



# With Friends Like These...

**Strong Benchmarks for Next Phase  
of U.S.-Sudan Relations**

By Dr. Suliman Baldo  
February 2018

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## Strong Benchmarks for Next Phase of U.S.-Sudan Relations

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### Executive Summary

The U.S. government's October 2017 lifting of its comprehensive economic and financial sanctions on Sudan has created the impression that the Sudanese regime of President Omar al-Bashir is evolving into a reliable partner and no longer poses a threat to the national security and foreign policy interests of the United States. This impression is deeply misguided. New circumstances have emerged in Sudan that make U.S. efforts at full normalization dramatically ill-timed. This report attempts to explain those dynamics. If the United States persists in laying out a path to normalization despite the poor timing, below are a series of incentives, pressures, and benchmarks that could potentially contribute to a more constructive process.

Through forthcoming talks with the United States, the Sudanese regime seeks its removal from the U.S. State Sponsors of Terrorism list,<sup>1</sup> one of the last remaining forms of U.S. sanctions on Sudan. This is significant because it would allow Sudan to seek debt relief at a time when its economy is imploding. Yet, as the Sudan government continues its inconsistent charm offensive aimed at U.S. policymakers, serious concerns linger about Sudan's true commitment to the fight against international terrorism, its disruptive and erratic foreign policy that includes recent overtures to and military agreements with Russia, its continued role as a regional destabilizer, and its ongoing repression of its people and persecution of minority religious groups, including Christians.

As the planning for the next phase of bilateral talks progresses, Sudan has entered a new moment where its spiraling economic crisis, brought about by decades of grand corruption and inept economic policymaking, has come to a head. To accelerate normalization while there is rising evidence that the crumbling economy and increasing government repression are seriously deepening internal fissures within the regime would be severely ill-timed. The regime will need to undertake fundamental reforms to save the country from the consequences of its own kleptocracy. Failure to do so will condemn Sudan to state failure and trigger further regional turmoil and destabilization.

1 [The Enough Project • enoughproject.org](https://enoughproject.org)

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Furthermore, Sudan's government is taking other extremely troubling policy directions that should give further pause to U.S. policymakers engaged in the process meant to further normalize the relationship. These include the following:

- Khartoum maintains warm relationships domestically with groups that advocate violence and have destructive, intolerant, extremist religious ideologies. Such relations put U.S. persons and interests in Sudan, and globally, at great risk as some recent incidents documented below make abundantly clear.
- Over the past year, the Sudan government has continued to repress Christians and moderate Muslims including through the repeated detentions of priests and churchgoers and the demolition of churches, the most recent a 64-member evangelical church in Khartoum.<sup>2</sup> The government also singled out for harassment and detention rights activists who stood up for the freedom of religion.
- The movement of weapons, ammunition, and armed criminal actors from Sudan across the Sahel threatens regional security in Chad and the Central African Republic.
- The Sudanese regime reported it made offers in late 2017 to both Russia and Turkey of military alliances and services in the form of naval bases on its Red Sea coast risking further destabilization of the Middle East and Horn of Africa as well as alienating Gulf countries allied with Egypt. These offers, and subsequent Russian military sales, reveal the hostility and distrust that President al-Bashir has for the United States at a time when his regime is engaged in an attempt to remove itself from the U.S. State Sponsors of Terrorism list.

At this writing, different offices within the Trump administration are preparing elements to include in the roadmap that they will eventually present to Government of Sudan officials outlining the commitments and benchmarks they expect the regime to make and implement to prove its eligibility for the lifting of remaining sanctions and removal from the terrorism list. As they reconcile their demands for the regime, these U.S. policymakers should fully take into consideration that this is the same regime that has designed and executed what two previous U.S. administrations have called "genocide" against the people of Darfur, and the same regime that has bombed and starved populations for years in Blue Nile and South Kordofan states. These depredations continue, though they have lessened as the strategy to kill and displace the populations where opposition exists has led to a decisive military advantage for the government and much less resistance by fragmented rebel factions. Addressing Sudan's designation as a state sponsor of terror would therefore have to also address the multifaceted domestic terrorism of the regime and seek to encourage permanent solutions to Sudan's many internal wars.

Regarding the five-track process that culminated with the permanent lifting of comprehensive economic sanctions in October 2017<sup>3</sup>:

- The regime continues to wage war against minority communities in its conflict areas of South Kordofan, Blue Nile, and Darfur states. Both parties' current, unilateral cessation of hostilities declarations encouraged by the five-track policy could give way to the resumption of hostilities particularly if the regime felt unhampered by international scrutiny.
- The granting of humanitarian access to the former "Two Areas" has yet to happen, obstructed most recently by the failure of the government and the new leadership of the Sudan People's

Liberation Movement-North (SPLM-N) in early February talks in Addis Ababa mediated by the African Union High-Level Implementation Panel for Sudan (AUHIP) to agree on the details of a humanitarian cessation of hostilities in isolation from their respective political demands.

