neighbors.

Four years after independence, we must recognize the inability of South Sudanese elites to find a solution to the present crisis: the lack of accountability, a destabilized economy, and gross human rights violations resulting in the disaster that has already been detailed in such -- so vividly this morning.

CRS is operating in Jonglei and Lake states, as well as in Abyei. In the last 6 months alone, with the generous support of USAID's Food for Peace Bureau and other donors, CRS and our partners have distributed 5,666 metric tons of food and nutritional supplements to 222,000 people in Jonglei state. The development programs we also implement in the more secure areas of Jonglei build resilience and, we believe, create peace dividends for the future.

There was a question earlier about air drops, and I had the opportunity to meet some of our South Sudanese staff who, after negotiating with both sides, were able to go into opposition territory, basically camp in the swamp, wait for WFP air drop, double-bagged 50 kilo sacks of grain were dropped out of a plane or a helicopter. And then they trudged through the swamp, collected the bags, organized them, and then distributed them to the people, and then worked their way out. It was an incredible demonstration of the courage of the South Sudanese, frankly, and of the humanitarian community. CRS is just one of many groups doing that kind of work.

CRS and the U.S. Conference of Catholics Bishops have long worked closely

with the local Catholic Church and the South Sudan Council of Churches to find alternative approaches to peace and reconciliation. Yesterday, I spoke with Bishop Cantu, who is the chairperson of the U.S. Catholic Bishops Conference Committee on International Peace and Justice. He is currently in Juba.

Church leaders have come together there to speak out against the violence, having realized the importance of their own unity at this critical point. They are, as some would argue, the only credible voice left in South Sudan. Bishop Cantu recounted to me that during a public prayer offered at the official Independence Day ceremony yesterday, Archbishop Paolino Lukudu Loro of Juba condemned both sides of the conflict and expressed what many believe, that this war is evil, the atrocities are evil, and that those committing them are evil. He asked women to prevent their husbands from going to war and urged young men to refuse to pick up arms, even as the South Sudanese military was marching across his field of vision.

Church leaders in South Sudan expressed to Bishop Cantu, as they did to me when I was there, their appreciation for international pressure to end the violence, but reiterated their belief that in the end the South Sudanese people must solve this problem. With that in mind, CRS recommends the U.S. Government, one, pressure both sides to protect civilians and end the violence immediately. Two, rededicate diplomatic efforts to help local and regional leaders to complete a sustainable peace deal. And President Obama's visit to the region provides an opportunity for just such a rededication. Three, to provide additional lifesaving humanitarian relief to the millions who need it and support development and resilience programming wherever possible, in order to create peace dividends and reduce the perception that only conflict is rewarded. And four, support church-led and other grassroots social cohesion and peace-building initiatives to address root causes of decades of violence and to break the cycle of revenge that we have also heard mentioned.

When peace does come, the U.S. Government and the international community must robustly support reconciliation, social cohesion, and peace-building. The international community and the South Sudanese themselves failed to do this to the extent necessary after the comprehensive peace agreement and immediately following independence.

Indeed, failing to address the trauma and root causes of longstanding conflicts provided the fertile ground for the current conflict that we are now experiencing. CRS's local partners -- the Catholic Church, the South Sudan Council of Churches, and other church communities -- have the credibility, capacity, and presence needed to help provide such services.

Caught in darkness, our local partners and our employees, many of whom have been affected by the violence personally, have not given up hope. There have been setbacks, but we cannot step back from South Sudan or our brothers and sisters tormented by the current situation. We must provide the necessary assistance, pressure the involved actors to stand down, and support ongoing movements for peace, justice, and reconciliation in order to provide the opportunity for the women I met to cross back over the river with their families and begin their lives anew.

Thanks so much for this opportunity.

[The prepared statement of Mr. O'Keefe follows:]

PREPARED STATEMENT OF BILL O'KEEFE

Thank you Co-Chairman McGovern and Co-Chairman Pitts for holding this hearing to look more closely at the ongoing violent conflict in South Sudan and the current human rights abuses we face today. It is important to take this time to analyze how we, as part of the international community, can support and partner with the South Sudanese people to advocate peace, to stop the violence, to support those in dire need, and to promote reconciliation.

