



A New Roadmap to Make U.S. Sudan Sanctions Relief Work

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I. Overview

By 12 October, the U.S. will decide whether to permanently lift economic and trade sanctions it suspended since January 2017. As Crisis Group argued in its June 2017 briefing, [Time to Repeal U.S. Sanctions on Sudan?](#), the administration faces a hard choice, but on balance lifting those sanctions remains the wiser course. Many disagree, raising concerns about any move that might appear to rehabilitate President Omar al-Bashir or suggest an easing of pressure on Khartoum to improve its human rights record. But the benefits to conflict prevention and humanitarian access attributable to Sudanese performance under the so-called “five-track plan” represent a tangible, if modest, step in the right direction. They are too important to let slip away by returning to an outdated sanctions regime. If it were to decline to lift sanctions now, the U.S. risks losing considerable future leverage with Sudan and reinforcing Khartoum’s deep-seated belief that Washington cannot be relied upon to honour its commitments.

Should the administration decide to lift the sanctions, however, such a decision ought to be viewed not as the end of a conversation about the future of U.S.-Sudan relations, but rather as its beginning. Washington should use the remaining sanctions to encourage further positive steps, both on areas covered by the existing roadmap for improved relations and on new ones, including notably political reform and human rights. In other words, the usefulness of a repeal decision only can be fully realised (and its risks appropriately managed) if the U.S. follows up with an approach aimed at pressing Sudan for more progress. This in turn will require empowering a senior U.S. official of appropriate stature and background who will be responsible for the next phase of this effort.

II. Lifting Some U.S. Sanctions, Leaving Others in Place

In January 2017, the U.S. announced that it would suspend certain specified sanctions against Sudan based on positive actions that President Bashir’s government had taken over the preceding months, and would repeal them permanently if progress were sustained over the subsequent six months. This decision marked the culmination of a policy of cautious engagement since 2015, after decades of hostile relations.

Washington defined criteria for lifting sanctions along five tracks: Sudan's cooperation on counter-terrorism; addressing the threat from the Lord's Resistance Army (LRA); ending hostilities in the "Two Areas" (South Kordofan and Blue Nile) and Darfur; improving humanitarian access to those areas; and ending negative interference in South Sudan. Last June, Crisis Group argued that although Khartoum's progress on some of these was at best partial, it had done enough to warrant the permanent lifting of suspended sanctions. It also argued that failure to lift the sanctions risked undercutting those in Khartoum pushing for reform along the lines of U.S. demands and playing into the hands of hardliners.

The U.S. administration instead opted last July to delay its decision for three months. Although angered by the decision, Sudanese officials – pressed by their Gulf allies, Saudi Arabia in particular – stuck to the process, encouraged by belief that the delay at least in part reflected the U.S. administration's Africa team was not fully in place and by hope that this delay would be the last. Officials in Bashir's government who say they counselled patience in Khartoum claimed to Crisis Group that they faced an uphill battle but their arguments ultimately carried the day.

The reasons Crisis Group cited in favour of lifting the sanctions are still valid today. Measured engagement, with positive rewards held out in return for improved behaviour, is in our view more likely to induce positive change from Khartoum than continued attempts to isolate the regime. The geopolitical winds that have shifted over the past few years in Bashir's favour and allowed him to shore up support from new allies, particularly in the Gulf, make this all the more true.

Perhaps of central importance, lifting sanctions would not leave the U.S. bereft of powerful political and economic tools to continue to press for change. In fact, one could argue the opposite is true: the administration, by showing it is prepared to reward better behaviour, could gain additional leverage from those sanctions that still are in place. Those are far from insignificant: these include the U.S. designation of Sudan as a state sponsor of terrorism, as it requires Washington to veto international debt relief that Khartoum is particularly keen on securing. At the same time, the U.S. should signal that if Khartoum backslides in its behaviour, Washington would aim for a new series of targeted sanctions against key figures.

