

Hearings on Religious Persecution in Sudan: Panel 3 Question and Answer

February 15, 2000

(Note: These are unedited and uncorrected transcripts)

RABBI SAPERSTEIN: Thank you.

This was extraordinary testimony from all of you, and I suspect we have a number of questions. Again, if people have written questions, please raise your hand for a card or raise your hand to have the card collected, and we will try to integrate those into the questions that we have. Let me turn first to Elliott Abrams.

COMMISSIONER ABRAMS: Thank you.

I will just begin by saying that I first met Dick McCall when he was working for the late Senator Humphrey and I for the late Senator Jackson about a quarter-century ago--time passes. And I want to thank Dan Eiffe for his hospitality when I was in Nairobi and for helping me get into Southern Sudan, courtesy of Norwegian People's Aid.

Let me begin with a question to Dick McCall. You said in your testimony that the U.S. Government is working with the UN on ways to continue assistance to remote areas during extended flight bans, including formal notification to the Government of Sudan that the international community will not adhere to restrictions. I guess my question is is this a new policy for the United States. We have been supporting non-OLS aid, including through Norwegian People's Aid. How would you characterize what you are talking about in that portion of your testimony?

MR. McCALL: We have been discussing this for some time, and I don't think any government has a right that you have to negotiate access to people in need. I think there are some basic humanitarian principles that, no matter who is in power in what capital city, they have a responsibility and an obligation.

So what we are trying to do is to move beyond the original OLS framework where you needed Government acquiescence to go into certain areas. They used it as a political tool and a military tool as well. They created famines. People died needlessly because of these flight bans, and it is a political tool that has been utilized for 15 years in this conflict.

It is our strong belief--and we have allies within the international community as well--that the issue of negotiated access should no longer be an issue, that where there are people in need, the international community, if the governments are going to live up to their responsibility, has an obligation to meet those needs.

Southern Sudan is a very, very difficult area to get around in. What we want to do is, whether it is OLS or non-OLS, expand the coverage to ensure we have the most complete coverage possible, not only in the area of emergency relief, but I think also from the standpoint of building up the structures of civil society and local governance throughout the South. At some point, hopefully, there will be peace in Southern Sudan, and I think it is critically important that the foundations for whatever may happen in the future are laid down.

COMMISSIONER ABRAMS: Let me say that I am very happy to hear that and certainly agree that the principal point you make should be U.S. policy and should be UN policy.

One question that has arisen in our discussions is whether it would be possible to significantly increase the non-OLS aid. The argument is sometimes made that it is not possible, that the infrastructure is not there, that if AID came up with some more money, the non-OLS organizations such as NPA could not use it anyway. And I guess I'd like to ask Dan Eiffe that question. Would it be possible to increase non-OLS supplies into Sudan?

MR. EIFFE: First, many OLS agencies are working very independently today. Within the OLS, Catholic Relief Service is very large, World Vision; while they are in OLS, they operate very independently. So OLS doesn't have the same grip or control on these agencies. These are American partners with partnership contracts with USAID, and I think they can be very well-utilized without having to put heavy funding into the UN.

One thing I would say, though, is that I think it is important--I would tend with USAID to strengthen the office in Nairobi with a political person--I am not understanding USAID dynamics--but somebody who

understands what is going on politically, more on the ground, to look at governance, because a person dealing with humanitarian assistance--it is a very different issue to be dealing with the development of governmental structures and judiciary, et cetera. There is such a person there at the moment, but I think that that needs to be strengthened, because you have a nascent state here with big controlled areas, SPLM areas. We don't deal with SPLM. We must find an NGO to conduit that assistance to them. Sometimes, when that assistance goes through the UN, it gets burned up in consultancies in Nairobi and so on and does not reach the government structures on the ground.

So you need to establish training programs, capacity-building programs, training for legals and paralegals, and training for administrators, and that is not happening even though money has been made available for governance. You don't see it on the ground because it goes to UNICEF. And OLS is an emergency operation; it is not there to build governmental structures. So I think that that is a challenge to USAID. There is now a committee to look at that, but I think that needs to be further developed.

RABBI SAPERSTEIN: Does anyone want to follow up with questions specifically related to OLS? Nina, go ahead.

COMMISSIONER

SHEA: Yes. Dan Eiffe, it is good to see you again. I think we met during the famine of 1998 or shortly after it ended, and I know how anguished you were at that time about what was going on in Southern Sudan. I think maybe 100,000 or 200,000 people did die during that famine.

I am constantly running into this, and we all are on the Commission, trying to figure out what to recommend regarding humanitarian aid to the people of Southern Sudan and the shortcomings of OLS. I still don't understand--I keep hearing from people like you that not every area is being serviced by OLS. The Bishop today told us about how his Diocese in the Nuba Mountains is very isolated, has been cut off, does not receive aid. I spoke with another person who was recently back from the Bentiu area or around that region, and he said there was a 10,000-square-mile area that had one medical clinic, and if you can't walk there when you are in dire need, you die, basically.