My name is Bill O'Keefe and I am the Vice President for Government Relations and Advocacy at Catholic Relief Services (CRS), the international relief and development agency of the U.S. Conference of Catholic Bishops (USCCB). I would first like to thank the U.S. Congress, the administration, and the U.S. people for their steadfast support of South Sudan and the Office of U.S. Foreign Disaster Assistance and Food for Peace for supporting our programming on the ground. While South Sudan has experienced setbacks, we cannot step back from our commitment to them.

For more than 70 years, CRS has worked with the poor and marginalized around our world, regardless of race, creed, or nationality, to promote the inherent dignity of every human person and to support sustainable livelihoods for all. We collaborate with institutions of the Catholic Church and other local partners on the ground to best understand the environment and needs of the communities in which we work and to best implement programming that improves and stabilizes the lives of the poor and the marginalized.

Catholic Social Teaching, including the inherent dignity of the human person and solidarity with the most vulnerable among us, guides us in our work at CRS. This mission and our Catholic faith parallel and complement the human rights for which we seek and advocate, such as the right to life and the right to human dignity.

Context

CRS has worked in what is now South Sudan for more than 30 years. Throughout the brutal civil war with the north, the hope of the Comprehensive Peace Agreement (CPA) period, the joy of independence, and the pain of the current conflict, we have worked with our South Sudanese brothers and sisters. We have provided humanitarian relief in times of disaster and hardship, development assistance, and peacebuilding programs to support to communities across the country looking for a brighter future for their children.

Our deep involvement in South Sudan over the last three decades illustrates our commitment to working with the South Sudanese people, including our partners in the Catholic Church and the wider ecumenical community, to find a sustainable and long lasting solution to the crisis at hand. I recently visited South Sudan in March and walked alongside my colleagues in the field. Their dedication inspires us all at CRS to move forward and to continue to have hope. Many of them have been affected by the conflict themselves, but they are out there, every day, responding to those still suffering from devastating violence, abject hunger, and the loss of livelihoods and homes. I testify here today to share with you not only the work CRS does to alleviate suffering and partner with those seeking peace, but also the work you can do to ensure the people of South Sudan are not punished for the failures of their leaders and to support those involved in finding peace and reconciliation before more people suffer displacement, trauma, or death.

It has been unbearably saddening to see the hope and joy of independence dissolve into the misery we now witness: the unspeakable violence and human rights abuses – shocking even to those who have weathered other violent conflicts - the growing numbers of hungry and displaced, and the unraveling economic situation. The UN reports that 7.9 million people, out of a population of between 11 and 12 million, do not have enough to eat. 4.9 million people are severely food insecure, a number that has grown by 1 million in the last two months. Since the outbreak of violence in December 2013, 1.54 million people have been displaced. The protracted conflict and resulting food insecurity and displacement will have a deep and lasting effect on the future of the world's youngest nation. Hunger and malnutrition, as well as overwhelmed water and sanitation systems, are damaging health (a cholera outbreak is underway as we speak – with 705 cases and 32 deaths reported to date in Juba and Bor). Another generation of children is

being denied access to an education and livelihoods capabilities and family structures have been weakened for years to come. On top of all this, attacks on civilians, the use of child soldiers, the rape and torture of women and girls, and a shrinking space for civil society actors are well documented and increasing in number and severity. Political leaders do not see a road to peace and lack political will. Failed dialogue with the opposing parties has resulted in continued and increasing conflict.

CRS in South Sudan

Showing solidarity with, and care for, the people of South Sudan during this crisis is vital, and should be done through a creative and appropriate mixture of humanitarian relief, resilience building, development programming, and support to local and regional peace initiatives. Some of the significant benefits and achievements of aid and development can be seen through the ongoing efforts of CRS and other organizations, supported by the U.S. government.

As one of the largest implementers of food assistance in South Sudan through the U.S. Agency for International Development and Food for Peace, and working right across one of the three ‘conflict affected States’ of South Sudan, CRS encounters the most vulnerable populations in this crisis on a daily basis. CRS has programming in Upper Nile, Lakes, and Jonglei states. Since 2011, CRS has partnered with Save the Children to implement the Jonglei Food Security Program (JFSP). The JFSP started out as a development program, working with communities on three ‘resilience pillars’: disaster risk reduction, improved agriculture and livestock productivity, and increased access to markets and financial services. It was, and continues to be, one of the only programs providing food and livelihood support and services on the ground across a large section of an entire state.