- Further, the regime continues to display ambiguous ideological stances that dent its credibility as a partner in counterterrorism as evidenced by its ties to religious extremists.

### Create and Maintain Leverage Against the Regime

U.S. policymakers presently charting the course of U.S. engagement with Sudan for the next phase of the normalization process should maintain levers of pressure on Khartoum, employing a combination of incentives and financial pressures. As they consider potential incentives for the regime—possibly including normalized bilateral relations, removal from the terror list and support for Sudan’s debt relief, increased trade promotion activities, and appointment of a full U.S. ambassador—U.S. officials must hold Sudan to account for egregious rights violations, serious security threats, grand corruption, disastrous economic mismanagement, and risks to regional stability.

Such pressures should include actions that can be taken in the short term and not only deliver clear messages to Khartoum, but also have demonstrable impact on the networks tied to the Bashir regime. These actions should seek to warn U.S. and other businesses that may be considering entering the Sudanese market following the removal of sanctions that this may not be advisable in the current environment without extensive due diligence.

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To this end, the Trump administration, with the backing of the U.S. Congress, should:

1. Issue sanctions designations of Sudanese spoilers, particularly officials responsible for serious human rights abuses and corruption, pursuant to Executive Order 13818.<sup>4</sup> The U.S. government has demonstrated a willingness to designate senior officials and their companies in other countries under this authority, and it can deliver similar actions against key members of the Bashir regime. The leadership and business network of the National Intelligence and Security Services (NISS) should be key targets, given that the NISS is a key entity at the intersection of both human rights abuses and systemic corruption.
2. Use the long-moribund Darfur sanctions authorities, pursuant to Executive Order 13400, to designate officials responsible for instability and abuses in Darfur and neighboring areas.<sup>5</sup> This sanctions authority has—disturbingly—not been used since 2007, even though most of the millions of Darfuris displaced before 2007 and since remain displaced or in refugee camps. These sanctions must be revived and used to designate not only officials, but their broader business networks which undermine peace and security in the country.
3. Issue an anti-money laundering Advisory focused on concerns with gold mining and export in Sudan. Gold has become the Sudanese economy’s leading commodity, and Sudan is an

increasingly significant global gold producer. In light of government attempts to control the sector and its reported connections to conflict, the potential for Sudanese gold to be connected to money laundering is material, and the U.S. Department of the Treasury's Financial Crimes Enforcement Network (FinCEN) and other financial intelligence units should warn financial institutions about these issues.

4. Balance efforts to encourage U.S. companies and banks to engage in Sudan with clear and direct warnings, including through statements and direct meetings, about the ongoing risks, particularly about doing business with individuals or entities connected to NISS. The regime's long history of grand corruption and favoritism has in effect undermined the business and investment environments.
5. Go beyond warnings and use the authority of Executive Order 13400, which allows for sanctions designations against those stoking conflict in Darfur, to require U.S. companies doing business in Sudan to report publicly on the enhanced due diligence undertaken to ensure their activities do not connect to conflict, corruption, or other concerns in Sudan. This type of reporting was required as the Burma sanctions were eased, and a similar model should be used in Sudan.

## **Benchmarks and Commitments**

This is not the time for the United States to move forward on a path to normalizing its relationship with the Sudan government. Nevertheless, if the United States persists in moving further on this process, significant and innovative financial pressures should be used to ensure the achievement of specific policy objectives. In particular, U.S. engagement with President al-Bashir's regime on a next phase for further normalization of bilateral relations should seek to set forth the following commitments and benchmarks that the regime should undertake:

1. Ensure that the regime remains committed to the cessation of hostilities in the Two Areas and Darfur. The Government of Sudan should engage with the armed movements challenging its authorities there in serious negotiations for reaching sustainable peace.
2. Fully allow humanitarian access to war-affected populations in conflict areas, including in localities controlled by the armed movements. Agreeing to delink humanitarian access to war-affected populations in these areas from the political track—as requested by the SPLM-N in the latest February 2018 round of talks and rejected by the government—would constitute a good confidence-building measure between the parties in addition to bringing these populations on board as a powerful constituency for lasting peace. As a benchmark for humanitarian access, aid must be delivered to affected communities that previously have been embargoed by the Government of Sudan, and malnutrition rates need to be positively impacted.
3. Repeal laws and policies that drive religious discrimination against Christians as well as minority Muslim sects and practices, namely the blasphemy, apostasy and public order laws. In addition, repeal the administrative ordinances blocking the construction of churches.
4. End support for extremist groups that advocate for violent extremist ideologies and preempt their extensive ongoing programs for the radicalization of the youth in Sudan and the recruitment of youth by some for the Islamic State and al-Qaeda.