I spoke to another Catholic Bishop who said that in Equatoria, his Diocese was not getting any of the OLS help at all. So there are clearly areas not being served right now by OLS, and I want to know why not, and I'd like to ask Dick McCall why not, and then I'd like to go back to Dan about how to solve this.

MR. McCALL: First of all, it gets back to the negotiated access issue. There are areas where the Government or the regime in Khartoum doesn't want any presence from the standpoint of relief--

COMMISSIONER SHEA: I understand that, but why, with the U.S. recognition of that, is it not reaching--you say in your testimony that "We are seeking to expand our assistance in opposition-held areas and have never received assistance under OLS"--why are you seeking to expand, and why aren't you expanding?

MR.
McCALL: We are. In the Nuba Mountains, for example, we just signed an agreement for \$300,000 with Catholic Relief Services for a water project that we worked on with the Bishop. Part of the problem--

COMMISSIONER SHEA: They don't have any hospitals, and they are not being serviced at all--

MR.
McCALL: I understand that, but let me go back to answering the question. A lot of it boils down to finding NGOs who are willing to go into these areas.

COMMISSIONER SHEA: So you are saying that you are hampered in getting the relief to these areas because there is nobody to deliver it; that is your answer?

MR.
McCALL: Sometimes, but let me go back. We have had to undergo, particularly in the last 2 or 3 years, within our agency what I would call a major change in our outlook.

COMMISSIONER SHEA: Okay--since the famine, probably.

MR.
McCALL: No, it wasn't just the famine. I was out there 3 years ago, and the thing that struck me was that we were running relief operations, but we weren't building capacity. And when you would talk to the Southern Sudanese--we would have a health clinic, and we were staffing a health clinic, and we were providing the medicines--but the thing

that they were most concerned about was what would happen if we left. We weren't building up any local capacity. We had a stovepipe notion of what constituted relief.

So we had to basically change our whole framework, that whatever relief intervention we make has to have a sustainable outcome. That is why the Seeds and Tools [ph.] project became basically market-oriented, increasing production so you would have surplus production so that you could start a training system moving in the South. For years and years and years, we would not approach relief with this idea that you had to have a development outcome or a sustainable outcome over the long term. It was, quite frankly, a struggle to get an agreement within the agency for the STAR program using development resources. But I think that once we got through the extraordinarily difficult bureaucratic battles, we now have ownership on the part of particularly the field in moving and expanding this program.

We will expand as quickly as we can, but it has taken us time to get our own act together and to basically change the way we have approached this situation in the South.

COMMISSIONER

SHEA: So are you saying that you expect this to move quickly from now on, that you have gotten it together, or that you are still working on it?

MR. McCALL: I have been in a bureaucracy for 8 years, and until it moves quickly, I'll never say it will move quickly.

COMMISSIONER SHEA: What needs to happen that we could help to facilitate making it move quickly?

MR.

McCALL: I think part of it--and I don't want to sound like a bureaucrat--part of it is that we have rules and regulations, what we call the Federal Acquisition Regulations, that govern the use of our money, and oftentimes the accountability requirements that are associated with it are not conducive to basically turning over resources to local NGOs, indigenous NGOs in particular, because they have to have accounting mechanisms to account for the resources. It would help us if we could get legislative relief--it would give us more flexibility, quite frankly, in the use of our funds.

COMMISSIONER

SHEA: So you're saying that maybe there are NGOs that could deliver it,

but they don't have the set-ups or the accounting procedures that satisfy U.S. Government requirements to implement those--

MR.

McCALL: Yes. I think Dan can testify that we are a very complicated agency when it comes to the rules and regulations, and sometimes you wonder--I think some of these NGOs wonder--if it is not worth having a relationship with us. But--

COMMISSIONER SHEA: So it is easier the way it is structured to work with a big relief agency than a small one?

MR. McCALL: Yes, yes.

COMMISSIONER SHEA: Dan, do you have any response or any insights into the bureaucratic problems there?

MR.

EIFFE: Yes, I do. In fact, NPA is a big contractor of USAID, and just to give you an example, we have a reimbursement issue--just to give you an example of a practical thing--you have to spend about \$1.5 million before you are reimbursed. So the other problem is if you close down, will you get your money back. I get people bashing my head on the wall, and it's not Dick's fault, either. I have to go to Dick tomorrow morning and discuss these issues--can we get this re-contracted. And there are good people there, but this is the system that we have and the nature of the contracts.