When the conflict began in 2013, CRS worked with Food for Peace to modify the program in order to provide lifesaving humanitarian relief, to aid a rapid recovery from the shocks communities had suffered, and to continue to build resilience and improve livelihoods wherever feasible and appropriate. Because of our nuanced approach and credible staff, we are able to work with communities in both government and opposition controlled areas as they move along the continuum of recovery and growth. The program is a wonderful example of the benefits of flexible methods built on a relationship of mutual trust between donor and partner, and a strong foundation of contextual knowledge and understanding. The JFSP will have supported 1.32 million people in nine of the eleven counties of Jonglei State by the time funding ends in February 2016. In the last six months alone, CRS and our Caritas partners have distributed 5,666 tons of food and nutritional supplements to 222,175 people.

CRS has seen that while violence continues in South Sudan, there are many areas that have remained either conflict free or that stayed calm after the early days of the crisis. In such areas, as well as in parts of the country that have remained outside the conflict, local actors and the international community need to continue to provide resilience and development support, as children still need to go to school and receive immunizations and parents need to provide food for their families. In these areas, as I saw during my trip, there are frequently committed and credible local and state government officials dedicated to their people and neighbors.

Resiliency, improved livelihoods, and development outcomes where possible, when set alongside robust peacebuilding efforts, can prevent humanitarian disasters from getting even worse. The JFSP helped people build levies around their farms to prevent flooding and to increase their crop yield. Because of increased resilient strategies, communities in Bor were able to save money in Savings and Internal Lending Communities, which helped them evacuate temporarily, and return when the violence subsided. Feeder roads built to gain access to markets to sell surplus commodities allowed some villages to flee cattle raiders. This particular development strategy to connect the village with the world also provided them security. Indeed, CRS’ own rapid return to Jonglei after the crisis provided some communities with the confidence to stay rather than flee, or to come back sooner, rather than remain as internally displaced persons (IDPs) elsewhere. Some communities were able to stockpile seeds from their previous harvest before fleeing so that on returning, they were able to sell their stock in seed fairs organized by the JFSP or to plant the seeds themselves. Since January 2015 in Bor alone, CRS has trained 4,000 farmers on post-harvest storage.

Jonglei, though devastated by violence, has also shown its capacity for peace and reconciliation. In Duk County, which is predominantly Dinka, we witnessed the peace outcomes of the JFSP approach when ethnic Nuer internally displaced persons from neighboring Urur and Ayod fled their homes looking for relief. As tensions rose upon their arrival, CRS worked with traditional leaders from both communities to ensure all those who were most vulnerable received aid. Perceived by each other as enemies, now living in the same community, these people are sharing resources, regularly discussing their everyday concerns, and finding new ways forward.

I personally met men and women who had fled across the Nile river escaping the violence. They were still living across the river, but would return for a few days at a time to gradually prepare everything to return home. Their self-confidence and dignity shone brightly as they spoke about their complicated coping strategy. What stood out to me the most was the strength of their human spirit, their will to live, and their desire to rebuild and create a home and a future for their families. This will cannot be understated, and we need to support that drive both financially and rhetorically.

The Global Church in South Sudan

As I have illustrated, CRS integrates peacebuilding into all our programs in South Sudan, searching out opportunities to leverage our work with and between communities to build trust and create right relationships. CRS is also supporting national peacebuilding and reconciliation efforts through a partnership with the Church led Committee for National Healing, Peace, and Reconciliation (CNHPR), and in our involvement with the South Sudan Council of Churches (SSCC), an ecumenical group of the six largest denominations in South Sudan.

The church and faith based organizations have proven themselves many times over to be integral and necessary actors in South Sudan for addressing violence, poverty, and human rights abuses. Throughout the civil war, when things were at their toughest, it was only the church that was always on the ground, providing basic services, spiritual support, and working for peace.

For example, the church leaders of South Sudan were instrumental in obtaining the CPA of 2005 and the Referendum in 2011 that led to full independence. In 1998, during the Second Sudanese Civil War, Riek Machar split from the Sudan People's Liberation Army led by John Garang. The split was depressingly similar to the current one; Machar accused Garang of being undemocratic and abusing power. As also happened in 2013, the two sides used their ethnic bases to shore up military support. At that time, the churches worked for peace at both the grassroots and leadership levels. They gathered influential Dinka and Nuer chiefs and elders and sought to resolve conflict through traditional peacebuilding measures in what was called the People to People Process.