5. End the expansion of weapon exports and supplies to conflict countries in Africa and the Middle East that have been documented by independent researchers.
6. Curb the risks of money laundering and financing of terrorism by immediately desisting from legalizing vehicles smuggled into Sudan from Libya, the Central African Republic, and other countries affected by conflict in the Sahel region, a thriving illicit trade as detailed in this report on page 11.
7. Undertake profound political, legal, and economic reforms through inclusive and comprehensive political processes involving all stakeholders to reverse Sudan's descent into state failure. In particular, ensure that rights protections enshrined in Sudan's interim constitution, which is still in force, are not eliminated or diluted by the planned constitutional amendments resulting as a follow-up to the regime's unilaterally driven "National Dialogue." Also, any revisions of the electoral law, reconstitution of the National Elections Commission, and reformation of the Political Party Council are done in accordance with the best international principles and practices to ensure a democratic, level playing field for the 2020 elections.

## Background

Shortly after the 1989 government coup commandeered and executed by Sudan's National Islamic Front, an offshoot of the radical Muslim Brotherhood movement, the regime of President Omar al-Bashir provided a safe haven to Osama bin Laden and hundreds of his followers. This transformed Sudan into an incubator for what would become al-Qaeda. Several other violent extremist groups also found in the 1990s in Sudan a refuge that facilitated their disruptive actions globally.

The support of such groups earned Sudan the U.S. designation of a state sponsor of international terrorism in 1993.<sup>6</sup> In 1997, Sudan's continued support of groups identified by the United States as terrorists and its deadly jihadist offensives against civilians in Southern Sudan, prompted the Clinton administration to impose a regime of comprehensive economic and financial sanctions on Sudan under Executive Order 13067.<sup>7</sup> Reacting to continued strife and the perpetration of widespread atrocity crimes in Southern Sudan, Congress in 2002 adopted the "Sudan Peace Act," barring the United States from supporting Sudan's applications for loans and debt relief from international financial institutions.<sup>8</sup> In 2006 and again in 2007, the Bush administration adopted further measures sanctioning Sudan for widespread atrocity crimes in Darfur; the sanctions issued in 2006 implemented U.N. Security Council Resolution 1591, which placed travel bans and asset freezes on those impeding the peace process.<sup>9</sup>

The temporary and later permanent lifting of comprehensive economic sanctions in 2017 was based on the determination of both the Obama and Trump administrations that Sudan has demonstrated sufficient progress under the jointly agreed five-track policy that it earned that relief.<sup>10</sup> Three of the tracks focused on international and regional issues, requiring Sudan to show significant progress in collaborating with counterterrorism efforts, desisting from disrupting peace efforts aimed at ending the South Sudan conflict and also refraining from supporting remnants of Uganda's Lord's Resistance Army. Only two dealt with the internal situation in the country: reduction of violence in conflict areas and facilitating humanitarian access to war-affected populations. Left out were issues such as desperately needed internal reforms for ending egregious daily violations of the fundamental rights of the Sudanese people and the necessary

governance and transparency reforms that would be necessary to reverse the regime's decades-long, systematic diversion of the country's resources for the benefit of those in power and their associates.<sup>11</sup>

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Now that bilateral negotiations are poised to start with a next phase, the ultimate goal of which would be the removal of Sudan from the list of state sponsors of terrorism, and thus definitively normalizing Sudan relations with international financial institutions and ending its status as a pariah in the international community, the question should be raised, has the regime of President al-Bashir really changed its behavior?

This is not the case. Through the actions outlined below, it is clear the Sudanese regime continues to threaten not only its own people, but also global peace and security, including the national security interests of the United States. We urge the

United States to use the Khartoum regime's eagerness to have Sudan's designation as a state sponsor of terror ended to exert leverage to change the regime's calculations and behavior.

### **Sudan's Partnership: Serious Concerns Remain**

Serious concerns persist about the regime's credibility as a counterterrorism partner considering its continued persecution of its people and the threats it poses to regional stability:

1. The regime's accommodation of radical groups, which continue to publicly propagate the ideologies of the likes of the Islamic State and al-Qaeda and recruit for them, dents its credibility as a serious fighter of international terrorism.
2. The regime continues to systematically violate guarantees of freedom of religion enshrined in Sudan's interim constitution, including through the demolition of churches and the ongoing harassment of Christians and followers of minority Muslim sects.
3. The erratic foreign policy of President al-Bashir's regime makes it an unreliable regional and international partner.
4. The regime's destabilizing regional interventions, including through its thriving transnational criminal activities.
5. Rampant official corruption continues to place unbearable burdens on a large majority of the Sudanese while the ruling Islamist elites and their cronies have all but privatized the national economy for their own benefit.