One thing I would like to touch on here which is relevant to this is the infrastructure. If the infrastructure were developed--and of course, they've put some money into some little roads here--but if those roads were opened up, we would reduce our transport costs to one-fifth.

During the height of the famine to Bahr-el-Ghazal, you could buy a ton of food for \$200, but it took \$2,000 to transport that \$200 tons of food. That's from Lokichokio [ph.]. Then, you bring it by sea up to Mumbasa [ph.], and you're talking about a huge amount of money here. And since the road was talked about, a little bit was done here, a few bridges here, a guy put some stones here. We need to build the roads and invest heavily in proper contractors. If you do that, we'll all become much more efficient--without giving us money, because we can move our stuff very fast. So instead of paying perhaps \$600 to move a lorry-load of food, we might get it for \$200. Just to move food this year 150 kilometers took us 3 months--3 months--up to Nuba in the South. There are no roads there. The lorry just sank into the ground.

And you can imagine--Sudan is 320,000 square miles. It's just hopeless. Bahr-el-Ghazal is like an ocean for 8 months of the year. It's like the ocean. You fly over the sea when you're in there. We have to put our Land Cruisers on high ground and park them for 8 months. You've seen that. These people understand--it's not having the aid; it's when you get in there, you're in a mess. People are hiding from the snakes in the high ground--that's the reality.

So we need infrastructure development. And maybe because it is a rebel area, or considered a so-called rebel area--we shouldn't develop the infrastructure and the roads? I think that needs to be aggressively address, and then we'll all become much more efficient.

COMMISSIONER

SHEA: Who would be the recipient--who are you suggesting that the aid go to for that kind of infrastructural development? Is it called the SPLA--

MR. EIFFE: No. You have agencies that can do it. You have American agencies. You have World Vision, C.A.R.E., ourselves. We can also get--

COMMISSIONER SHEA: They wouldn't do it because Khartoum wouldn't let them.

MR.

EIFFE: No. They would contact--it's like USAID can ask us--they asked us recently--to do 30 [inaudible] wells in a certain area. We have never done [inaudible] wells before, but we'll get a contractor to come and do it and present that to USAID; they will oversee it and implement that. So there are lots of people who can do this kind of work in East Africa.

COMMISSIONER SHEA: But who would be the recipient of the aid in this case?

MR. EIFFE: Of the infrastructure?

COMMISSIONER SHEA: Yes--the aid for infrastructure. Would it be Norwegian People's Aid, or--

RABBI SAPERSTEIN: Do you mean who would build the roads?

COMMISSIONER SHEA: No, not who would physically build them, but for AID to give money for this purpose, who would-

MR. EIFFE: Oh, yes--they would give it to one of us, either World Vision--

COMMISSIONER SHEA: And they would do it even though they are part of OLS, and OLS is banned from doing that?

MR.

EIFFE: Oh, yes. They can do that. They can do it. World Vision can do it. World Vision could take a section of it, NPA could take a section of it, depending on where we are in our locality, because Sudan is divided into various sectors where different contractors operate. We operate, say, in the Juba counties in Western Equatoria under contract from USAID where we are doing the food production, which has been very successful, which Dick talked about. But the infrastructure is still nonexistent today, and therefore you've got all these expensive aircraft in Lokichokio, and that's why people join OLS, largely, because they can't afford to do this. They can't afford to fly in planes. They don't have these budgets. So the UN can put five C-130s there, they can put four caravans and three buffalos. We can pay for one flight this week and maybe one next week. So it's a huge logistical cost here until the roads are developed.

All the lorries are there. There are many companies now, road companies, prepared to go in with supplies at the moment, but the roads are so difficult. That is a big problem, the infrastructure, and it has been talked about time and time again about doing the road. And we're talking about main roads, we're not talking about every road. We're talking about main arteries into the interior.

COMMISSIONER

SHEA: I guess what I'm asking you is within the rebel-controlled territories, is there a strong enough civilian infrastructure for the United States Government to work with there.

MR.

EIFFE: Yes. I mean, you can't give them the money--in other words, they've got other pressures, and I'm sure that some of that will go to military purposes. You can use the civilians and food for work for sections, though; that is definitely a possibility. That has been done already, food for work. Food can be used and mobilized local civilian

people to do this. That is very, very important.

One point I would emphasize is that we have to move away much more from emergency assistance and relief in Sudan. It is time now to think about development. I mention in my paper we've spent over \$2 billion, and you see nothing on the ground, nothing on the ground. It is time now--we have stopped thinking about a war, a conflict, where nothing can be done. You've got over 600,000 square miles under control, some of it for over 10 years. It's time we started invested in long-term development and not pouring that money down the Nile in emergency, emergency, emergency assistance.

COMMISSIONER SHEA: Thank you.