With the assistance of church leadership, the dialogue succeeded in reducing tension between the ethnic communities. The churches and traditional leaders then pushed the two liberation leaders to meet during the Wunlit Peace Process. The conversations and greater dialogue between the two groups eventually led to the Strategic Linkages meetings in Kenya in 2001 where the two leaders called for peace and a unified call for independence. This paved the way for the two sides to negotiate with the north for the CPA, which would end the civil war in 2005. During the CPA period, CRS and the USCCB worked with U.S. ecumenical partners to implement an advocacy effort with the Sudan Catholic Bishops Conference and the Sudan Council of Churches. In 2010, church leaders came to the United States three times to seek support for the historic referendum that gave South Sudan independence in 2011. Between 2008 and 2011 the USCCB visited Church leaders in South Sudan three times to support their efforts to ensure the CPA succeeded and to communicate to government leaders how important it was to work for peace after decades of devastating civil war. The USCCB continued its commitment to South Sudan with visits in 2013, 2014, and another visit is under way as I speak to you now.

One lesson we all learned is there was not enough focus on social cohesion and peacebuilding programming to promote peace and reconciliation post-independence. We find ourselves today in a position where we are playing catch up. The Church is in an established position to assist in this regard and the United States should invest both financially and diplomatically to support these efforts.

It is clear to us and our Church partners that sustainable peace will take an unconditional long-term commitment. Today, while peace and trust have been broken, progress and movement halted, and violence and human rights abuses have caused pervasive suffering, as a global church, we still have hope. As the U.S. government works with the international community to bring peace and unity back to South Sudan, the involvement of the Church in creating space for peace and reconciliation must not be overlooked. The SSCC is using their voice and their influence to speak reason and truth to those in power and to shed light on the senseless violence that South Sudanese people have lived through over these past two years.

Last Friday, July 3rd, the SSCC Leadership approved an action plan to bring about peace based on their Statement of Intent released on June 7th following a weeklong meeting of church leaders in Kigali, Rwanda. The churches will advocate inside South Sudan as well as in the region and further afield for peace and unity with stakeholders at many different levels in a process that will feed into and support the Intergovernmental Authority on Development (IGAD) peace negotiations. They will mediate between various groups in conflict to build trust and bring them closer to agreement, and they have begun a grassroots peace and reconciliation process to help the people of South Sudan let go of their divisions and bitterness and to move forward in unity. CRS has provided technical and logistical support to the SSCC throughout this process. The SSCC understands the importance of the role they have played in the past and the responsibility they now have. They are our strongest advocates for bringing an end to the violence.

Recommendations

As we look back on four years of South Sudanese independence, we see political dysfunction leading to unthinkable violence, displacement, hunger, and fear. Attacks on civilians, violence against women, child soldiers, and mass hunger are daily experiences, which many civilians say are worse now than during the war against the north. In these conditions, the U.S. government must stay active in alleviating suffering and bringing an end to the conflict.

The international community has imposed limited, targeted asset freezes and travel bans on military leaders on both sides of the conflict. While this is a valid effort by the United States and others to stem the violence, it is not the solution that will lead to peace. Despite the horror, violence, and lack of progress we hear of each day, there are areas of opportunity and movement for the international community and the U.S. government.

We would like the U.S. government to call for a stop to the fighting immediately, to continue to provide life-saving humanitarian relief to those who desperately need it, to support development and resilience wherever possible in order to create peace dividends and reduce the perception that only conflict is rewarded, and to support influential local and regional actors involved in peace movements such as the IGAD, the CNHPR, and the SSCC.

Support the international community to protect civilians and stop the violence. Violence continues to plague South Sudan and is forcibly displacing new people every day, causing greater humanitarian needs, particularly in relation to food security and nutrition. With a growing culture of impunity, increased violence against women, and a large number of child soldiers, the U.S. government must pressure the United Nations Mission in South Sudan (UNMISS) to effectively carry out its mandate to protect civilians in their Protection of Civilian sites (PoCs) and monitor the conflict. The perpetrators of violence must also be brought to account. Those responsible for promoting violence and perpetrating human rights abuses must be brought to justice.