### **Questionable Commitment to Fight Terrorism**

The number one threat to global and regional security posed by Sudan is terrorism. The Sudanese regime portrays itself as a reliable partner in the fight against terrorism. However, it continues to be an incubator and exporter of extremism through other channels. The Sudanese regime has reportedly supported U.S.

counter-terrorism efforts productively, however, its contribution in this field should be seen against the background of its historically strong ties to and support of violent extremism and international terrorist groups as noted above.

Today, the regime goes out of its way to support domestic Salafi jihadist groups and clerics who actively promote hate both internationally and against religious minorities in Sudan.<sup>12</sup> The regime allows these Jihadi groups to own and operate their own FM radio stations and satellite TV channels. They also apportion prominent supervisory roles to extremist clerics in higher education institutions, giving them the opportunity to indoctrinate susceptible youth to their ideology and to actively recruit some of the most vulnerable to join the ranks of the Islamic State and al-Qaeda affiliated groups abroad.

Illustrative of the regime's duplicity on the issue of terrorism is its failure to clearly distance itself from the open incitement of violence against U.S. and Western civilians and interests that some extremists issue in response to regional and global developments that place their ideological allies, such as the Islamic State, under attack.

Two incidents demonstrate the seriousness of such threats. Sheikh Dr. Mohamed Ali Abdalla al-Gizouli, a prominent jihadi cleric, has often publicly proclaimed his support for the likes of the Islamic State group. He publicly threatened Americans and U.S. interests with violent retaliation in June 2014 in response to the United States joining the military fight against the strongholds of the Islamic State in Iraq, and there were no apparent consequences or censure from the Sudanese authorities. His threats were not missed by credible terrorism tracking groups, with one offering a detailed translation of the sermon in which the threats were made:

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"Oh Americans, if your armed forces land in Iraq once again, this will mean a new phase in targeting you—your tourist resorts, your embassies in our Arab capitals, your diplomatic delegations, your universities and schools, your coffee shops and restaurants, your airplanes and ships, your shops and companies. Oh Americans, give the White House idiot a smack on the hand, so that he will not lead you once again into attrition, which will cause further deterioration and collapse of your economy."<sup>13</sup>

At the time when he made these threats, al-Gizouli occupied multiple official positions, most of which placed him in supervisory and guidance roles over campuses and students as detailed in the Enough Project's December 2017 report, "Radical Intolerance" and the reporting of the Sudanese online newspaper, *Hurriyat*.<sup>14</sup> These positions made more ominous his call to the youth to join the fight for the Islamic caliphate:

"I would like to address two kinds of youths. First, let me address the youths who sit on the sidelines, as reserves. They have not entered the fray. They warm up on the sidelines. Reserves. I say to them: Enter the fray and join the game...Play a role in defending the nucleus of the caliphate!"<sup>15</sup>



There are evident risks associated with the undercurrent of constant youth radicalization in which the regime is complicit. These risks became evident when 22 medical students from the private University of Medical Sciences and Technology (UMST) in Khartoum, owned by Dr. Mamoun Humeida, a prominent Sudanese regime figure, secretly flew out of Khartoum's airport to join the Islamic State in Iraq, Syria, and later Libya. Dr. al-Gizouli was among the few clerics who the UMST authorized to address its students' extracurricular activities.<sup>16</sup>

The regime has at times detained radicals, including Dr. al-Gizouli, when their threats of physical violence and justification of killings in the name of their ideologies were too explicit to ignore. However, the regime routinely touts its de-radicalization program, by which extremist clerics and their zealous followers are released following sessions of dialogue and persuasion led by influential Islamists within the regime. In

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mid-2017, the regime released from detention some 20 extremist militants who professed their allegiance to the Islamic State citing the success of this program in de-radicalizing them.<sup>17</sup>

The most recent incident of explicit threats of attacks against U.S. presence and interests in Sudan came as an outright menacing statement from Al-Tayeb Mustafa, the President's uncle and an influential member of the national legislature, where he heads the information committee. In an editorial in *al-Sayha* newspaper of which he is the editor-in-chief,

Mustafa protested the Trump administration's decision to transfer the U.S. Embassy in Israel to Jerusalem. The decision coincided with an invitation to the public by the U.S. Embassy in Khartoum to attend a visiting U.S. jazz band's free, open-air concert sponsored by the embassy. Mustafa thought that this was too much provocation of the regime's religious dedication and an insult to locals' feelings. The editorial suggested that the concert would be too tempting as a target of attack for those Muslims incensed by the Jerusalem decision. Mustafa went further by blaming the 2008 New Year's Day assassination of the top USAID official in Sudan by four extremists on similar conduct that sought, according to him, to attract Sudanese youth to Western immorality.<sup>18</sup> The hardly disguised threat prompted an official protest by the U.S. Embassy, which characterized his remarks as an incitement to violence.<sup>19</sup> Mustafa is known to be the mouthpiece and public face of hardliners in the security system and the amorphous, radical Islamist community, hence the extreme seriousness with which the U.S. Embassy met his threatening statement.

