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## **Sudan: Humanitarian Crisis, Peace Talks, Terrorism, and U.S. Policy**

**Updated August 31, 2001**

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LEGISLATION

## Sudan: Humanitarian Crisis, Peace Talks, Terrorism, and U.S. Policy

### SUMMARY

Sudan, geographically the largest country in Africa, has been ravaged by civil war intermittently for 4 decades. An estimated 2 million people have died over the past decade due to war-related causes and famine, while millions have been displaced from their homes. According to the World Food Program, an estimated 3 million people will need emergency food assistance in 2001.

The relief operation is being coordinated by Operation Lifeline Sudan (OLS), established in 1989 in response to the 1988 humanitarian crisis in which over 200,000 people died of starvation. The OLS, a consortium of United Nations agencies and three dozen non-governmental organizations (NGOs), operates in both government and rebel-controlled territories.

The 18-year civil war has been and continues to be a major contributing factor to recurring humanitarian crisis. There have been many failed attempts to end the civil war in southern Sudan, including efforts by Nigeria, Kenya, Ethiopia, former President Jimmy Carter, and the United States. To that end, the heads of state from Ethiopia, Eritrea, Kenya and Uganda formed a mediation committee under the aegis of the Inter-Governmental Authority for Development (IGAD) and held the first formal negotiations in March 1994. The basis of these talks is the Declaration of Principles (DOP), which includes the right of self-determination, separation of religion and the state (secularism), and a referendum to be held in the south with secession as an option. Although the National Islamic Front (NIF) government reluctantly accepted the DOP in 1994, the government in Khartoum has repeatedly resisted secularism, walking out on peace talks in September 1994 and returning in July

1997 after a series of military defeats. In early June 2001, President Moi of Kenya convened a high-level Sudan talks in Nairobi, Kenya. No progress was made.

Relations between the United States and Sudan are poor in part because of Khartoum's human rights violations, its war policy in the south, and its support for international terrorism. U.S. policy of isolation and containment is likely to continue for the foreseeable future. The Clinton Administration's policy enjoyed strong bi-partisan support in Congress. In November 1997, the Clinton Administration imposed comprehensive sanctions on the NIF government. In May 2001, Secretary of State Colin Powell announced that the Bush Administration has completed a policy review on Sudan. Powell also stated that the Administration would appoint a Special Envoy for Sudan.

On June 15, 1999, the House of Representatives passed H.Con.Res. 75. On November 11, 1999, S. 1453, the Sudan Peace Act, was passed by a unanimous vote in the Senate. On October 24, 2000, the House passed S. 1453 as amended. On January 25, 2001, Senator Bill Frist (R-TN) introduced S. 180, the Sudan Peace Act. Similar legislation was introduced in the House on March 7, 2001. On April 26, 2001, Representative Donald Payne introduced two resolutions on Sudan, H.Con.Res. 113 and H.Con.Res. 112. On June 5, 2001, Representative Tom Tancredo (R-CO) introduced H.R. 2052, the Sudan Peace Act. The House International Relations Committee (HIRC) passed the legislation. On June 13, 2001, the House passed (422-2) the Sudan Peace Act (H.R. 2052) with amendment. On July 19, 2001, the Senate passed S.180 by unanimous consent.

## MOST RECENT DEVELOPMENTS

*The Senate Foreign Relations Committee reported the Sudan Peace Act S. 180 with an amendment in the nature of a substitute on July 16, 2001. On July 19, 2001, the Senate passed S. 180 by unanimous consent. S. 180 condemns the government of Sudan's human rights record, calls on continued leadership by the United States, and expresses support for "an internationally sanctioned peace process." Several provisions that were included in the House-passed version (H.R. 2052) were omitted from S. 180. The Senate version does not include capital market sanctions on foreign companies doing business in Sudan and a provision that would have required the State Department to report on war crimes and other human rights violations in Sudan. The House passed its version, H.R. 2052, in June.*

*In July, a high-level American delegation, headed by U.S. Agency for International Development (USAID) Administrator Andrew Natsios, visited Khartoum as well as the Sudan People's Liberation Army (SPLA)-controlled areas in southern Sudan. The delegation pledged additional humanitarian assistance to north and south Sudan.*

## BACKGROUND AND ANALYSIS

In 1956, Sudan became the first independent (from Britain and Egypt) country in sub-Saharan Africa. For almost 4 decades, the east African country with a population of 35 million people has been the scene of intermittent conflict. An estimated two million people have died from war-related causes and famine in southern Sudan, and millions more have been displaced. The Sudanese conflict, Africa's longest-running civil war, shows no sign of ending. The sources of the conflict are deeper and more complicated than the claims of political leaders and some observers. Religion is a major factor because of the Islamic fundamentalist agenda of the current government, dominated by the mostly Muslim/Arab north. Southerners, who are Christian and animist, reject the Islamization of the country and favor a secular arrangement. Social and economic disparities are also major contributing factors to the Sudanese conflict.

