



United States Institute of Peace

**The Questionable Case for Easing Sudan
Sanctions**

**Testimony before the House Foreign Affairs
Subcommittee on Africa, Global Health, Global Human
Rights, and International Organizations**

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Chairman Smith, Ranking Member Bass, and members of the Subcommittee, thank you for holding this hearing on Sudan. This Subcommittee has consistently followed and helped shape U.S. policy on Sudan and South Sudan over many years. I am pleased to have been asked to testify today. The views I express are my own and not those of the U.S. Institute of Peace, where I am a Senior Advisor.

Nothing is easy when it comes to U.S. policy toward Sudan. On the one hand, we are dealing with a government which has committed major human rights violations, restricts free speech and assembly, and has resisted the kind of democratic reform that would bring peace and prosperity to the country as a whole. Sudan remains, indeed has been since its independence in 1956, a country in which power and wealth are concentrated among groups at the center with the outlying regions kept at bay by being marginalized, coopted, or fought against, or sometimes all three.

And yet, at the same time, Sudan is a major country in the region, not just of the Horn, but in northern Africa and the Sahel. It is a major player in the crisis in South Sudan. And as much as the U.S. has sanctioned the government and its leaders, and as much as rebels have fought to overthrow this government, the current government is not collapsing and the future of Sudan is very much in its hands. I would argue that simple collapse or forceful overthrow of the government would not achieve U.S. fundamental objectives; almost surely not produce the peace, democracy, or prosperity that the people deserve.

So how do we reconcile these factors, i.e., that the government is objectionable in so many of its ways, and that it is nevertheless an important player in a region of great importance to us?

The fundamental problem in Sudan is that those in power, especially those focused most of all on the security of the regime, are wedded to the traditional form of governance I described earlier. The risks of change to them appear too great. The challenge is for the government to realize that there are pathways to peace, inclusiveness, democracy, and respect for human rights, that are not a zero-sum game, i.e. not one in which the current government's constituents lose and others alone gain. Other autocratic governments have found those paths and have undergone transformations successfully. South Korea, Spain, Indonesia, South Africa are just some examples. Only by undertaking those paths of change can Sudan escape from its current condition of endless internal wars and limited development.

What is the way the U.S. can have the most effective impact to help bring about change in Sudan?

One of the advantages is that the government of Sudan is deeply concerned with its relationship with the U.S. This is primarily the result of the U.S sanctions that constrict its economy, isolate it politically, and limit its options. But sanctions are only useful if they help bring about change. After decades of sanctions, they have not ended government autocracy, settled the war in Darfur, resolved the conflict in the Two Areas, or security cooperation. Some would argue that more sanctions will bring this government to basic transformation. But while sanctions can help move

governments to policy changes, even major ones like Sudan giving independence to South Sudan, autocratic governments do not commit political suicide because of sanctions.

Furthermore, sanctions give us leverage, but not if they are static. U.S. policy should be focused on ways to bring about commitment in the government and its supporters as well as the opposition to undertake the transformation needed. This requires serious in-depth dialogue. Sanctions give us leverage in such a dialogue, but only if sanctions are on the table.

That brings us to the focus of this hearing: the Obama administration's initiative to lift some Sudan sanctions against some important but still quite limited benchmarks.

The U.S. has not had a constructive dialogue with the Government of Sudan since 2013 when it engaged in the final stages of resolving the issues between Sudan and South Sudan. The Government of Sudan was largely impervious to one. This latest initiative, based on patient, hard work by the U.S., has reopened the dialogue. It is wisely not based on a full roadmap to normalized relations. Past experience shows us that too many intervening events and still wide differences undermine that kind of roadmap with Sudan. Instead, we have a limited set of benchmarks and a still limited lifting of sanctions. It is an opening, not more, not less.

The benchmarks are indeed limited. I will not comment on the intelligence track. The regional commitment against the Lord's Resistance Army seems to be fading on its own, unfortunately, with both the U.S. and Uganda pulling back. On South Sudan, the Government has restricted support to the opposition, but the peace process in South Sudan is much more complex than that. The U.S. will need a more intensive international effort to make progress there.

The most controversial benchmarks are those for humanitarian access and a cease-fire. The benchmark for humanitarian access is surely but a small beginning to true access. We will need to see from the humanitarian organizations if the changes being taken produce results. The cease-fire is holding overall but not without violations in a volatile atmosphere. That brings me to an important factor that critics of this initiative tend to avoid. Both greater progress on humanitarian access and progress toward a real peace process in both Darfur and the Two Areas depend not only on the government but also on the armed opposition. Right now, the armed opposition is divided and in Darfur it is in disarray.