There is awareness that there are those within the regime and its influential religious constituency who see no harm in targeting U.S. interests in the country and globally in retaliation against U.S. global policy interests. That is what explains the State Department's current Sudan travel advisory. After advising against travel of U.S. citizens to Sudan due to fear of terrorism and civil unrest, the advisory warns, "Terrorist groups continue plotting attacks in Sudan, especially in Khartoum. Terrorists may attack with little or no warning, targeting foreign and local government facilities, and areas frequented by Westerners. Terrorists groups in Sudan have stated their intent to harm Westerners and Western interests through suicide operations, bombings, shootings, and kidnappings."<sup>20</sup>

## Attacks on Religious Freedom

While the regime protects the speech and outreach efforts of such jihadist groups and clerics on campuses and among the public at large, its security agents routinely attack the rights of Christians and followers of minority Muslim sects to practice their faith as guaranteed under Sudan's interim constitution and the many international human rights treaties and conventions to which Sudan is party. The routine arrest and prosecution of church leaders and parishioners and the targeted demolition of their houses of worship in certain neighborhoods have led the U.S. Commission on International Religious Freedom to designate Sudan as "a country of particular concern" under the U.S. International Religious Freedom Act. Such "systematic, ongoing, and egregious violations of freedom of religion or belief," have landed Sudan in the unenviable list of "country of particular concern" first in 1999 and annually since then.<sup>21</sup>

Crackdowns on advocates for democracy, human rights, and for the respect of the rich cultural and religious diversity of the Sudanese people are also routine. Opinion leaders who attempt to counter the rising radicalization of the youth have often been declared apostates or blasphemous and a threat to Sudan's Sharia laws and jihadist vocation. At times, radicals issued direct threats to dozens of writers, reporters, and activists, forcing them to form an alliance for the defense of the freedom of conscience and religion.

## Erratic Foreign Policy Threatens Regional and Global Stability

### Reaching Out to Russia

In mid-November 2017, a U.S. government delegation led by Deputy Secretary of State John J. Sullivan visited Sudan Foreign Minister Ibrahim Ghandour and other top regime officials in Khartoum to discuss ways for further normalization of bilateral relations building on the completion of the five-track engagement in the preceding month.<sup>22</sup> However, the very commitment of President al-Bashir to the phased normalization process appeared in serious doubt barely a week later.

Visiting Russia, President al-Bashir asked Russian President Vladimir Putin for protection from "the aggressive actions of the U.S.," which he said have already led to the partition of the country into two states and was further intended to partition what remained of Sudan into five more parts.<sup>23</sup> President al-Bashir further invited Russia to consider a closer military alliance by offering it the chance to establish a naval base on Sudan's Red Sea coast, an area which is close to Egyptian and Saudi Arabian coast lines and where the United States maintains a significant military presence.<sup>24</sup> This offer, which Russian officials said they would consider taking up, speaks to the regime's role as a destabilizing force in the Middle East and northern Africa region, which is already the theater of intense regional and international competition.<sup>25</sup> President al-Bashir's strong pushback against U.S. policy in the region, and the promising potential for normalization of bilateral relations, was in part prompted by the necessary legal and governance reforms that Deputy Secretary Sullivan said Sudan would need to undertake to warrant its removal from the terrorism list. Other regime hardliners also rejected what they saw as an interference in Sudan's commitment to the establishment of a modern day Islamic State.

## Overtures to Turkey Concern Middle East Powers

With the controversy triggered by President al-Bashir's statements in Russia still rocking the region, on December 26, 2017, the regime offered visiting Turkish President Recep Tayyip Erdogan temporary control over the ancient port city of Suakin on the Red Sea. The proclaimed aim of the concession was the restoration of the island's Ottoman Empire-era ruins and construction of a naval dock for commercial and military vessel repair.