The abrogation of the 1972 Addis Ababa agreement in 1983, which ended the first phase of the civil war in the south, by former President Jaffer Nimeri is considered a major triggering factor in the current civil war. Although the National Islamic Front government, which ousted the democratically elected civilian government in 1989, has pursued the war in southern Sudan with vigor, previous governments, both civilian and military, had rejected southern demands for autonomy and equality. Northern political leaders for decades treated southerners as second-class citizens and did not see the south as an integral part of the country. Southern political leaders argue that under successive civilian and military governments, political elites in the north have made only superficial attempts to address the grievances of the south without compromising the north's dominant economic, political, and social status. In recent years, most political leaders in the north, now in opposition to the current government, say that mistakes were made and that they are prepared to correct them. But the political mood among southerners has sharply shifted in favor of separation from the north. The current government seems determined to pursue the military option. The war is costing the government an estimated \$1-2 million a day. Economic conditions have

deteriorated significantly, and millions of southern Sudanese are at risk of starvation due to a serious humanitarian crisis, partly caused by the government's decision to ban United Nations relief flights.

## Current Developments

In early June 2001, the heads of state from Kenya, Uganda, Ethiopia, and Eritrea met in Kenya to reactivate the stalled IGAD peace process. Both the leader of the SPLA, John Garang, and President Omar Bashir of Sudan attended the talks. The talks failed to produce an agreement. A press release after the talks stated that there were serious disagreements between the parties on a wide range of issues.

On June 2, 2001, shortly after the IGAD talks ended, Garang announced the capture of Raga, an important town in western Bahr el-Ghazal, by SPLA forces. In recent weeks, SPLA forces have captured several garrison towns in a series of battles in Bahr el-Ghazal and Blue Nile province. On June 6, 2001, President Bashir ordered the mobilization of forces and vowed to defeat SPLA forces.

On April 26, 2001, the Congressional Human Rights Caucus held a hearing on the crisis in Sudan. Representative Frank Wolf (R-VA) called on the Bush Administration to appoint a Special Envoy and condemned the government of Sudan's human rights record. At another hearing (Commerce, Justice, and State Appropriations Subcommittee) the same day, Representative Wolf, who is chairman of the subcommittee, told Secretary of State Colin Powell that the government of Sudan continues to target civilians in southern Sudan. He asked when the Bush Administration will announce the appointment of a Special Envoy. Powell responded that the Administration "has undertaken a very thorough review of the entire situation in the Sudan." In late May, *The New York Times* reported that former Assistant Secretary of State for Africa, Chester Crocker, has been offered the Special Envoy's position.

On February 21, 2001, the former Speaker of Parliament and the one-time leader of the People's National Front (PNC), Turabi, was arrested with many PNC leaders accused of collaborating with the Sudan People's Liberation Movement (SPLM). The Minister of Information described the PNC and SPLM agreement to work together for peace as a "declaration of a political alliance to fight the government, an alliance which does not use legalized methods and an alliance with a military movement that continues to fight the state and the Sudanese people and whose agenda and principles are known."

In December 2000, Sudan held presidential and parliamentary elections, although most major opposition groups boycotted them. President Bashir, the National Congress candidate, was reelected to another 5 year term. Bashir won 86.5% of the votes, while his major challenger, former military leader Jaffar Nimeri, received 9.5% of the votes cast. In the parliamentary elections, the ruling National Congress won more than 270 seats in the 360-seat parliament.

In late November, the government of Sudan accused the political officer at the U.S. embassy in Khartoum of conspiring with opposition forces and ordered the officer out of the country. The government arrested members of the opposition and briefly detained the U.S.

official for questioning. Meanwhile, the government issued a new directive ordering all diplomatic missions to seek permission before they meet with opposition groups. The Bashir government also extended the state of emergency for another year, which was imposed in December 1999.

In mid-September 2000, the National Democratic Alliance (NDA), a coalition of Sudanese opposition groups held its second National Congress in Massawa, Eritrea. The Congress was attended by northern opposition groups, trade unions, and the Sudan People's Liberation Movement (SPLM). Delegates to the Congress agreed to restructure the Leadership Council of the NDA and expressed their continued support of the IGAD peace initiative.

In mid-July 2000, the Sudan People's Liberation Army (SPLA) announced that it had captured a strategic bridge near the town of Aweil in Bahr el-Ghazal province. The bridge links Aweil to the heavily defended government garrison town of Wau, the last major town under government control in Bahr el-Ghazal. In early July, the SPLA captured Mabaan, bringing the SPLA forces closer to the oil fields in the Upper Nile region. In late June, the SPLA captured Gogrial in Bahr el-Ghazal.

The United Nations Security Council postponed consideration of the lifting of U.N. sanctions on Sudan in late June 2000, after the United States declared that any move to remove sanctions at this time would face a veto. The government of Sudan had lobbied aggressively to get the sanctions lifted and had secured the support of Security Council members, as well as Egypt and Ethiopia. The Organization of African Unity (OAU) and the Arab League also endorsed the lifting of sanctions, but U.S. officials argued that lifting of the sanctions before a thorough review of Sudan's claim of cooperation would be irresponsible.

On May 6, 2000, President Bashir suspended the Secretary General of the ruling National Congress, Hassan al-Turabi, and several of his deputies from their respective positions in the party. Bashir's action followed months of infighting within the ruling party. Turabi dismissed President Bashir's action as unconstitutional. In mid-May, Turabi announced that the National Congress had dismissed President Bashir and several senior party officials from the party. Meanwhile, the SPLA extended the humanitarian ceasefire for another 3 months in order to allow food delivery to affected areas in southern Sudan.

In early March 2000, U.S. Special Envoy for Sudan, Harry Johnston, visited Khartoum, the first high-level visit by a senior U.S. official since the bombing of Al-Shifa pharmaceutical in Khartoum. Johnston met with senior government officials, including President Bashir, and discussed human rights, humanitarian issues, and the IGAD peace process.