RABBI

SAPERSTEIN: Let me interject my own questions here, if I may, and let me just explain that Ambassador Seiple left to return to the State Department for two reasons--one, to begin the periodic Muslim roundtable discussion that happens there; but also because there will be a meeting later this afternoon between the Secretary of State and Bishop Gassis to talk about some of these same issues. I am going to excuse myself to join that meeting and will return here as soon as I can, and our Vice Chair, Mike Young, will continue with the discussion of this panel, and Firuz Kazemzadeh will moderate the final panel, which I hope to get back in time to hear.

Let me ask a couple of questions. We're trying to push at what the different options are of what the international community and the United States might do. Let me toss a different question on the table to you. One thing we have talked about has to do with would it be effective if--our concern is while we're moving toward the peace that is indispensable, Dr. Voll, would it be helpful in terms of protecting the people in the South, first, and second, would it be feasible for the United States call upon the Organization of African States and the international community to consider a no-flight zone over the South?

I'd like to hear any of you who would be interested in commenting on this--whether it would be helpful in protecting, whether it would make a difference. In other words, is what happens in the air indispensable to prosecuting the attacks on civilian targets for the Government; and second, is it feasible, is that something that might be doable?

Mr. Eiffe, if you would begin.

MR.

EIFFE: Yes, very much. Take the Ye [ph.] hospital which in 1988 was

bombed 13 times. Suddenly, it was not bombed for 6 months, and the whole place became alive. Ye is about 50 miles from the Uganda border, so ostensibly, the capital of the SPLM/SPLA-controlled area in West Equatoria. The people have returned; the markets have opened up; life has returned. Little local hotels are building. Things changed immediately once the bombing stopped. While we had a big hospital there which was bombed many times, and you have heard about it, there are schools there, community development. USAID is heavily involved in support for the returnees, both with life support packages and with food production. But when the bombing was continuous there, the people were going out.

This area was taken over by the SPLA in March 1997, and it was only when the bombing stopped for 6 months that life started to return.

So there is a logic behind the bombing, and the logic behind the bombing--while it's not a military target, it's a very strategic target, because if the civilian population cannot return, if you attack such institutions as hospitals and schools and feeding centers, the civilians will not return, and therefore the liberation movement is very weak; it does not have a population. So humanitarian aid has been manipulated here to depopulate the area and so weaken the military resistance. That's why the bombing raids, if they could be stopped--we have been asking for that since Ambassador Patterson [ph.] came in in 1992--he was the former Ambassador in Khartoum--since 1992, we have been asking for this no-fly zone over the South. That would be dramatic if you could get that. When Senator Brownback and Tom Krado [ph.] and Payne [ph.], when they were there, the people were begging them about this plane and that plane that is bombing us weekly. If that could be stopped, and you had a no-fly zone over those areas, you would have dramatic development in the South, and life would become much more normal.

RABBI SAPERSTEIN: Any others? Professor Voll, do you want to comment?

PROFESSOR

VOLL: I think that a no-fly zone--a non-military-combative fly zone--could in fact be an important step, but I think it would have to be a step that would be part of a much broader package. It couldn't be just simply something that was freestanding by itself. It would have to be something that would be involved in working with groups like the People's Democratic Front; it would have to be coordinating with a whole wide range of efforts; and it would have to be part of a package that wouldn't--and this is where I'm seated properly here at the opposite end of the table--this is where I think for it to have an impact of working toward a real resolution of the war, it would have to be part of a package that wouldn't simply identify the United States as a combatant in the war.

If in fact the United States were to say its policy is we're going to take the Khartoum Government out, the no-fly zone in the South is not the policy. The policy should be take the Government out. As we found out with Saddam Hussein, no-fly zones may do a lot of things, but they don't take governments out.

So I think the no-fly zone could be constructive and could allow for some significant building of infrastructure, but for it to be a step toward peace, it would have to be structured in such a way that it did not turn us into a combatant.

RABBI SAPERSTEIN: Mr. Gatkuoth, any comment?

MR.

GATKUOTH: Yes, I do want to comment on this. I think it is good to have a no-fly zone, because the Government is startling the civilians, the people who are fighting the Government. Like the bombing in Bentiu--we don't have anti-aircraft weapons to defend our people there. And in the oil fields, I have heard they have gunships, but we don't have anti-gunships there.

Lately, we have had to talk to [inaudible] not to put people at risk, because we don't have those weapons available. So it is in a state of going ahead to fight the Government in the oil field, because they have a huge army built up there. So Dr. Riach, or Southerners in general, are trying to find a way to deal with these issues. I think a no-fly zone is okay, but it is not going to be the solution to this problem.