Again, Saudi Arabia, the United Arab Emirates and Egypt were alarmed by the prospects of Turkey acquiring an advanced post on the Red Sea to add to its military presence in Qatar and Somalia. The move was destined to aggravate the polarization between the two emerging regional axes over influence in the Horn and East Africa regions that was triggered by the war in Yemen.<sup>26</sup>

Adding to the Saudi-led alliance's concerns was a meeting that the chiefs of staff of the Sudanese, Qatari, and Turkish armies held in Khartoum during Erdogan's visit. However, and despite obvious concerns that the Suakin deal must have raised for the Saudis, the latter could barely do without the significant Sudanese ground forces that are supporting their air campaign against the Iranian backed Houthi rebels in the Yemen war. This opportunistic arrangement from which the regime is benefiting financially by providing boots on the ground in a foreign war in which it has no other strategic or political interest, accounts for the muted response of Saudi Arabia compared to the media barrage that Egypt unleashed against the regime of President al-Bashir for its overtures to Turkey.

## A Troublesome Neighbor

A third indicator of the regime's erratic and opportunistic, rather than strategic, foreign policy occurred on the heels of President Erdogan's visit to Sudan in late December. The regime declared a state of emergency in eastern Sudan on December 30, 2017.<sup>27</sup> A week later, Sudan closed its border with Eritrea and deployed additional forces to the area.<sup>28</sup> While claiming that the drastic measures were part of a weapons collection campaign and to stop human trafficking, the regime also alleged that Eritrea was supporting Darfur armed movements and preparing them to infiltrate the country. It also made serious allegations that Egyptian forces were reinforcing their presence in Eritrea, claiming that the move was in preparation for incursions in eastern Sudan and Ethiopia.<sup>29</sup> This occurred against the backdrop of a protracted dispute between Egypt and Ethiopia over Ethiopia's determination to proceed with the construction of the massive hydroelectric Grand Ethiopian Renaissance Dam on the Blue Nile despite Egyptian protests that the project would imperil its vital water security.<sup>30</sup>

The military deployments by Khartoum raised fears abruptly in the region that the three countries were about to engage in a dangerous military escalation. However, it was Ethiopia that dampened these fears when its prime minister visited both Sudan and Egypt to discuss normal bilateral issues in both countries without seeming otherwise alarmed about an alleged Egyptian military offensive against his country from Eritrean territory even though it was forcefully alleged by Khartoum for weeks.<sup>31</sup>

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The rapid succession of disruptive statements and actions by Khartoum appeared to have been orchestrated to create a diversion from rising popular protests in Sudan against steep increases in the prices of basic commodities and the deterioration of living conditions for the majority of the population. That Khartoum would risk perturbing regional and international stability for short-term tactical gains at home foretells of the regime's lack of strategic vision for its regional and foreign relations, and hence, its unreliability as a regional or international partner.

Most importantly, this disruptive behavior shows that even the regime's supposedly strategic interest in normalizing its relations with the United States is not immune to a serious pushback from regime hardliners as demonstrated by President al-Bashir's own qualification of U.S. policy toward Sudan as hostile and aimed at dismantling his country and his appeal for Russian protection against the United States. This obviously calls for clarification of whether the regime is genuinely interested in normalizing its relations with the United States and is willing to undertake the necessary reforms to regain U.S. and international recognition.

### Transnational Crime: Weapons, Stolen Trucks, and Human Trafficking

Beyond the dramatic announcements of new military alliances that might or might not materialize and triggering border tensions based on overblown allegations, the regional destabilization that President al-Bashir's regime sows in its neighborhood has other, more ominous facets.

The regime somehow escaped international censure and consequences for its destructive proxy military intervention in neighboring Central African Republic (CAR) in 2013. Then, militias from Darfur region affiliated with the government of Sudan, together with Chadian fighters, supported the military offensive of the Muslim Séléka rebels in their takeover of the country. Widespread civilian killings, looting, and destruction of property perpetrated by the Séléka rebels and their Sudanese and Chadian backers triggered a deadly civil strife when self-defense militias opposed to the Séléka rule indiscriminately attacked the country's Muslim communities. In the resulting sectarian strife, thousands on both sides were killed and forcibly displaced, raising fears of genocide and ethnic cleansing in the CAR. The conflict placed the CAR on the brink of collapse, and the country is still struggling to recover from the short-lived Séléka rule.<sup>32</sup>

In its April 2017 report "Border Control From Hell," the Enough Project argued that "by encouraging tribal militias to compensate themselves with war booty, the Sudanese regime sows regional instability and encourages looting sprees and other criminal activity, not only in Darfur but also in neighboring countries that face destabilization and state failure."<sup>33</sup> The Darfuri militiamen who committed untold atrocity crimes in the CAR returned with hundreds of stolen all-wheel drive vehicles that local government institutions were content to purchase from them.