In January 2000, the SPLM and the government of Sudan met in another round of IGAD-sponsored talks in Nairobi. After 5 days of intensive talks, the parties failed to reach agreement on major issues, including the separation of religion and state and boundaries of south Sudan. The parties agreed on an independent judiciary and multi-party system.

## **Bashir's State of Emergency**

On December 12, 1999, President Omar Bashir declared a state of emergency for 3 months and dissolved parliament, citing internal and external threats to the stability and unity

of Sudan. On the external threat, Bashir alluded to the proposed food aid to opposition forces as a “flagrant American intervention,” while he stressed the growing challenges from within as a major obstacle to governance and national unity. Bashir’s decision came a few days before parliament was scheduled to vote on a constitutional amendment that would have shifted power from the president to parliament. Bashir’s unsuccessful attempt to prevent the vote was an important factor in his decision to declare the state of emergency. His one-time powerful ally and Speaker of Parliament, Hassan el-Turabi, described the state of emergency as a coup and unconstitutional.

For more than a year, President Bashir and Hassan Turabi had been fighting for control of the ruling National Congress. This internal feud between the Bashir and Turabi factions is not a struggle over political or philosophical differences. In his speech to the nation, Bashir declared that “this measure will be a strong push with which we [NIF] shall consolidate the safety, security and stability of the country; with which we [NIF] will conclude a promise to protect Islamic law and the imposition of God’s orders.” Bashir has repeatedly stated that there will be no change in policy concerning the “Islamic path,” referring to his government’s Islamic fundamentalist policies. Some observers have suggested that the move by Bashir to rid Turabi represents a win for the “moderate” elements in the National Islamic Front. But the “moderates” are the same people who have been behind NIF’s “Islamic Project” and the architects of the government’s adventurous foreign policy.

President Bashir seems to have the upper hand in his effort to marginalize the powerful leader of the Front. Only a handful of people resigned from the government in protest, while the majority of NIF members who dominate the cabinet have allied themselves with the President. Some observers argue that this was a creeping coup orchestrated by NIF members, including the long-time rival of Turabi and current Vice President, Osman Ali Taha. In early 1999, ten senior members of the NIF in a memorandum addressed to Turabi called for his resignation, and many observers speculated then that this was the work of Taha. Indeed, President Bashir has his own constituency in the army, which could be used to suppress dissent within the party ranks. But the army is very much divided. There appears to be three factions within the army: a Bashir faction, a Turabi faction, and a faction opposed to both. The Popular Defense Forces (PDF), a militia group, is largely loyal to Turabi.

Bashir has been successful in garnering important external support, especially in the Arab world. Egypt and Libya have publicly expressed their support for Bashir. The government of Hosni Mubarak described the imposition of state of emergency in Sudan as “legitimate.” On December 15, 1999, the Presidents of Egypt and Libya, in a joint statement, offered their “full support and backing” for Bashir “to safeguard the unity of Sudan and achieve stability and security for its people.” Other governments, including several neighboring countries, have also expressed their support for President Bashir. But the leader of the Sudan People’s Liberation Movement described Bashir’s measures as “an internal crisis within the NIF and represents no change in the regime.”

In February 2001, the Popular National Congress (PNC), a splinter group from the National Islamic Front movement led by Al-Turabi, signed a Memorandum of Understanding (MOU) with the Sudan People’s Liberation Movement (SPLM). The two groups agreed to work jointly to bring peace to Sudan. The agreement was signed in Switzerland by representatives of the two movements. On February 21, 2001, Al-Turabi was arrested with many PNC leaders accused of collaborating with the SPLM. The Minister of Information

described the PNC and SPLM agreement as a “declaration of a political alliance to fight the government, an alliance which does not use legalized methods and an alliance with a military movement that continues to fight the state and the Sudanese people and whose agenda and principles are known.” By late February, more than 100 members of the PNC were arrested.

## **The Humanitarian Crisis**

The current humanitarian crisis in southern Sudan is considered one of the worst in decades. According to the World Food Program (WFP; [<http://www.wfp.org/sudan>]), southern Sudanese “are facing serious food and water shortages due to the combined disruptions of civil war and drought.” In November 2000, WFP officials appealed for \$106.4 million to provide assistance to 2.5 million southern Sudanese. Operation Lifeline Sudan (OLS), which is the U.N.-coordinated relief effort, was established in 1989 in response to the death of 250,000 people due to starvation in the southern Sudan. The OLS is a consortium of UN agencies and 35 non-governmental organizations (NGOs) that provides emergency relief for civilians living in drought and war-affected areas.

The 18-year civil war, drought, and raids by government-backed militias and rebel groups have disrupted the distribution of food aid and obstructed assessments of need in severely affected areas. The crisis has escalated dramatically since the beginning of 1998. In January, the SPLA and Khartoum began fighting in the major towns of Wau, Awiel and Gogrial, displacing hundreds of thousands of people. The scorched-earth techniques used by pro-government militias have decimated fields and homes and forced tens of thousands of people to flee the war-torn areas. The government of Sudan (GOS) routinely and deliberately denies access to areas of southern Sudan to the OLS, according to U.N. relief officials. Many relief centers and hunger-stricken areas are inaccessible by ground transportation because roads were destroyed, did not exist or are impassible due to rain and mud. In late March 2001, the United Nations warned that an estimated 3 million people are in need of emergency food assistance. According to WFP, “parts of the country are experiencing the driest season in living memory.”