I do think it is really good to use pressure on this Government, but agencies like the NGOs sometimes are prolonging the war by getting into the problem. They are kind of using--they are saying the rebels are doing this while they are not really promoting the issues of bringing peace to the people. This isn't really going to solve anything. But if the U.S. Government puts extra pressure on this government and backs the rebels, then peace will come.

RABBI SAPERSTEIN: Thank you, Mr. Gatkuoth.

MR.

YOUNG: I wonder if I could shift the focus just a little bit. I hear a series of comments, particularly from Professor Voll, about the need

for a broader settlement and so forth. The one process in play to do that is the IGAD process, which seems to be thundering across Europe with its silence at the moment. If that is an appropriate forum in which to create a solution, what could the U.S. Government do to encourage the--or, what are the impediments to that process moving forward, number one, and number two, what could the U.S. Government do to encourage the parties to take that process much more seriously? Do the panelists have views on that--or if there is an alternate process, I'd be interested in hearing about that as well.

MR.

GATKUOTH: I think the IGAD process now includes all the parties fighting the Government, so it is kind of working with SPLA. So we were excluded from this process. We asked to be included in this process, but we were not, plus the NDAs, especially the Northerners', positions were not included in this process. So even if they are trying to end the war, they cannot end the war without all the people participating, especially the opposition. Like now, we are opposing the government; then, if the U.S. Government is going ahead with this process to end the war, I don't think this is going to be a viable tool to use right now, because a lot of the opposition is really excluded from this process.

MR. YOUNG: Any other thoughts on that process?

PROFESSOR

VOLL: I would just like to underscore and emphasize part of what was just said, that the IGAD process for the past 5, 6, 7 years has in fact been a productive process for getting certain issues onto the table like the referendum issue.

I think, however, as it is currently structured, just to underscore what you have said, it is not as broadly inclusive as the instrument for negotiating a settlement will have to be. It can be a part of that, but somehow, that may have been a good instrument for the early nineties, but now it needs either to be expanded or included into a broader negotiating structure. I think the U.S. Government can perform a real function in providing some kind of venue for that broader discussion.

MR.

McCALL: Let me just amplify on what the other two panelists have said. Our position is that it should be a very inclusive process, and we are working very closely with the IGAD Partners Forum to get it expanded.

But let me come back to the issue of peace, and maybe I'm being too simplistic in look at situations like this. I travel to a lot of

countries in the world, most of them crisis countries, most of them countries coming out of conflict or going into conflict, and the basic, root cause of conflict is that substantial numbers of any given population are excluded from participating in the societies in which they live. They are treated as second-class citizens. And they basically take up arms when they have nothing left to lose. And I am at a loss as to what kind of peace process would get to that fundamental issue. In Sudan, there has to be a recognition that all Sudanese are equals, that nobody is a second-class citizen, that no matter which God you worship or the manner in which you worship, you have a right to exercise that. Nothing should be imposed upon you in whatever name you may use.

I think that that is a fundamental element--when I get into this whole issue of whether regimes or governments should be viewed legitimately within the international community, I think the world is at the point now where we accept that as a reality, and quite frankly, it is incumbent upon us, and it is incumbent upon the Europeans and everybody else in the world who believes not in replicating little democracies like the United States all over the world, but in the fundamental worth and dignity of the individual--I think it is incumbent upon us to expect that of governments. It is not about power. It is about governing for the benefit of all the people and that nobody should be excluded because of their race, their ethnic background or their religious belief. I think that that is what the regime in Khartoum has to come to grips with, and I just don't see that sensitivity or realization that, as we enter into this new millennium, the world is changing very rapidly, and these have become very, very critical issues for millions of people around the world.

MR. YOUNG: Thank you. Elliott?

COMMISSIONER ABRAMS: This is, I guess, a follow-up question, and let me start with Professor Voll.

If I understood Mr. Eiffe's testimony a few minutes ago, he was arguing that the kind of statement that Dick McCall is making is of course correct, but you aren't going to get very far addressing it to the current regime in Khartoum, which defines itself in a very different way and has very different beliefs, and as long as those people and that clique is in power, you're just not going to make any progress on the quality of citizenship front.

I think he also suggested that that group, with the view that it takes of Sudan and of Islam, is in fact very much a minority group within Sudan.

Would you respond to those suggestions, those conclusions, on his part?

PROFESSOR

VOLL: Sure. I think that, again, in the idea of inclusiveness for options, or trying to make sure that we include all options as we are thinking about the future of Sudan, one option that also needs to be included is the option that is implicit in the agreement that Dr. Machar's group signed, which was the right of the Southern Sudanese to say "We don't want to be part of the Sudan." And I think it will be important to make sure that in our American support for all people being equal in the Sudan, which is a very important principle, that we don't exclude as a part of that the right of some of the Sudanese to say, "We don't define ourselves as Sudanese." I think that in that sense, again, we have the need for inclusiveness, or at least the full scope, the full spectrum, of considerations.