Today, the Darfur region is awash with an estimated 60,000 stolen vehicles from neighboring countries that enter Sudan illegally, particularly from neighboring Libya where vast swaths of the country are under the control of lawless militias, a problem discussed with some detail in a recent Enough Project report.<sup>34</sup> The vehicles are recognizable as they circulate without license plates. A highly publicized weapons collection campaign launched in August 2017 also targeted the legalization of these vehicles by collecting customs dues, taxes, and licensing fees from owners who bought them from smugglers at fractions of

their real costs. The government's readiness to benefit from transactions in vehicles of highly suspect origins point to yet another dimension of the regime's involvement in criminal economies of all kinds. In effect, the government failed to exercise due diligence in ensuring that the vehicles weren't stolen or extorted at gun point from their lawful owners in Libya and other countries sharing joint borders with Darfur. Further, the role of the cross-border trade in these vehicles in financing the lawless militias that control access to Libya's ports, including militias affiliated at one time with the Islamic State, has yet to be fully investigated. Recent reporting by Conflict Armament Research has amply documented the movement of weapons, ammunition, and armed and criminal actors from Sudan across the Sahel, threatening regional security beyond Sudan's western borders as well.<sup>35</sup>

**A growing volume of independent investigative reporting finds evidence of financial flows and money laundering in Sudan for the human smuggling market through the Horn of Africa.**

And in relation to Sudan's much touted partnership with the European Union for the containment of irregular migration, it is increasingly becoming clear that the regime of President al-Bashir is yet again playing the role of the arsonist firefighter, just as it is doing in connection with terrorism. A growing volume of independent investigative reporting finds evidence of financial flows and money laundering in Sudan for the human smuggling market through the Horn of Africa. A May 2017 report by the Global Initiative Against Transnational Organized Crime focuses on eight main smuggling hubs in the Horn of Africa and the Sahel, one of which is the Sudanese capital Khartoum.<sup>36</sup>

More recently, an investigative report jointly authored by the South African *Mail & Guardian* and the Sudanese online news website Ayin documented the involvement in human smuggling of some of the very same border guards tasked with implementing Sudan's engagement under the partnership with the European Union for better management of its borders and the flows of transiting migrants.<sup>37</sup> A report by Refugees Deeply reached a similar conclusion.<sup>38</sup> Refugees Deeply also alleged in a subsequent report that an alarming sale of Sudanese passports to thousands of Syrian refugees in Sudan, who could afford the hefty \$10,000 price tag for an ordinary passport, involved one of the Sudanese president's brothers.<sup>39</sup> The rampant practice demonstrates how grand corruption in Sudan could add to the risks of international terrorism were any of the traded passports to fall into terrorist hands. Knowledge about the illicit trade in Sudanese passports led at least one country, Kuwait, to reject visa applications by Syrians holding the compromised Sudanese passports.<sup>40</sup>

## Implications of the Worsening Economic Crisis for the Normalization Policy

Since the beginning of 2018, the Sudanese economy has gone into an accelerating meltdown, the result of nearly three decades of spending upward of 70 percent of the country's annual budgets on the military and security sector, while the traditional productive sectors of agricultural, livestock, and industry were left starving for investments. Since South Sudan's 2011 independence, the cumulative annual spending on productive sectors, public health, and education rarely bypassed 10 percent of the overall annual state expenditures. Meanwhile, ruling Islamist elites have diverted the lucrative revenues from Sudan's mineral wealth, initially oil and, since 2011, gold, to the benefit of regime insiders and those protecting them in the NISS, national army, and the ruling party's militias.



The 2018 budget has taken these structural deformities to unprecedented levels. Its implementation in January was bound to trigger massive protests against the collapse of the purchasing power for an overwhelming majority of the Sudanese. Growing civic unrest, coupled with the regime's inability to find a quick fix for 29 years of economic mismanagement and officially protected structural kleptocracy, leaves the regime with responses that it knows best: massive preventive detentions of opposition and rights activists, confiscation of independent newspapers, and the use of excessive and unprovoked force for dispersing protesters. The protests are bound to grow, and the severity of the crackdowns will only worsen. With the political uncertainties that this situation creates, internal fissures are bound to develop within the regime.

Since South Sudan's 2011 independence, Sudan's cumulative annual spending on productive sectors, public health, and education rarely bypassed 10 percent of the overall annual state expenditures.