The United States contributed more than \$231.1 million in humanitarian assistance in fiscal year (FY)1999 and, in FY1998, spent more than \$106.7 million in response to the famine. In FY2000, the United States provided a total of \$93.7 million in humanitarian assistance. As of April 2001, the United States has contributed \$49.3 million in humanitarian assistance. Moreover, the United States is providing development aid in opposition-controlled areas to build the capacity of civil administration, conflict resolution, and assist indigenous non-governmental organizations. The Sudan Transition Assistance for Rehabilitation (STAR) was increased from \$2 million in FY1999 to \$4.25 in FY2000. The STAR budget for FY2001 is \$4 million.

## Peace Talks

Peace efforts to end the civil war in Sudan have not succeeded in part because of irreconcilable differences on fundamental issues between the “Arabized” north and southern rebels. The strong belief by the NIF regime that it could resolve the conflict through military means has been and continues to be a major impediment to peaceful efforts. Another major obstacle is NIF’s inflexible position on the role of religion in politics and government. The government seems to show interest in talks when it is weakened militarily or to buy time to prepare for another military offensive.

### The IGAD Peace Process

Alarmed by the deepening crisis and multiple failed attempts by outside mediators, members of the Inter-Governmental Authority for Drought and Development (IGADD), later renamed the Inter-Governmental Authority for Development (IGAD), formed a mediation committee consisting of two organs, a summit committee of heads of state from Ethiopia, Eritrea, Kenya and Uganda, and a standing committee composed of their mediators. Preliminary talks were held in November 1993 and January 1994, and formal negotiations began in March and May of the same year. Presented at the May meeting, the Declaration of Principles (DOP) included the following provisions: the right of self-determination with national unity remaining a high priority, separation of religion and state (secularism), a system of governance based on multiparty democracy, decentralization through a loose federation or a confederacy, respect for human rights and a referendum to be held in the south with secession as an option. The NIF government initially resisted the DOP, particularly self-determination and secularism. The SPLM accepted the DOP and the government was later persuaded by the mediators to accept the DOP.

The IGAD peace process began with the view that the Sudan conflict was having serious repercussions not only in the country but also in the region, and sought to deal with the root causes of the conflict. Conditions were ripe for talks since both sides were exhausted from years of fighting and some members of the IGAD committee were seen by Khartoum as allies. Relations between the NIF government and members of the Sudan mediating countries were good, except for Uganda. The ruling parties in both Ethiopia and Eritrea received significant military assistance and political support from the NIF government during the struggle against the Mengistu regime. The government of Meles Zenawi in Ethiopia had signed a series of agreements with the NIF government, including security arrangements. Earlier the two had cooperated militarily to eject SPLA forces from the border area. Similarly, relations with Eritrea and Kenya were good. The SPLM accepted the mediators, although it believed two out of the four were closer to Khartoum, with Kenya seen by both as neutral. The SPLM saw the DOP as constructive and a good framework for negotiation.

In 1994, relations between Eritrea and Sudan began to deteriorate largely due to Sudan’s support for an Eritrean opposition group, the Eritrea Islamic Jihad. Meanwhile, serious opposition to the DOP began to emerge from the NIF government. The most contentious issues were secularism and self-determination, which the Khartoum government refused to concede. In July 1994, the polarization of the two sides intensified after the Khartoum government appointed a hard-line NIF member to its delegation. The Khartoum delegation professed the government’s commitment to Islamic law as part of a religious and moral

obligation to promote Islam in Sudan and throughout the continent, and refused self-determination as a ploy to split the country. In September, President Moi of Kenya convened a meeting of the committee's heads of state, Sudan's President al-Bashir and the leader of SPLA. The Khartoum government walked out of these peace talks, rejecting the DOP.

The military situation intensified with government forces losing ground in 1995 to the SPLA forces. Meanwhile the government began to look for other mediators in an effort to undermine the IGAD peace process. The NIF argued that the mediators were hostile toward Sudan. No further negotiations were held by IGAD until the Khartoum government returned to the peace process, once again embracing the DOP in July 1997. Loss of military ground and intense international pressure forced the government to the negotiating table. The return to the IGAD process was also, in part, in recognition of its failed effort to attract other mediators. Both parties signed a joint communique in September stating that they would accept the IGAD framework for peace negotiations.

Further meetings in 1997-1998 sought to narrow divisions between the two sides. The Khartoum government agreed to negotiate the DOP at the October 1997 meeting, but both sides were bitterly divided. The SPLM/A demanded an end to Islamic law and the establishment of a confederation. The Khartoum delegation appeared willing to compromise on some issues but would only accept a federal system in which power would remain in the capital. The second round of talks scheduled for April 1998 was canceled to allow more time for the parties to resolve their differences. The government, eager to secure a cease-fire agreement, came with positions it had earlier rejected. But the NIF attempt to establish a cease-fire was rejected by both the SPLM and IGAD as insufficient. The third session was held in Nairobi from May 4-6, 1998. With Juba, the regional capital under siege, and increased military pressure in the east along the Eritrea-Sudan border, the NIF accepted for the first time self determination for the south.

At Nairobi, the parties disagreed, however, on which territories were considered part of the south. The Khartoum delegation defined the south as the three provinces of Bahr el Ghazal, Equatoria, and Upper Nile recognized at independence in January, 1956 and outlined in the 1972 Addis Ababa Accords. The SPLM/A argued that Southern Kordofan and Southern Blue Nile and other marginalized areas were part of the south. There were serious disagreements on the issue of self determination for the south. The duration of the interim period a referendum on self determination and issues relating to interim arrangements were shelved by the mediators in part to avoid failure. The question of religion and state remained unresolved. Both parties agreed to facilitate free and unimpeded flow of humanitarian assistance to the areas affected by the famine in south Sudan.

