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TOM LANTOS HUMAN RIGHTS COMMISSION

Mr. Chairman, esteemed Representatives, and fellow guests of this committee, thank you for inviting me here today to speak on Sudan and the issue of sanctions. The United States began imposing multiple layers of sanctions on Sudan over two decades ago, some issued by Congress and some by Presidential Executive Order, because of behaviors including sponsorship of terror, human rights abuses, and restricted humanitarian access to vulnerable people in conflict zones.

Despite these many years of strong sanctions, the conflicts in Darfur, Blue Nile, and Nuba have continued, although the Government of Sudan has recently declared a unilateral ceasefire. The people of these areas have been attacked and marginalized because they object to Sudan's type of rule. There is restricted or zero access to humanitarian assistance, including food and medical care. In other words, sanctions have produced minimal significant or enduring behavior change, on the humanitarian and human rights fronts.

A series of economic and security restrictions were put into place in the late 1980s and 90s because of debt repayment arrears, a brutal coup, support for terrorist groups, and horrific abuses committed against innocent civilians during the country's civil conflict. In 1997, President Bill Clinton added trade sanctions because of the Sudanese government's support for international terrorism, human rights abuses—including slavery—and attempts to destabilize other countries in the region. The sanctions on Sudan did not arise from a misunderstanding.

The Obama Administration eased Executive Order sanctions on Sudan on January 17 of this year based on the State Department's position that Sudan had taken "positive action" in five key areas: counter terrorism cooperation, countering the Lord's Resistance Army, ending military support to rebel factions in South Sudan, keeping the ceasefire in Darfur and the two other areas, and allowing humanitarian access across Sudan. Some of these improvements are new, with some being questionable and some real.

The essential question to be asked is, "Are sanctions effective in changing the nefarious behavior of state actors?" As I look at Cuba, Iran, North Korea, and Sudan, I have to say that generally there has not been great success in changing the military actions, human rights abuses, and development of nuclear weapons.

What seems to change a State's behavior is diplomacy, trade, military and intelligence cooperation, and as a last resort, military action.

Trade sanctions are a blunt instrument that primarily hurt the most vulnerable people in a country. Trade sanctions don't take wealth and power from national leaders. They take livelihoods, medical care, education, and food from working people. The most rigid sanctions in our history were probably leveled at Cuba, yet the Castro regime survived and the citizens suffered more and more. North Korea has been heavily sanctioned, but they continue their work to develop nuclear weapons.

In principle, I believe that broad U.S. trade sanctions on Sudan should be lifted and it is in America's interest to help our friends there enact policy changes that will move them away from being a pariah nation on the fringes of the international community.

I have worked in Sudan since 1993, on all sides of the conflicts, and I have many Sudanese friends. I love the country and all of its people, not just the ruling class and citizens of Khartoum. American national security interests must always come first, but sanctions haven't worked. A different approach is needed.

We cannot move forward with lifting sanctions, however, unless we are willing to be candid about past actions and current challenges. To help our Sudanese friends, we need a brief, candid review of how we got to where we are:

1993 – President H.W. Bush administration declares Sudan a State Sponsor of Terror for harboring terrorist groups in their country.

1991-1996 – Khartoum sheltered Osama bin Laden as he established terror training camps in the country.

1997 – President Clinton imposed trade sanctions on a determination that the policies and actions of the Government of Sudan included continued support for international terrorism.

1998 - Al Qaeda bombed the U.S. embassies in Kenya and Tanzania, killing 224 and wounding thousands. In 2014, a U.S. judge determined that the Government of Sudan was liable for the damages suffered by the State Department employees who were working in the embassies at the time of the attack.

2000 – The USS Cole was attacked killing 17 American sailors and wounding 39 more. Sudan was sued in the U.S. by families of the victims. The judge ruled that Sudan was liable and ordered them to pay \$314 million. This judgement was appealed in the 2nd District of New York City and was upheld.

2004 – Secretary of State Colin Powell declared that “genocide” was occurring in Darfur.

2009 – President Omar al-Bashir was indicted for war crimes by the International Criminal Court.

2014 - Al Qaeda in Sudan announced the launch of a student wing in the University of Khartoum.

There have been decades of documented human rights abuses, slavery, aggression against their own citizens, weapons smuggling, proxy militias, and close association to the Muslim Brotherhood along with the support and exportation of Salafi Islamist extremism.

Obviously, these issues are serious for United States' national security, human rights, religious freedom, and human suffering.

Sudan is making some steps in better directions according to the U.S. State Department and the Obama administration. We have received reports that Sudan is allowing humanitarian access into the areas of the country they control now, perhaps more than ever. This access is not extended to hundreds of thousands of people in Kordafan and Blue Nile areas not in their control.

Are these positive actions now approaching a sufficient level of acceptance to warrant the full lifting of sanctions?

I believe the U.S. should fully embrace Sudan with the expectation that they will respond in a reciprocal and accountable manner. They should be closely monitored and must be held accountable for their actions, something that has not been done in the previous eight years.

If Congress and the new Administration desire an end to Sudan's destabilizing pattern of conflict and displacement, U.S. actions going forward should focus on strategies that:

- Provides unimpeded humanitarian access to civilians across all of Sudan and honors the Security Council's outstanding request in UNSC Resolution 2046 of 2012 for the parties to allow access in Southern Kordafan and Blue Nile.
- Delivers an end of hostilities, along with peace negotiations, in Darfur and the two areas, by allowing the simultaneous participation of all parties, including armed groups, in a national political process to address the root causes of conflict.
- Produces credible actions by the Government of Sudan to demobilize and disarm government militias.
- Promotes efforts by the Government of Sudan to address criminal impunity and provide justice and accountability for serious crimes and abuses against civilians.

Future decisions regarding sanctions should be tied to a strategy that seeks to meet these objectives, while recognizing that the historical role played by the government is likely to inhibit its cooperation on accountability efforts.

I am not in favor of sanctions, and would welcome an environment that would allow the permanent lifting of sanctions on Sudan. All sides have to deal with Sudan's past by recognizing the issues that have brought us to where we are.

Sudan has a unique opportunity to change the future.

The ball is in Sudan's court.