I think that the Government in Khartoum at the moment is less clearly definable than it was 6 months ago. I think that the argument and the issue becomes, then, is the changing Government in Khartoum a government or a situation that provides an opportunity. Our disagreement is that I think there may be opportunities there.

I think the bottom line, though, is in terms of the generalizations that I started out with. We can build infrastructure, we can do this, this, and this, but ultimately, we are going to keep having to send money in for relief unless we can get the war over.

Second, I don't think that anybody can win the war under current conceivable circumstances. I don't think, however much one might want to get rid of Hasin Turabi or to get rid of President Bashir or to get rid of the National Islamic Front, under current conditions, I do not see and I did not hear a viable plan for taking that Government out.

Sending a few cruise missiles to a pharmaceutical plant isn't going to do it, and magnifying that with 100 cruise missiles isn't going to do that. If we couldn't get rid of Saddam Hussein, how are we going to get rid of this?

If we start with that assumption, one can say, Gee, I'd love to get rid of those guys and consign them where they belong, but unless the United States is willing to commit itself to about 10 times the military effort that it committed itself to in Kosovo, we are in a situation where we have to say the war is not militarily winnable, and how can we bring an end to the fighting to save the starving people, to save the wounded people, to save the people who are being bombed.

MR.

EIFFE: I'd like to respond to that. I don't think anybody will argue that it's possible to win the war against this Government. I think it is a very different situation from Saddam Hussein. You have large forces for democracy in Sudan today, large forces within the NDA and the SPLM/SPLA, and now it seems Dr. Machar is also going against the Government. These forces united--it is not a question of sending in missiles or even heavy military equipment. Already the SPLA for the last 3 or 4 years in the South has had the political and military upper hand over the Government of Sudan. The Government was very shaky. We used to joke in the past--you know that--that governments in Sudan sometimes collapsed when there wasn't enough sugar in Khartoum. It is not a Saddam Hussein scenario. It is not as militaristic, it is not as powerful. They don't operate in the same way.

What

I am saying and what I think the Congress resolution was saying is you have forces for democracy in Sudan--strengthen those, build their capacity--and I don't need to say anymore than that. There are people behind me here in this room who know how to do that, and it is on the agenda--support the forces for democracy in Sudan.

MR. YOUNG: Thank you. Steve?

MR.

McFARLAND: May I just follow upon that, Mr. Eiffe? You indicated that you felt that the answer was to take out this Government. Would you recommend that the United States Government provide lethal assistance to the SPLA--provide arms?

MR. EIFFE: Yes, I would.

MR. McFARLAND: And do you have an opinion as to the human rights record of the resistance forces in the South?

MR.

EIFFE: I do, I do. Up until 1991, it was extremely bad, extremely bad. Briefly, it was a marxist-oriented, anti-intellectual, anti-political movement operating out of Ethiopia as part of the cold war. Then, at the end of 1991, this bit occurred between Dr. Riach Machar and Dr. Garang, and they went through a very traumatic experience. You couldn't be in the movement you were in. This is a totally different movement today, I know. I was one of its severest critics.

There are still human rights abuses in some areas. It is a very poor

and primitive movement, but it is working hard toward democracy-building. It had the conference in 1994, the National Liberation Council. Much of the leadership today within the SPLM/SPLA, the secretariats, actually would be more critical, would be enemies of the movement in 1991. It has come forward since 1994. This is a process which I think they are working at very, very hard, with internal debates about the rule of law.

In the last 18 months, the SPLA released 2,000 prisoners of war; I was present with those prisoners of war. Before, they would have been killed. The Government has never released one prisoner of war--they killed them.

One thing I did want to ask today is that it would be useful of USAID or the U.S. Government could fund some human rights monitors to work alongside the resistance movement, because it is one thing to criticize them--we criticize human rights abuses--but nobody ever tries to turn them around or help them.

The International Committee of Red Cross had two workshops for two weeks in Lokochokio [ph.] and gave some funding to the officers to train them in how to deal with civilians. We have proposals right here, going to USAID, saying please help to train them, and they say, Oh, we can't have anything to do with the military--that's bureaucratic--we can't have anything to do with the military.

Well, how are you going to train them?

We talk with them.

So there is a need here to work with the human rights issues in Southern Sudan. It's no good flying from Washington and writing a nasty report about it. It's better to go in there and see what can I do with these guys. That's the approach we took. But there is significant progress in the field.

MR. McFARLAND: Thank you.

Mr. McCall, I'm not sure I understood--and forgive me if there was a clear answer to Elliott's earlier question--do you advocate more USAID

funds to go to Sudan outside of OLS? And his specific question was if the Government did, is there the capacity, the pipeline, if you will, the willing NGOs--NGOs maybe with some of the accounting relief that you mentioned--in place to deliver the services regardless of what Khartoum says about it?