Pressure local and regional actors to complete a sustainable peace deal. We all know the SPLM and the opposition have broken numerous peace deals, but the United States must push IGAD and other regional actors to continue dialogues such as those that occurred in Arusha, Tanzania. We cannot give up hope that continued efforts will produce creative solutions to stop the violence. A full diplomatic response must robustly engage all sides in the peace talks to achieve a good faith agreement and prevent conditions from further deteriorating.

Focus on humanitarian relief and development response where possible. With refugee and

IDP numbers rising around the world, it is important we do not forget the victims of violence and support them in any way we can. CRS, along with many other aid agencies, not only provide life-saving aid where needed, but also build resiliency and capacity in areas less affected by the conflict. With millions suffering in South Sudan and neighboring countries, financial support for humanitarian relief is critical.

We also recommend the U.S. government coordinate with UNMISS and other international partners to pressure both the government and opposition forces to remove all barriers in the command and control structure that prevent humanitarian actors from reaching those in need, to ensure humanitarian agencies have adequate security and unobstructed access to PoCs, and to continue to seek funding support from other donors.

The U.S. government should continue to fund conflict mitigation, peacebuilding, and longer term development activities. By funding these programs where feasible, the United States will prevent further openings of conflict and an increased need for more humanitarian assistance in the future.

Support church led responses to violence and their call for peace and reconciliation.

The SSCC has proven their ability to advocate for peace in the past. The church community has been able to see past ethnic lines, embrace the common humanity we all share, and promote peace and reconciliation regardless of the differences they may face. As they plan and act, the U.S. government should support engagement in Track II diplomatic efforts, and walk with them in their search for sustainable and just solutions.

Conclusion

On behalf of CRS, I would like to thank you and the U.S. people again for your generosity and laudable commitment to South Sudan. CRS will remain present in South Sudan to partner with and to serve our brothers and sisters. As a Catholic organization, we stand in solidarity with all those who are suffering and seek a solution that will promote peace and dignity for all people involved. We will not give up hope. As South Sudan struggles for peace and unity, we hope the South Sudanese people will see that one nation, one people, and one lasting peace is possible.

Ms. PLASKETT. [Presiding.] Thank you so much as well. I have several questions for each one of you that I was hoping that you would respond to.

Ms. Kumar, when you gave your testimony and you outlined the areas that you thought would be most effective, one of the things you talked about was a hybrid court. Can you give some more specificity to what you mean by a hybrid tribunal?

Ms. KUMAR. Yes. Hybrid courts are courts that utilize both local capacity and also international law. They use local law, South Sudanese law in this case, and international law, and they have been found to be effective in contexts like South Sudan that are emerging from conflict. Sierra Leone has one of the most famous hybrid tribunals, but we have also seen similar efforts in Cambodia, and there is a nascent hybrid court in the Central African Republic.

The utility of the hybrid court model in South Sudan is that almost everybody has agreed that one is necessary. The warring parties in February said that they were willing to work towards a hybrid court. The African Union has said that a hybrid court would be effective. The U.S. Government, with Secretary Kerry himself, has said that a hybrid court would be one of many transitional justice mechanisms that would be useful.

And in the light of the fact that African Union Commission of Inquiry has buried its own report for months, we just got word today that even though they had announced that they would be reviewing that report later this month in July, they have said that meeting will no longer take place. So we see that the African Union-led effort with the Commission of Inquiry has really stalled, and so momentum is needed on a hybrid court now.

Ms. PLASKETT. Thank you.

You know, it is my sincere belief, and I have confidence that with our President's visit coming up shortly in this region, that that will drive some renewed attention to the area and can possibly lead to a break in the stalemate and bring some real vigor to some of the work that is being done by groups like yourself as well as others.

So interesting, several days ago, I was at a meeting with Martin Luther King, III, and he quoted Victor Hugo, that crimes take place in the dark, and it is not just the criminals in the dark that are at fault but those of us that continue to bring the darkness. So the work that you all do to bring light to the activities and the atrocities that are occurring in South Sudan and so many other places in the world are really important.

Mr. Akwei, one of the things I wanted to speak with you about in terms of bringing light is, can you explain to us what the effectiveness of bringing public the reports that were done. Why is that such an important factor in moving forward and bringing an end to the conflict, simply to have a report being made public?

Mr. AKWEI. Yes. Thank you. The transparency about the reports sets an official record of what happened. It also makes a very clear statement of responsibility on the surrounding countries and those governments that they have a responsibility to act. I think what Akshaya just mentioned about this further delay has just been what has marked all of these negotiations to try and solve the crisis in South Sudan: continual delays, continual opaqueness, and unfortunately, the terrible suffering of the actual people.