The worsening economic crisis has already resulted in widening the regime's internal fissures, with President al-Bashir moving to preempt rival factions of the ruling National Congress Party and the Islamist Movement (that used to be the power behind the throne before it was reduced to a bureaucracy) from challenging his candidacy for a seventh term in office in the presidential elections slated for 2020. The reappointment of the former director of the NISS, Gen. Salah Abdallah, a.k.a. Salah Gosh, to his previous position is seen as the first move by the president to counter those in the ruling NCP, the Islamist Movement, and the toothless national parliament, which wanted him to step down at the end of his current sixth term.<sup>41</sup>

U.S. policymakers engaged in steering the next phase of the dialogue with the Sudanese regime of President al-Bashir should be well informed about the evolution of these anticipated internal fissures and internal fault lines. Now is not the time to make concessions to a regime that is finally having to reckon with its brutality against its own people and the consequences of its mismanagement and outright theft of Sudan's rich resources to the benefit of its insiders and their cronies.

### Recommendations: Leverage, Benchmarks, and Incentives

The Sudanese regime maintains alliances and policy stances that threaten U.S. interests, U.S. allies, and security in multiple regions across Africa and the Middle East. Khartoum's positions and allies raise concerning questions about its interests and reliability as a counterterrorism partner for the United States and its allies. U.S. policymakers should seriously consider the potential threats and consequences of a softened U.S. stance with a regime that claims to fight terrorism while empowering extremist groups, including religious extremists that advocate for deadly international terrorist groups from within Sudan. As detailed above, the United States can and should maintain pressure in its bilateral relations and its position against removing Sudan's designation as a state sponsor of terrorism and supporting its debt relief.

With the stage set for the resumption of bilateral talks in an anticipated next phase, U.S. policymakers engaging Sudan should create further leverage through financial pressure and sanctions designations as detailed on page 3 of the Executive Summary, to spur Sudan to agree to benchmarks and follow through

with their implementation. While allowing for the possibility of incentives, such as removal from the state sponsor of terrorism list and support for debt relief, increased trade promotion activities, and the appointment of a U.S. ambassador, U.S. authorities should seek from Sudan the following commitments that the regime will undertake and implement in order to qualify for additional relaxation of U.S. punitive measures against it:

1. Ensure that the regime remains committed to the cessation of hostilities in the Two Areas and Darfur. The Government of Sudan should engage with the armed movements challenging its authorities there in serious negotiations for reaching sustainable peace.
2. Fully allow humanitarian access to war-affected populations in conflict areas, including in localities controlled by the armed movements. Agreeing to delink humanitarian access to war-affected populations in these areas from the political track—as requested by the SPLM-N in the latest February 2018 round of talks and rejected by the government—would constitute a good confidence-building measure between the parties in addition to bringing these populations on board as a powerful constituency for lasting peace. As a benchmark for humanitarian access, aid must be delivered to affected communities that previously have been embargoed by the Government of Sudan, and malnutrition rates need to be positively impacted.
3. Repeal laws and policies that drive religious discrimination against Christians as well as minority Muslim sects and practices, namely the blasphemy, apostasy, and public order laws. In addition, repeal the administrative ordinances blocking the construction of churches.
4. End support for extremist groups that advocate for violent extremist ideologies and preempt their extensive ongoing programs for the radicalization of the youth in Sudan and the recruitment of youth by some for the Islamic State and al-Qaeda.
5. End the expansion of weapon exports and supplies to conflict countries in Africa and the Middle East that have been documented by independent researchers.
6. Curb the risks of money laundering and financing of terrorism by immediately desisting from legalizing vehicles smuggled into Sudan from Libya, the Central African Republic, and other countries affected by conflict in the Sahel region, a thriving illicit trade as detailed in this report on page 11.
7. Undertake profound political, legal, and economic reforms through inclusive and comprehensive political processes involving all stakeholders to reverse Sudan’s descent into state failure. In particular, ensure that rights protections enshrined in Sudan’s interim constitution, which is still in force, are not eliminated or diluted by the planned constitutional amendments resulting as a follow-up to the regime’s unilaterally driven “National Dialogue.” Also, any revisions of the electoral law, reconstitution of the National Elections Commission, and reformation of the Political Party Council are done in accordance with the best international principles and practices to ensure a democratic, level playing field for the 2020 elections.

## Endnotes

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- <sup>3</sup> The five tracks are cooperation on counterterrorism, commitment to a cessation of hostilities in Sudan’s conflict areas, providing humanitarian access to populations in need, cooperation in countering the Lord’s Resistance Army (LRA), and ending support to South Sudanese armed opposition actors.
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- <sup>12</sup> See, Suliman Baldo, “Radical Intolerance: Sudan’s Religious Oppression and Embrace of Extremist Groups,” (Washington: The Enough Project, December 2017), available at [https://enoughproject.org/wp-content/uploads/2017/12/SudanReligiousFreedom\\_Enough\\_Dec2017\\_final.pdf](https://enoughproject.org/wp-content/uploads/2017/12/SudanReligiousFreedom_Enough_Dec2017_final.pdf).
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