The U.S. administration raised another issue during this round, namely Sudan's alleged military dealings with the North Korean regime. From a U.S. perspective the crisis with Pyongyang clearly overrides any interest it might have with Sudan and thus felt justified in adding this requirement. Senior Sudanese officials told Crisis Group that they immediately complied with the U.S. request. Assuming the claim is accurate, Khartoum's compliance with this late breaking request will only fuel its sense of grievance should the U.S. government choose not to lift sanctions.

III. The Next Phase of U.S.-Sudan Engagement

Lifting sanctions should not, however, be the end of the conversation. Rather, it should usher in a new phase of engagement with Khartoum aimed at using U.S. influence and that of other foreign powers – notably, the UK, Norway, the Gulf monarchies and China – to nudge Bashir's government toward further positive steps. This means coupling the lifting of sanctions with a discussion of the next phase

of the roadmap: further normalisation of relations, including potentially returning a permanent ambassador to Khartoum, lifting the terrorism designation and enabling debt relief, in return for concrete Sudanese measures.

The U.S. should concentrate now on areas where the Sudanese government has made partial progress but could do much more, namely continuation of the ceasefire in the Two Areas, improved humanitarian access there and in Darfur, and playing a more constructive role in South Sudan. Importantly, a new phase of engagement should include improvement of Sudan's dismal human rights record and ultimately the dismantling of militia groups in Darfur, responsible for much insecurity and violence against civilians in the region. For example, the recent killings of at least five people in the Internally Displaced People camp in Kalma, South Darfur, during clashes between security forces and camp residents, should be investigated.

A. War in the Two Areas

A first set of additional steps upon which the U.S. could insist relates to conflicts in South Kordofan and Blue Nile states, where Khartoum has been fighting the rebel Sudan Peoples' Liberation Movement-North (SPLM-N) since 2011. For now prospects of a breakthrough in talks between the sides, currently suspended, are gloomy. The SPLM-N is in the midst of a bitter leadership fight, lacks significant external support and thus has little military clout. Khartoum is reluctant to offer concessions to a group it believes to be on its last legs.

Still, Sudan could and should take immediate steps to improve the situation, including, first, maintaining its current ceasefire beyond the latest end-date in October; and, secondly, that it cooperates fully with talks on humanitarian access to rebel-controlled areas. Both these measures would diminish the suffering of people in conflict-affected areas and de-intensify conflict dynamics. The first step would be to reconvene a new round of the African Union-mediated peace talks to ensure both sides remain in dialogue.

B. Darfur

With rebel groups weakened and driven almost entirely out of the country, the government has been less concerned about the presence of aid organisations, and the possible diversion of assistance, and thus more open to humanitarian access. Relief workers report better, although not complete, access to Darfur's Jebel Marra region, now mostly held by government forces. They note, too, improvements in their interactions with the government's Humanitarian Aid Commission (HAC), particularly with respect to travel notifications in non-conflict areas (generally granted within one day), visas and technical agreements (more readily approved).

That said, improvements are far from comprehensive. African Union-UN Mission in Darfur (UNAMID) personnel still face visa delays and officials continue to obstruct the entry of supplies into the country. Addressing such issues could be part of the package of additional demands the U.S. and others make of Khartoum. The Sudanese government also should cooperate with UNAMID in establishing a new temporary operating base in the Jebel Marra (this reportedly was recently approved by Khartoum),

which would provide greater security for humanitarian relief efforts while the mission begins its draw-down in other areas.

C. *South Sudan*

Khartoum largely has refrained from destabilising South Sudan via proxies, though the recent, if limited, uptick in cross-border activity could test U.S. resolve. Crisis Group remains concerned that Sudan could exploit its links with Riek Machar, leader of the Sudan Peoples' Liberation Movement/Army-In Opposition (SPLM/A-IO). Machar currently is in exile in South Africa and Khartoum should not take any steps that would allow him to undermine any efforts by a new SPLM/A-IO leadership to seek a political settlement with Juba, or to establish a political movement that would seek to challenge the ruling Sudan Peoples' Liberation Movement (SPLM). Sudan could be tempted to do this to pressure Juba to stop hosting Sudanese armed groups, make concessions on disputed border territories and maintain the deal on transit fees (an important source of hard currency) for South Sudanese oil exported through a pipeline to Port Sudan. Continuation of Khartoum's relative restraint in South Sudan is a priority; it should be measured not only by the absence of arms and ammunition supplied to South Sudanese rebels but also in its willingness to renegotiate revenue sharing with the south.