If we don't have any documents that actually show that crimes were committed and people have to be held accountable, there is no basis on which you can build justice.

Ms. PLASKETT. What neighboring countries do you think have actually done a

good job in terms of assisting in this area? I mean, we always talk about the bad actors. What are the countries that possibly have been very helpful in this?

Mr. AKWEI. Well, you know, of course, there are so many different roles, and you know, we would be the last ones to say that facilitating dialogue and negotiations is not a contribution. And for that, you have to look at what Uganda and Ethiopia and Kenya have done. But they have also not taken the further steps of pushing forward this justice issue.

And I think this is because of this mindset that peace between the two warring combatants is the only important goal and that everything else will follow from it. And that is why we are in such an appalling situation, and that is why the culture of violence, which Bill refers to, has just continued from the Sudanese conflict and is now being replayed in South Sudan.

Ms. PLASKETT. Okay. One of the other things as follow up to that would be, who do you think would be a natural leader in terms of outside countries providing some assistance? To yourself or anyone else.

Mr. AKWEI. The justice piece or the negotiations issue?

Ms. PLASKETT. The negotiations and as well as -- well, no, not even that, but so much as the actual assistance to bring them to the table to begin that.

Mr. O'KEEFE. Well, thank you very much, Congresswoman, for the question. Adding in the Troika, the Chinese and the EU to the IGAD process seems to us to be a smart move in terms of, again, looking at the major pieces of economic interest in the area in addition to the regional players. And so I would hope that that is a positive step. The Chinese, for example, have huge investment in the oil sector and therefore have an interest on both sides.

And so, you know, that is about all I would have. I don't know if others have other reflections.

Mr. AKWEI. Sure. You know, we as an organization are more focused on the rights conditions. So the negotiations themselves, I think, are the most useful thing we could contribute is that they have got to be local and civil society groups and South Sudanese unarmed leaders in these negotiations. This has been, again, the tendency that only the people with guns need to be brought to the table and need to make the peace, and that is why we continually have these failures and this repetition of the violence.

Ms. PLASKETT. Thank you. Mr. O'Keefe, in talking about that, that it is others as well who can be involved in the peace, can you explain to us what were the factors or the mechanism that was effective in Catholic charities and the church being able to bring that one region that you talked about and the one community together and have reconciliation as a model for others moving forward?

Mr. O'KEEFE. Yes. Thank you.

And essentially, the factors are, one, long term relationships with credible community leaders, men, women, youth, who in their communities are seen as the sorts of people that others will engage with. Institutions, like churches, and church communities, that have the respect of those leaders and respect of others, and then support for a process, an organized, structured process, of dialogue and conversation and working together on common problems that over time helps to build a sense of trust and a sense of mutual engagement and investment.

The key, and I think what the South Sudan Council of Churches is working on right now after a meeting they held together in Kigali a number of months ago, is how to do that in a more nationwide manner and then connect that with the political process of elites. And I think that has been a missing step. You have had this kind of elites talking in hotels somewhere but disconnected from the local grassroots efforts and also disconnected from the conversations of mid-level people.

And so the goal is for the religious community to help bring those pieces together, the elite, the mid-level and then the grassroots peace-building efforts.

Ms. PLASKETT. Thank you.

I want to thank all of the testifiers who were a part of this panel discussion and the people who sat so patiently to listen and who have such great concern for what is going on in South Sudan as well as the region. I am very, very humbled by you all being here and being a part of that.

I know that this Commission, the Tom Lantos Human Rights Commission, is very committed to being a part of the solution, and it is the work that you all do, as well as your testimony and the information that you provide for us, help us as lawmakers to be moving in the right direction to do what is necessary to help those who need our assistance and the resources that America can provide. So thank you all so much for being here on a Friday afternoon, and wish you all God's speed and thank you very much.

This concludes this Commission's hearing today.

Mr. O'KEEFE. Thank you.

Mr. KUMAR. Thank you.

[Whereupon, at 1:20 p.m., the subcommittee was adjourned.]

APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD



Tom Lantos Human Rights Commission Hearing

Hearing Notice

The Current Human Rights Situation in South Sudan

**Friday, July 10, 2015
10:30 AM – 12:30 PM
2172 Rayburn HOB**

As we approach the fourth anniversary of the day the United States recognized South Sudan as a sovereign independent state, please join the Tom Lantos Human Rights Commission for a hearing on the current human rights situation in South Sudan.