About Darfur, the Justice and Equality Movement (JEM) engaged itself in the civil war in South Sudan and was badly mauled. The Sudanese Liberation Army (SLA)/Minnie Minnawi is now engaged more in Libya than in Darfur. A sign of their general weakness on the ground is that all three Darfurian opposition leaders once again reside in Paris. The Sudan Revolutionary Front (SRF) – an alliance of the Sudan People's Liberation Movement (SPLM)-N and the Darfurian opposition has largely fallen apart. There are splits now within the SPLM-N which itself has been unable to resist becoming involved in the South Sudan civil war.

In this atmosphere, the SPLM-N has been as obstructive of an agreement on humanitarian access to the Two Areas as the Government of Sudan. One of its conditions is that some of the aid must come from outside Sudan, i.e. through Ethiopia. It is hard to see this as more important than

getting badly needed humanitarian aid to a population that has been fighting for six years without regular access to the outside world. I suspect that this issue is more a mirage, that the leadership of the SPLM-N is not comfortable yet in participating in the kind of dialogues and political process being offered in the roadmap for change being propounded by the Africa Union High Level Panel on Implementation (AUHIP), headed by Thabo Mbeki. This is where much work needs to be done with the SPLM-N as well as with the Government of Sudan.

None of this is to excuse the Government of Sudan. Its military assaults account for much of the weaknesses of the Darfurian opposition groups. And it could easily agree to some aid coming from Ethiopia to break that deadlock. But the point is that using sanctions against the Government of Sudan to resolve these complex conflicts will not be sufficient without regard to the role of the opposition.

As for the sanctions, which have been suspended and which could be ended in July, they are less than it seems. Yes, they will open up trade and spark interest in investments. But with all the other sanctions in place, and continuing Sudan's status on the list of states sponsoring terrorism, it is doubtful that much long-term investment will take place. Financial institutions will remain wary, and investors will need more long term assurances. Debt relief is not on the table either.

In sum, this is an opening to a serious dialogue, a means to promoting serious political reform in Sudan. It is a small but important opening. Leveraging sanctions has helped open that door, with relatively little cost. The key question to be asked is where it might lead. That takes us to what happens after July, especially if the five benchmarks are met.

Next Steps

One of the principal criticisms of this initiative is that it leaves out any requirements by the Government of Sudan for free speech and assembly, a free press, release of political prisoners, and other steps that would allow for true political debate and broad-based participation. These must be part of the next phase of dialogue and any further lifting of sanctions. These are the issues that pose the greatest test for the Sudanese leadership about whether it is prepared to embark on significant transformation of the political system. There is no consensus within the Sudanese leadership on this matter. So, there will need to be intense debate, discussion, and resolve to move forward. The U.S. can be an important part of this process. Sanctions give the U.S. entrée and leverage. But they have to be used strategically not bluntly. Work on this next phase should be going on now, within the U.S. government and with the Government of Sudan.

Second, there must be serious dialogue with the armed opposition. Its disarray, internal disputes, and hard lines are not serving the situation well. The U.S. can play an important role here too, balancing its dialogue with the Government of Sudan with its work with the opposition. Advocacy groups who are in regular contact with these groups should not be shy to confront them about their weaknesses and perhaps misdirected policies.

Finally, there is something Congress can do to help make the trade openings taking place beneficial to the people of Sudan, not just to the elite. Currently USAID is under restrictions on

development work outside conflict and border areas. USAID should be given authority to work more broadly in the fields of agriculture, health, and education to steer the opening of imports in these sectors to those most in need. Through its own programs, public-private partnerships, support of Sudanese NGOs, and other means, USAID could get nutrition, health and education out beyond the center. This is another way to leverage our sanctions, when lifting them, to take complementary steps to open the economic as well as political system.

In conclusion, the initiative under way with Sudan is an opening to a more serious and intensive dialogue with the Government of Sudan about peace, democracy, and development. It is not the U.S. job alone, for it is central to the mandate of the AUHIP, and most important essential to the people of Sudan. But sanctions give the U.S. leverage. The U.S. needs to use them strategically. And we need to recognize that U.S. objectives, the conditions for lifting them, relate to fundamental political and security factors that have long operated in Sudan. The U.S. needs to embark on an engagement in Sudan that is conscious of the dimensions of change it is seeking and the challenges they present to the parties in Sudan. It will of necessity be a step by step process. But engagement is the only way to move the process forward. This recent initiative is one small but important step in that direction.

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