The United States and the European Union touted the Nairobi agreement on self-determination. However, some observers see the agreement on self-determination as a small step in the right direction after years of stalled efforts. The most contentious and difficult issues are yet to be tackled by IGAD mediators, including religion and interim arrangements. Some observers believe that it is too soon to judge if the concession on self-determination represents a change in Khartoum's position or a tactical move to buy more time. A follow-up meeting between the parties took place in Addis Ababa, Ethiopia in early August 1998. The talks collapsed due to differences on the role of religion in politics. The parties also disagreed on the territorial definition of southern Sudan for the purpose of referendum. Talks scheduled for mid-April 1999 were canceled because of the government's decision to allow time to

review a peace proposal offered by a former southern politician. In February 2000, the parties met in Nairobi but failed to make progress. In April, the parties once again met in Nairobi. In early June 2001, President Moi convened the stalled IGAD peace talks in Nairobi. No progress was made, according to a press release issued at the conclusion of the talks.

## **Sudan and Terrorism**

Sudan is considered a rogue state by much of the world community because of its support for international terrorism. The State Department's 2000 Patterns of Global Terrorism report said that Sudan "continued to serve as a central hub for several terrorist groups, including Osama Bin Ladin's al-Qaida organization. The Sudanese Government also condoned Iran's assistance to terrorist and radical Islamist groups operating in and transiting through Sudan." According to the report, "Khartoum served as a meeting place, safehaven, and training hub for members of the Lebanese Hizballah, Egyptian Gama'at al Islamiyya, al-Jihad, the Palestinian Islamic Jihad, HAMAS, and Abu Nidal organization. Sudan's support to these group included the provision of travel documentation, safe passage, and refuge. Most of the groups maintained offices and other forms of representation in the capital, using Sudan as a secure base for organizing terrorist operations and assisting compatriots elsewhere."

The United States placed Sudan on the list of states that sponsor terrorism in August 1993 after an exhaustive interagency review and congressional pressure. In announcing the decision, the Clinton Administration said Sudan "repeatedly provided support for acts of international terrorism and allows the use of its territory for terrorist groups." Both the first Bush and Clinton Administrations had repeatedly warned the NIF government about the activities of groups such as Hamas, Hezbollah, Abu Nidal, and the Palestinian Islamic Jihad. Khartoum does not deny the presence of these groups on its territory but rejects Washington's description of them as terrorist organizations.

Sudan has also been a safe haven for major terrorist figures. A particularly noteworthy example is the Saudi-born financier of extremist groups in the Middle East and elsewhere in the world, Osama bin Laden. He used Sudan as a base of operations until he returned to Afghanistan in mid 1996, where he had previously been a major financier of Arab volunteers in the war against the Soviet occupation of Afghanistan. The GOS claims that it expelled bin Laden from Sudan due to pressures from the Middle East and the United States. In August 1996, the State Department said bin Laden is "one of the most significant financial sponsors of Islamic extremist activities in the world today." According to the Department of State, bin Laden, who was stripped of his Saudi citizenship in 1994, "had begun financing at least three terrorist training camps in northern Sudan by 1994," and his construction company worked "with Sudanese military officials to transport and provision terrorist training in such camps." Bin Laden reportedly moved to Sudan shortly after the 1991 Persian Gulf war and remained there under the protection of the NIF government until mid-1996. On another front, in early August 1999, the United Nations announced that it was investigating allegations that the government of Sudan used chemical or biological weapons in its bombing raids of two southern towns. A spokesperson for the World Food Program said three of its workers fell sick after visiting the two towns.

## Sudan and Oil Development

The government of Sudan earns an estimated \$500 million annually from oil since it began to export in August 1999. Chevron began oil exploration in the mid-1970s and made its first discovery in 1979. Large reserves in the Upper Nile region of southern Sudan were discovered in the 1980s. Chevron interrupted its work several times in the mid- and late 1980s after attacks by the SPLA. In 1990, Chevron halted operations and sold its concessions to Arakis, a Canadian oil company. Arakis was not able to raise the necessary capital for its projects in Sudan, and due to company financial troubles, it was taken over by another Canadian oil company, Talisman Energy. In March 1997, Talisman Energy, Petronas Carigali of Malaysia, PetroChina, a subsidiary of China National Petroleum Company (CNPC), and Sudapet, Sudan's national petroleum company, signed an agreement and created a consortium, the Greater Nile Petroleum Operating Company (GNPOC) for oil production and construction of a 1,000-mile pipeline. PetroChina holds a 40% share, Petronas 30%, Talisman Energy 25%, and Sudapet 5% in GNPOC.

The government of Sudan and the oil companies involved in oil development have come under severe criticism from human rights groups and NGOs. Human rights groups accuse the government of Sudan of a scorched-earth policy. In a March 2001 report, Christian Aid, a British-based NGO, declared that "in the oil fields of Sudan, civilians are being killed and raped, their villages burnt to the ground."<sup>1</sup> The report blames foreign companies for assisting the government of Sudan's war effort by helping "build Sudan's oil industry, offering finance and technological expertise and supplies." According to press reports and the International Monetary Fund (IMF), the government of Sudan has doubled its military budget since it began exporting oil. Some observers believe that because of these new oil revenues, the government may not be interested in negotiating seriously to end the war.