MR. McCALL: Yes. Part of it--and I hate to be mundane and bureaucratic--but first of all, you have to find partners, and there are NGOs who are willing to go into these areas, but they know it is very risky. We have had in the last couple of months eight humanitarian aid workers killed, including two C.A.R.E. workers just last month.

But even when you find the ones who are willing to do it, the accountability standards are a major problem. You have pilots who are willing to fly, but they also have the risk of being captured or shot down. And then you have the insurance problem. With OLS, one advantage is that the insurance rates are not exorbitant, but when you get outside the OLS framework and go into non-OLS areas, the insurance rates skyrocket.

MR. McFARLAND: But if we had a no-flight ban, the risk reduces, and therefore the insurance reduces; right?

MR.
McCALL: Yes, absolutely, and I really do think that these are elements that, quite frankly, the international community really needs to focus on and be very aggressive in focusing on. I think that despite the political problems--in many ways, the political issues have driven the shape of the humanitarian programs within Southern Sudan. I think it's time to turn it on its head. It gets back to the whole issue of the obligations that people have to their own people. We should not accept any framework that gives any government or any regime veto power over selecting whether or not civilians, innocent civilians, are going to survive or die. I think that should be a centerpiece of our efforts, and we are trying to organize ourselves along those lines right now. But I think that that is fundamental right now.

The issues of peace are very difficult ones, and I agree, the South should have the option as to whether or not it wants to remain part of a united Sudan, but these other issues that impact upon that, where you draw the boundary and the like, are going to be issues that will be major obstacles. But in the meantime, I think the international community has got to get a handle on the humanitarian situation in the South.

And I agree with Dan completely--I could support whole-heartedly the notion that we need to start developing

institutions and capacity in the South. If you could have a peace agreement tomorrow, the problems in the South and the potential for conflict will remain because of the lack of institutions in the South. We need to get on with this business.

MR.

McFARLAND: The \$24 million in food aid that the Government is giving outside of OLS in this fiscal year--is that the correct figure--

MR. McCALL: For FY99, yes.

MR. McFARLAND: --FY99--what percentage of our total aid to Sudan did that constitute?

MR. McCALL: Let's see--on food aid, we gave a total of \$68 million in FY99, of which \$24 million was through non-OLS--

MR. McFARLAND: That doesn't include USDA or the Agriculture Department, then.

MR. McCALL: That doesn't include the 416, which was \$64 million; yes.

MR.

McFARLAND: And if we ignored what Khartoum said about flight bans, how ought the percentage change in terms of how much flows outside of OLS, in terms of where the needs are?

MR. McCALL: If you go to the areas that we'd like to get into, the need are significant; so I think--Valerie, can you--

USAID

STAFF: I think it's a hard question to answer. It would really depend on the NGOs and what the food needs were in those particular areas. But it would certainly increase the percentage.

MR. McCALL: Significantly.

USAID STAFF: Yes.

MR. McCALL: Let's put it this way--significantly increase the percentage, yes.

MR. McFARLAND: Mr. Abrams?

COMMISSIONER

ABRAMS: This is more of a comment than a question, but it goes to the question of human rights training. When I was in Bahr-el-Ghazal, I said to a Catholic priest at one point who was showing me his mission set-up--it seemed pretty peaceful, so I asked, Do you have any trouble with the Government? And by that, of course, I meant have there been any raids recently by army troops or paramilitaries.

And his answer was: No, we don't have any trouble with the Government at all. As a matter of fact, the local SPLA commander lives right here.

To him, the Government was the SPLA. So I think it is important to note as we talk about Southern Sudan that except for isolated military outposts or the very largest two or three towns, there is no Government presence in Khartoum. They swoop down occasionally in a raid or in a bomber, but when we talk about Government, the people who are there think--at least, in this portion of Southern Sudan, Bahr-el-Ghazal--they think SPLA.

So the refusal or failure to provide an infrastructure working with the SPLA seems to me, speaking personally now, is a tremendous disadvantage to the people living there, because it means they will have nothing--they will have no courts of justice, for example; they will have no schools other than those that the church can provide; there will be no human rights training at all if it is not given in conjunction with what so many of them view as their government.

It is not a unique situation in a country as large as Sudan. It is common throughout the world that the central government really has no presence in large portions of the national territory. But that is certainly the case in Southern Sudan.

MR.

McCALL: Elliott, could I briefly respond to that? Our governance programs are basically agreements that we enter into with the SPLM/SPLA--and SRAA is the civilian wing. So that when we sit down and

look at the programs that we're going to do, it is basically prioritizing with them, and it will be SPLM administrators that we are training in many of these areas.