Four years ago the people of South Sudan voted in overwhelming numbers for independence from the Republic of Sudan. After decades of war, they peacefully and joyfully voted for separation and for a new future. The United States played a critical role in supporting the struggle for independence.

However, in December 2013, less than three years after independence, growing political tensions among key leaders in South Sudan erupted in violence. The renewed conflict is imposing economic, security, and humanitarian costs on the people of South Sudan and on the entire region. UN and relief agencies report abductions, burned villages, killings, rape, and targeted attacks on civilians, including on women and children, in conflict-affected areas. According to the UN, recent violence between Sudan People's Liberation Army (SPLA) and SPLA-In Opposition forces in southern and central Unity state has displaced an estimated 100,000 people and triggered the evacuation of humanitarian organization, leaving more than 650,000 people vulnerable to the loss of life-saving assistance.

This hearing will examine the numerous and grave human rights abuses occurring in South Sudan. Additionally, the witnesses will recommend steps that Congress could take to contribute to ending the atrocities and to help alleviate human suffering.

The following witnesses will testify:

Panel I

- Ambassador Susan Page, Special Advisor to the U.S. Special Envoy to Sudan and South Sudan

- Linda Etim, Deputy Assistant Administrator, Africa Bureau, USAID

Panel II

- Akshaya Kumar, Sudan and South Sudan Policy Analyst, Enough Project
- Adotei Akwei Managing Director, Government Relations, Amnesty International USA
- Bill O'Keefe, Vice President for Government Relations and Advocacy, Catholic Relief Services

For any questions, please contact Jennifer Saporita King at 202-226-5285 or jennifer.king@mail.house.gov (for Rep. McGovern) at 202-225-3599 or Carson Middleton (for Rep. Pitts) at 202-225-2411 or carson.middleton@mail.house.gov

Sincerely,

James P. McGovern
Co-Chair, TLHRC

Joseph R. Pitts
Co-Chair, TLHRC



Tom Lantos Human Rights Commission Hearing

Witness Biographies

The Current Human Rights Situation in South Sudan

Panel I

Ambassador Susan D. Page, Special Advisor to the Special Envoy to Sudan and South Sudan, Department of State



Susan D. Page was confirmed as the Ambassador to the Republic of South Sudan on October 18, 2011. She arrived in Juba on December 6, 2011. Previously Ms. Page was the Deputy Assistant Secretary for African Affairs at the U.S. State Department, principally covering central and southern Africa. Ms. Page is a Harvard-trained lawyer with 22 years of experience and spent 15 consecutive years working and living throughout sub-Saharan Africa. She has served as a political officer, legal advisor, and diplomat with the U.S.

State Department, USAID, and the United Nations. She has testified before congressional committees, served on numerous panels and been interviewed by media outlets such as BBC (TV), Radio France International, NPR, and VOA on a range of African issues. She is a fluent French speaker.

Before focusing on Sudan, Ms. Page headed the Justice and Human Rights Unit of the United Nations Development Program (UNDP) in Rwanda. Earlier in Kigali, Ms. Page spent two years as the political officer at the U.S. Embassy where she served as the primary political officer in Rwanda monitoring and reporting on issues related to the war in the eastern part of the Democratic Republic of Congo; served as the key contact between the Embassy and the Rwandan-backed rebels, RCD-Goma; monitored the operations of the International Criminal Tribunal for Rwanda (ICTR); drafted the 1999 and 2000 U.S. State Department Human Rights Report for Rwanda; and analyzed Rwandan laws on the establishment of gacaca, a form of community based participatory justice modified to try genocide suspects.

Ms. Page received an A.B. in English with high distinction from the University of Michigan and a J.D. from Harvard Law School. She has also studied at St. Andrews University in Scotland and conducted research on children and women's rights in Nepal through a Rotary International post-graduate fellowship.