Members of Congress and Sudan advocacy groups have called on the Bush Administration to impose capital market sanctions on companies involved in the oil industry of Sudan. The Sudan Peace Act, passed by the House in October 2000, contained a sense of Congress language for such measures. On April 26, 2001, Representative Payne introduced H.Con.Res. 113 (for more see legislation section). On June 5, 2001, Representative Tom Tancredo introduced H.R. 2052, the Sudan Peace Act. On June 13, 2001, the House amended and passed (422-2) H.R. 2052. H.R. 2052 is similar to H.R. 931, introduced in March by Representative Tancredo. H.R. 2052 condemns the government of Sudan, calls for the appointment of a Special Envoy, and requires foreign companies doing business in Sudan to disclose their activities to the public if they seek access to U.S. capital markets. The amendment, which passed by voice vote, prohibits companies engaged in oil exploration and production related activities in Sudan from "raising capital in the United States." Companies are also prohibited from trading securities "in any capital market in the United States." The Bush Administration opposes the disclosure as well as the capital market sanction provisions of the Sudan Peace Act. (*Washington Post*, August 15, 2001)

Human rights groups and Sudan advocacy groups have launched a concerted campaign to pressure oil companies involved in Sudan. Since late 1999, a divestment campaign has

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<sup>1</sup> *Christian Aid*. "The Scorched Earth: Oil and War in Sudan, March 2001" [<http://www.christian-aid.org.uk>].

been underway targeting Talisman Energy. As of April 2001, several U.S. institutions have divested from Talisman Energy, including the State of New Jersey, the State of California Public Employees Retirement System, the State of Texas Teachers Pension Plan, and the State of Wisconsin (late April 2001).

## **Sudan: Religious Persecution and Slavery**

Of the estimated Sudanese population of more than 32.6 million, Sunni Muslims comprise 70%; animists 25%; and Christians 5%. The NIF government in Khartoum views itself as the protector of Islam in Sudan. Political opponents are viewed as anti-Islam and the civil war in southern Sudan is considered a *jihad*, or Holy War. For the Sudan People's Liberation Army (SPLA), the war is to free southerners from political domination and religious persecution.

The NIF government's practice of 'holy war' is reflected in attacks on civilians in the south and the Nuba Mountains. Some attackers are wooed in part by the fact that during a *jihad* they can keep their booty. The result reportedly has been widespread institutionalized slavery and massive dislocation. Since 1995, an estimated 40,000 slaves have been redeemed by Christian Solidarity International (CSI), according to press accounts and CSI. Captured slaves reportedly are forced to attend Quranic schools, change their names, and sometimes indoctrinated to fight their own people. Through the government plan of "forced acculturation," thousands of children are abducted and forcibly converted to Islam or face harsh beatings and torture. According to human rights groups and the State Department, Islamic NGOs deny food and assistance to non-Muslims who refuse to convert to Islam.

Government policies promote Islam as state religion and make non-Muslims unwelcome. Displaced southerners in squatter camps reportedly are brutally dispersed by the government and forced to resettle in government-run camps. Near Khartoum, some two million squatters have been moved and relocated to desert areas since the late 1980s under a government program to clean the city. Those displaced are barred access to basic health and educational services. Though the government says it respects all religions and the 1994 Societies Registration Act gives churches more freedom, Islam influences all laws and policies. The government of Sudan denies permission to build churches, according to the State Department, and there have been claims of harassment and arrest of citizens because of their religious beliefs and practices. The law prevents the building of new churches or proselytizing by non-Muslims. Missionaries claim to be harassed continually and prevented from doing their work.

According to a State Department report on International Religious Freedom for 2000, "The status of respect for religious freedom has not changed fundamentally in recent years, and, particularly in the south, the Government continues to enforce numerous restrictions. Authorities continued to restrict the activities of Christians, followers of traditional indigenous beliefs, and other non-Muslims." And according to a March 2001 report by the congressionally established U.S. Commission on International Religious Freedom, "The government of Sudan continues to commit egregious human rights abuses—including widespread bombing of civilian and humanitarian targets, abduction and enslavement by government-sponsored militias, manipulation of humanitarian assistance as a weapon of war, and severe restrictions on religious freedom." The Commission recommended that the Bush

Administration strengthen existing sanctions on Sudan and called for capital market sanctions against companies involved in oil development in Sudan. The Commission also called for increased humanitarian funds, appointment of a Special Envoy, and active American engagement in peace efforts.

The United States has repeatedly condemned the Khartoum government and in some cases the SPLA for human rights abuses. But American complaints have had little success in convincing the government to improve human rights conditions. According to the February 2001 Country Reports on Human Rights of the State Department, “the government’s human rights record remained extremely poor, and although there were some improvements in a few areas, it continued to commit numerous, serious abuses. Citizens do not have the ability to change their government peacefully.” According to the same report, “security forces beat refugees, reportedly raped women abducted during raids, and reportedly on occasion harassed and detained persons on the basis of their religion.” Abductees were sold into slavery, according to the State Department. For its part, the government has consistently denied any participation or sanction of slavery or other human rights violations in Sudan. The government admits, however, that pro-government militias are engaged in abduction, but rejects the existence of slavery. The government has been working with the United Nations Children’s Fund (UNICEF) in a family reunification program since early 2000. In mid 2000, the Sudanese Justice Minister told then U.S. Special Envoy, Harry Johnston, that the government had reunited several hundred families.