I also agree with Dan that we have to start giving support to the judicial training and building rule of law in Southern Sudan as well, and I assume that's what he is going to talk to me about tomorrow.

MR. YOUNG: Nina?

COMMISSIONER

YOUNG: You all endorsed the idea of a no-fly zone as probably a good idea in one context or another. Do any of you have any views on how that would be enforced?

MR. EIFFE: I know the current Government's attitude toward the American administration--you are the belly of the great Satan; you represent all the most evil things--so I think you probably have no leverage there. Of course, I'm supposed to be one of your front men on this issue, working with Mosad [ph.], et cetera, so there are wonderful stories which some of the Embassy people can tell you about. I think we have no leverage there, Nina, with the Government. We have lost. It's a question of threat.

Quite frankly, there's one way to stop it--you create a no-fly zone, a no-bombing zone. That is a simple way. You don't have to shoot anything. You say, There's an anti-aircraft here, and if you come to bomb me, you're going to be shot down out of the sky. You can bomb the hospitals, et cetera.

But this has been discussed for years about strengthening the capacity to stop this bombing. So I think this Government is getting more entrenched, and now, with the money from the oil, their arrogance will increase. Of course, they've got the Chinese there, and they've got Russians there. There are lots of mercenaries there. They have them on the oil fields. They have them in Juba. And with this money, they can do an awful lot. This will give them a renewed vigor. So we are going to reach now an escalating war in the South, a much greater escalating war. And I presume John Garang has some support, too; he has been diplomatic mission for the last 6 months or a year. So we're going to have a scale of war which will likely increase, and the suffering is going to increase. There will be more aid workers killed and more of us jumping into the foxholes.

So where is your leverage here? Where is the U.S. administration's leverage here? It has to come down very tough. They have identified you as enemy number one, and that's where you are, just like Saddam Hussein. I presume your administration has a lot of experience in how to deal with such things.

MR. YOUNG: Thank you. Other questions? Steve?

MR.

McFARLAND: Mr. Gatkuoth, what significance, if any, do you attribute to the recent shakeup in the Government in December of the supposed dethroning of Mr. Turabi from influence in the Parliament? Is that a charade as far as your party is concerned, or is it a significant development and change?

MR. GATKUOTH: The way I see

it and also the people in Khartoum, it is nothing, really, but they are trying to prove to the world that things can change. Now we have heard of reconciling, but they were trying to open the door to the opposition to negotiate with the Government so they can all participate in a new formation. So now they realize that nobody is interested in negotiating with Bashir, so they have formed a new movement which is really--Turabi has influence in this. So I don't think there is any change. When they did it, they were intending to relieve some problems, but it is not really anything to us. That is what led us to resign, Dr. Riach Machar to resign, from the process, because he was not informed of appointing the ministers for the Southern States and the governors of the Southern States. So we don't see any good things coming out of it.

MR.

McFARLAND: And Mr. Eiffe, if I could just very quickly as you as a follow-up, do you have any concern that NGOs will become the object or the target of NIF military operations if it is known that the United States and even other countries, perhaps, are providing aid to resistance forces--or, if there is a no-fly zone, and therefore anybody who is in the air in areas that are rebel-controlled is probably supporting the resistance and therefore NIF may consider them legitimate targets.

MR. EIFFE: I don't see any

danger at all. We have been flying into Southern Sudan for 13 years in defiance of the Government. They don't have much capacity, quite frankly, to shoot anybody out of the sky using these old Antonov bombers--and I hope they don't get them, anyway. But quite frankly, we have many agencies today flying in. We don't ask permission; we just go in. We have pilots who are brave enough and planes willing to do so under contract, and we're doing it. And we need to do more of that. There is no danger, absolutely.

Elliott made a very good point that we've got three or four little pockets for the Government in the South, but it's a vast area--1,200 miles from Khartoum in Juba--so it is a vast country. And it is a nascent state--it is a nascent state--and we can operate on the ground. If the roads are built, those bombings do more harm to the Government than they do to Southern Sudan, let me tell you, because the images coming out of Sudan have tremendous political backlash.

MR. YOUNG: Mr. McCall?

MR. McCALL: If I could make an observation about the opportunities of the so-called changes in Khartoum, once again, I fail to see any difference. You had the bombing of a school in the Nuba Mountains just last week where 14 children were killed. That is not waging a war against armed elements--that is waging a war against civilians. And these were young children. For that to continue means that the policies of the regime in Khartoum are continuing; there is no change.

MR. YOUNG: Thank you very much.

We very much appreciate all of your time. On behalf of the Commission, let me extend a very warm thanks. All of you have provided tremendous insight and help to us, and we hope that we can stay in touch with you in the future as well on these issues.