For its part, Juba should be pressed to make good on its commitment to cease to host and give safe haven to Sudanese rebel groups, some of which have fought for it and contributed to conflict and insecurity in South Sudan. The expulsion of Darfuri SLM-MM units from South Sudan in May 2017, which precipitated an unwelcome, if short-lived round of fighting in Darfur, showed Juba beginning to uphold its side of the deal. It now must fulfil similar commitments regarding the Darfuri Justice and Equality Movement (JEM), which without a safe haven outside Darfur is more likely to engage in the peace process. Juba also should continue to limit its support to and involvement with the SPLM-N. Without significant external supply of arms, ammunition and fuel, the group likely will be unable to increase the conflict's intensity; this in turn will lessen the risk that Khartoum channel arms and ammunition to South Sudanese rebel groups.

IV. **Conclusion**

The unease many in Washington feel about appearing to reward Khartoum is well founded. President Bashir's government is guilty of political repression and extreme violence in the country's neglected peripheries. The small positive steps it has taken are still a far cry from those needed to improve its governance and end its wars.

Any lifting of U.S. sanctions currently suspended should not be presented as an implicit stamp of approval for President Bashir or mark Khartoum's diplomatic rehabilitation in Washington. Rather, it should be seen as a first step along what will continue to be a long and difficult road. It reflects belief that cautious, time-bound demands, tagged to proportionate incentives, can achieve more than the continuation of the outdated sanctions regime.

Lifting sanctions should mark the beginning of a new phase of U.S. engagement, focused on nudging Khartoum – as well as Sudanese rebel groups and Juba – toward measures that are both within reach and would do much to improve the lives of Sudanese and South Sudanese people. This will require the U.S. administration to follow up vigorously, empower officials charged with carrying out this effort and signal to Khartoum both that real progress will lead to normalised relations and, conversely, that Sudan’s backtracking will trigger the imposition of targeted sanctions focused on Sudan’s leaders, not its people.

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Appendix A: Map of Sudan



Appendix B: About the International Crisis Group

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Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries or regions at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international, regional and national decision-takers. Crisis Group also publishes CrisisWatch, a monthly early warning bulletin, providing a succinct regular update on the state of play in up to 70 situations of conflict or potential conflict around the world.

Crisis Group's reports are distributed widely by email and made available simultaneously on its website, www.crisisgroup.org. Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board of Trustees – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policymakers around the world. Crisis Group is chaired by former UN Deputy Secretary-General and Administrator of the United Nations Development Programme (UNDP), Lord Mark Malloch-Brown. Its Vice Chair is Ayo Obe, a Legal Practitioner, Columnist and TV Presenter in Nigeria.

Crisis Group's President & CEO, Jean-Marie Guéhenno, served as the UN Under-Secretary-General for Peacekeeping Operations from 2000-2008, and in 2012, as Deputy Joint Special Envoy of the United Nations and the League of Arab States on Syria. He left his post as Deputy Joint Special Envoy to chair the commission that prepared the white paper on French defence and national security in 2013.

Crisis Group's international headquarters is in Brussels, and the organisation has offices in ten other locations: Bishkek, Bogota, Dakar, Kabul, Islamabad, Istanbul, Nairobi, London, New York, and Washington, DC. It has presences in the following locations: Abuja, Algiers, Bangkok, Beirut, Caracas, Gaza City, Guatemala City, Hong Kong, Jerusalem, Johannesburg, Juba, Mexico City, New Delhi, Rabat, Sanaa, Tblisi, Toronto, Tripoli, Tunis, and Yangon.

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