Linda Etim, Deputy Assistant Administrator, Bureau for Africa, US Agency for International Development



Linda Etim was appointed as deputy assistant administrator for Africa in January 2012. In this capacity, she oversees the Office of Sudan and South Sudan Programs and the Office of East African Affairs. Prior to joining USAID, Ms. Etim served as the White House Director for Sudan, South Sudan, and East African Affairs (2009-12), where she was responsible for coordinating U.S. policy on some of the African continent's most important challenges, including civil-military affairs, governance, economic growth and humanitarian crises in the Horn of Africa. Etim was the primary drafter of U.S. Government strategies for Sudan and Somalia. For the last 10 years, Etim has worked for the U.S. Government as a specialist in African security affairs.

Ms. Etim received a bachelor's degree from the University of Wisconsin in African International Affairs, French and Portuguese.

Panel II

Adotei Akwei, Managing Director, Government Relations, Amnesty International USA



Adotei Akwei is Managing Director for Government Relations for Amnesty International USA. Before rejoining AIUSA, Adotei was the Deputy Director for Government Relations for CARE USA. As Deputy he worked on Climate Change, Emergencies, Countries in Conflict and Micro-finance in sub-Saharan Africa. Prior to taking this position he served as Regional Advocacy Advisor for CARE's Asia Regional Management Unit, where he supported CARE country offices in the development and implementation of national level advocacy strategies, as well as helping develop and implement regional advocacy priorities. Before joining CARE, Mr. Akwei worked with Amnesty International USA for 11 years, first as the senior Advocacy Director for

Africa and then later as Director of Campaigns. Mr. Akwei also served as the Africa Director for the Lawyers Committee for Human Rights, now Human Rights First, and as the Research and Human Rights Director for the American Committee on Africa and the Africa Fund. Mr. Akwei received his Masters in International Relations from the College of William and Mary and his Bachelors from the State University of New York College at Purchase.

Akshaya Kumar, Sudan and South Sudan Policy Analyst, Enough Project



Akshaya Kumar is the Sudan and South Sudan Policy Analyst for the Enough Project. Prior to coming to Enough, Akshaya was a Law Fellow at the Public International Law and Policy Group, or PILPG, where she served as a legal adviser to the government of the Republic of South Sudan. While at PILPG, Akshaya also supported the efforts of the Sudan People's Liberation Movement -North to secure humanitarian aid access for war-affected populations in South Kordofan and Blue Nile. Akshaya has previously worked in South Sudan as a population based researcher for UNHCR and the ILO and also spent time in Uganda working for a local access to justice organization.

While in law school, Akshaya interned with the Office of the Prosecutor at the International Criminal Tribunal for the former Yugoslavia, UN Women and the International Committee of the Red Cross's legal delegation to the United Nations.

Akshaya holds a J.D. from Columbia Law School, an LLM with distinction in Human Rights, Conflict, and Justice from the University of London's School of Oriental and African Studies and a B.A. from the George Washington University's Elliott School. Akshaya is originally from Chennai in South India and speaks Arabic, Hindi, Tamil, Spanish and French. She's passionate about gender sensitive transitional justice, promoting arts education for children, and collecting passport stamps.

Bill O'Keefe, Vice President for Government Relations and Advocacy, Catholic Relief Services



Bill O'Keefe is Catholic Relief Services' vice president for advocacy, based in Baltimore. He oversees CRS' efforts to change U.S. foreign policy in ways that promote justice and reduce poverty overseas. This involves lobbying Congress and the Administration on a range of foreign policy issues and educating Catholics in the United States about international issues and involving them in public campaigns for policy change.

Mr. O'Keefe joined CRS in 1987 as a project manager in Tanzania and chaired the sub-regional task force on HIV and AIDS. Mr. O'Keefe next became assistant desk officer for CRS in East Africa, based in Baltimore, where he evaluated and monitored the agency's emergency relief and rehabilitation projects in Ethiopia and Sudan and helped to develop procedural guidelines for field operations. He subsequently served as desk officer for West and Southern Africa.

In 1994, Mr. O'Keefe was appointed director of CRS' flagship program Operation Rice Bowl and later became director of church outreach for CRS. In 2001, Mr. O'Keefe became CRS' director for government relations. In this capacity he led the agency's new advocacy program targeted at U.S. government officials and members of international organizations. He managed the development of CRS policies on U.S. foreign assistance and agricultural trade policy and oversaw a two-year advocacy campaign to involve Americans in policy change for Africa. He was appointed senior director for advocacy in 2003 and vice president for advocacy in 2010.

Mr. O'Keefe holds a B.S. from Yale and a master's in public policy from the Kennedy School of Government at Harvard.