Aerial bombardment of civilian targets has emerged as one of the most serious human rights issues in U.S.-Sudanese relations. In 2000, the government of Sudan bombed civilian targets 167 times, and 20 times thus far in 2001, according to the U.S. Committee for Refugees (USCR), a Washington-based NGO. In November 2000, the government dropped several bombs at a market in Yei, killing an estimated 18 people and wounding dozens. The State Department has condemned the government of Sudan on a number of occasions, but to no avail. The government claims that it is targeting the military bases of the SPLA and that the SPLA deliberately surrounds its bases with civilians. But human rights groups and non-governmental organizations (NGOs) working in Sudan argue that the government is destroying hospitals, schools, and feeding centers. In a September 2000 press release, the State Department stated that “The United States condemns all Government of Sudan attacks against civilian targets. These attacks have no military purpose. The targeting of relief planes endangers the international humanitarian relief effort and increases the risk of starvation for tens of thousands of Sudanese noncombatants. The United States urges the Government of Sudan to immediately halt these bombings and cease any activities which interfere with relief operations in Sudan.”

## **The United States and Sudan**

Relations between the United States and Sudan continue to deteriorate because of Khartoum’s human rights violations, its war policy in the south, and its support for international terrorism. In 1967, Sudan broke diplomatic relations with the United States because of American support for Israel in the Arab-Israel war. Relations were restored after several months. In 1973, the U.S. Ambassador and the Deputy Chief of Mission were assassinated in Khartoum by members of the Black September group, who were tried and sentenced to life imprisonment in Sudan. Relations were further strained when Sudanese

President Nimeri commuted the sentences of the assassins. In response, Washington recalled its new ambassador. In the mid-1970s, in the face of Soviet expansion in the Horn of Africa and the fall of Ethiopia into the Soviet sphere of influence, relations with the Nimeri regime began to improve. Nimeri's support during Operation Moses, in which an estimated 7,000 Ethiopian Jews were airlifted to Israel through Sudan, further strengthened U.S.-Sudanese relations, but later contributed to the ouster of Nimeri from power. Relations became strained once again when the democratically elected government of Sadiq el-Mahdi was ousted in a military coup in 1989. Since the military takeover, human rights abuses by the military junta have become a major source of tension between the two countries. The war in the south has also been a thorny issue in U.S.-Sudanese relations.

Another issue in U.S.-Sudanese relations is Sudan's role in support of international terrorism. Some Members of Congress have been instrumental in pushing a tougher Sudan policy and played a key role in the decision to put Sudan on the list of states that sponsor terrorism and to appoint a special envoy for Sudan. The State Department rejected congressional calls for a special envoy in December 1993. The Department argued that a U.S. special envoy would undermine regional and former President Carter's peace efforts. In a December 6, 1993 letter to Members of Congress, the Administration said the appointment of a special envoy "would send the erroneous impression that the U.S. is becoming directly involved, since Khartoum has made it clear that it rejects a role by the U.S. in the peace process." However, persistent pressure by some Members of Congress led to a reversal of State's position in early 1994, at the insistence of the National Security Council (NSC) at the White House. The Clinton Administration appointed former Representative Harry Johnston in late 1999. The Bush Administration is expected to name a new envoy.

## **The Bush Administration and Current Policy Debate**

In late 2000, Washington defeated efforts to lift United Nations sanctions on Sudan and prevented Sudan from becoming Africa's representative in the United Nations Security Council. Senior U.S. officials met with Sudanese government officials in 2000 to inform Sudanese officials what it would take to improve relations. U.S. security officials also spent several months in Khartoum talking with Sudanese security officials on terrorism. President Bush has mentioned Sudan twice in his speeches in the last 2 months, condemning human rights violations by the Bashir government. In early March 2001, Secretary of State Colin Powell told members of the House International Relations Committee that Sudan is a priority to him and the Administration.

Advocates of a tough U.S. policy towards the NIF government seem prominent in the policy debate and appear to have the sympathy of senior Administration officials and Members of Congress from both parties. In recent months, senior congressional leaders joined Sudan advocates in condemning the government of Sudan. At a recent press conference on Capitol Hill, Majority Leader Richard Armey (R-TX), Representative Charles Rangel (D-NY), and the NAACP announced the formation of a bipartisan Sudan Caucus. Advocates of a tough Sudan policy favor additional sanctions, appointment of a high-profile Special Envoy, and active U.S. engagement in peace efforts. They oppose the staffing of the U.S. embassy in Sudan and some favor support for opposition forces. These advocates would like the United States government to take specific measures to address slavery and aerial bombardment of civilian targets. Some who favor a policy of engagement argue that the

policy of containment and isolation has failed to produce tangible results and that the United States itself is now isolated.

A recent report by the Center for Strategic and International Studies (CSIS) argues that the United States should focus on ending the war and engage the government of Sudan in dialogue.<sup>2</sup> The report argues that “in the past 2 years, Sudan’s rising oil production has shifted the balance of military power in the government’s favor at the same time that significant internal rifts have surfaced in Khartoum.” The report contends that “in this fluid context, the United States possesses significant leverage. Among the major powers, it is the lone holdout in renewing a dialogue with Khartoum.” The authors of the report support the full staffing of the U.S. embassy, a U.S.-supported peace process, and a “One Sudan, Two Systems” formula to preserve the unity of the country. The CSIS report drew fire from Sudan activists and has triggered a sharp debate on U.S. policy toward Sudan.

## The Clinton Administration and Sudan

U.S. policy toward Sudan as articulated by President Clinton in a 1996 letter to President Isaias of Eritrea supports regional efforts and seeks to isolate the NIF regime for its “wanton” disregard for human rights, devastating war policy in the south and support for international terrorism. That policy continues to enjoy strong bi-partisan support in Congress and in the Horn of Africa region. U.S. policy seems to have pressured the NIF regime to make some token reforms in late 2000. Although Washington did not call for the forceful removal of the NIF regime, its support to the “frontline states” (Ethiopia, Eritrea, and Uganda) was seen as supporting the removal of the NIF regime.

In May 1996, then U.S. Ambassador to the United Nations, Madeleine Albright, reportedly called Sudan “a viper’s nest of terrorism.” The United States closed its embassy in Khartoum in February 1996 and moved the remaining embassy personnel to Nairobi because of security concerns. Moreover, the U.S. government has imposed a series of sanctions on the NIF regime over the years. Washington suspended its assistance program after the NIF-led coup in 1989, placed Sudan on the list of states that sponsor terrorism in August 1993, and supported United Nations Security Council sanctions on Sudan. The Clinton Administration expelled one Sudanese embassy official, who had been based in New York, for suspected links to an alleged plot to bomb the United Nations. (Goshko, John. “Sudanese Envoy at U.N. Ordered to Leave U.S.” *Washington Post*, April 11, 1996. A17.) Another Sudanese diplomat, who was a suspect in the plot, left for Sudan.

On November 22, 1996, President Clinton announced the Administration’s decision to ban senior Sudanese government officials from entering the United States as called for in Security Council Resolution 1054. The Administration actively supported allies in the region affected by an NIF-sponsored destabilization campaign. The United States has provided an estimated \$20 million in surplus U.S. military equipment to Uganda, Eritrea, and Ethiopia. The non-lethal military assistance such as uniforms and communications equipment to the “frontline states” was intended to support them in fending off NIF’s campaign of destabilization. Observers interpret U.S. support to these countries as a measure to contain, punish, and facilitate the downfall of the fundamentalist government in Khartoum.

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<sup>2</sup> *U.S. Policy to End Sudan’s War*. Report of the CSIS Task Force on U.S.-Sudan Policy, Feb. 2001.

In November 1997, the Clinton Administration imposed comprehensive sanctions on the NIF government after an exhaustive policy review. The sanctions restrict imports or exports from Sudan, financial transactions, and prohibit investments. In making his case for the sanctions, President Clinton stated that “the policies and actions of the government of Sudan, including continued support for international terrorism; ongoing efforts to destabilize neighboring governments; the prevalence of human rights violations, including slavery and the denial of religious freedom, constitute extraordinary threat to the national security and foreign policy of the United States.” (Text of the executive order can be found at the U.S. Department of the Treasury’s Office of Foreign Assets Control Web site at [<http://www.ustreas.gov/ofac/legal/sudan.html>].)

## Selected 106th Congress Legislation

**P.L. 106-113, H.R. 3422/H.R. 3194. *Brownback Amendment*:** the amendment provides the President the authority to provide food aid to “groups engaged in the protection of civilian populations from attacks by regular government of Sudan forces.” H.R. 3422 was incorporated into an consolidated appropriations bill, H.R. 3194; it was enacted by cross-reference when H.R. 3194 was signed into law November 29, 1999.

**P.L. 106-570/S. 2943 (Helms).** A provision in the bill provides the executive branch additional authorities to use ESF funds for programs in opposition-held areas of southern Sudan. The provision also provides exemption for exports in opposition-held areas, notwithstanding the 1997 executive order. Signed into law December 27, 2000.

**H.Con.Res. 75 (Payne).** Condemns the National Islamic Front government for its genocidal war in southern Sudan, support for terrorism, and continued human rights violations, and for other purposes. Introduced March 24, 1999, passed the House on June 15, 1999.

**H.R. 2906 (Watts).** Calls for a comprehensive peace solution to the war in Sudan and codifies existing sanctions. Introduced September 21, 1999.

**S. 1453 (Frist).** Calls for a comprehensive peace solution to the war in Sudan and codifies existing sanctions. Introduced July 28, 1999. Passed Senate November 19, 1999. Passed House October 24, 2000.

## LEGISLATION

**H.Con.Res. 112 (Payne)**

Calls for an end to slavery in Sudan. Introduced April 26, 2001.

**H.Con.Res. 113 (Payne)**

Condemns the government of Sudan and urges the Administration to deny foreign companies doing business in Sudan U.S. capital market access. Introduced April 26, 2001.

**H.R. 931 (Tancredo)**

Calls for a comprehensive peace solution to the war in Sudan. Introduced March 7, 2001.

**H.R. 2052 (Tancredo)**

Calls for a comprehensive peace in Sudan, condemns the government of Sudan, requires foreign companies doing business in Sudan to disclose their activities to the SEC if these companies are seeking access to U.S. capital market, and prohibits companies engaged in the oil and gas sector in Sudan from raising capital and trading securities in any capital market in the United States. Introduced June 5, 2001; referred to Committee on International Relations. Passed House, amended (422-2), June 13, 2001. (Similar to H.R. 931, introduced in March by Representative Tancredo.)

**S. 180 (Frist)**

Calls for a comprehensive peace in Sudan and condemns the government of Sudan for human rights abuses. Introduced January 25, 2001. Passed Senate July 19, 2001, by unanimous consent