



**FARCE
MAJEURE:**

**THE CLINTON
ADMINISTRATION'S
SUDAN POLICY**

DAVID HOILE

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SUDAN POLICY
1993-2000**

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INTRODUCTION

The Clinton Administration's policy towards Sudan over the last eight years has come sharply into focus, largely because of events and developments in the past 18 months.

It has been an open secret that the Clinton Administration has, for several years, sought to isolate, destabilise and ultimately overthrow Sudan's Islamist government which had come to power in 1989. In justifying its attempts to destabilise Sudan, the Administration accused the Khartoum government of supporting international terrorism, Islamic fundamentalist extremism, suppressing religious freedom and abuse of human rights. Many of the American policy decisions that were made regarding Sudan, were made in secret, and were said to have been based on "classified" material and information not available to public scrutiny.

The Administration has supported southern Sudanese rebels, insurgents with an appalling human rights record. In so doing, Washington has artificially prolonged the Sudanese civil war. The Administration also sought to encourage several of Sudan's neighbours both to support Sudanese rebels and to themselves militarily destabilise their neighbour. The dangers inherent in destabilising a country which straddles the Nile and abuts the Red Sea, a state which borders with Egypt, Eritrea, Ethiopia, Kenya, Uganda, Congo, Central African Republic, Chad, Libya, and is a near neighbour of Saudi Arabia, do not seem to have registered with the Clinton Administration. And, by and large, prior to the Administration's farcical August 1998 Cruise missile attack on the al-Shifa medicines factory in Khartoum there had been no meaningful public or private questioning of its Sudan policy. The al-Shifa attack pushed American policy towards Sudan, one of the world's poorest countries, into the spotlight.

The fact is that the short-sighted Sudan policy pursued by the Clinton Administration, and spurred on by a poorly informed Congress, is simply no longer credible. The disastrous attack on al-Shifa brought to a head concerns felt by many governments, aid organisations, and individuals such as former President Jimmy Carter, about American policy towards Sudan. The Administration has self-evidently abused anti-terrorism legislation for political, partisan and economic ends.

The past eight years has been characterised by a systemic intelligence failure on the part of the American intelligence community, a failure which culminated in the disastrous bombing of the al-Shifa medicines factory. Internationally, the Clinton Administration's Sudan policy has been either challenged or ignored by those groupings and countries the United States was supposedly meant to be leading. The European Union, the Gulf states and Egypt, and even the United Kingdom, have all questioned, or distanced themselves from, the American stance on Sudan. Domestically, the Administration's Sudan policy has also come in for considerable criticism from the American humanitarian aid community. Reputable groups such as CARE, World Vision, Save the Children, Oxfam America and Lutheran World Relief, no friends of the Sudanese government, have repeatedly called on President Clinton to make peace the Administration's primary objective in Sudan, and to abandon its one-sided hostility towards the Sudanese government.

Equally skewed has been legislation produced by the United States Congress. The 1999 Sudan Peace Act, and related Congressional resolutions, provided as unbalanced and prejudiced a picture of the Sudanese situation as was possible to pen.

The Clinton Administration can be said to have succeeded in two areas with regard to its Sudan policy. Firstly, Washington has succeeded in preventing, for the time being, a peaceful settlement of the Sudanese conflict. Former United States president Jimmy Carter has bluntly stated that the Clinton Administration's Sudan policy is the biggest single obstacle to peace in that country. The Administration has also succeeded in the propaganda war it has waged against Sudan. Such a "media" war has, of course, become the hallmark of all recent conflicts. In the Sudanese context, it has subsequently clearly become a millstone around Washington's neck. The Clinton Administration now has to contend with pressure from many groups and constituencies who are themselves responding to the very projections of Sudan by the Administration that are now so clearly in question.

Chapter One

THE UNITED STATES AND SUDAN: A BACKGROUND

Sudan became independent in 1956. Sudan's immediate post-independence foreign policy was friendly towards both the West and the Arab world. The country experienced both civilian and military government, and in 1969 General Gafaar Nimeiri came to power in a *coup d'etat*. Nimeiri abolished all existing political institutions and parties and assumed the role of president. Politically, Nimeiri's regime veered initially towards the left until an attempted coup by the Sudanese Communist Party in July 1971. He then made overtures towards Washington. These were welcomed by the American government. In 1972, the Nimeiri regime ended the civil war in southern Sudan, which had been fought on and off since 1955, by agreeing that the south would enjoy autonomy. The American government restored diplomatic relations with Sudan and resumed economic aid. Sudan received hundreds of millions of dollars in military, economic and development assistance. Sudan became one of the key allies of the United States both regionally and in the Middle East. In September 1983, Nimeiri introduced Islamic *sharia* law throughout Sudan. Earlier that year, southern discontent at administrative changes in southern Sudan had resulted in the rekindling of the civil war. This discontent led to the formation of the Sudan People's Liberation Army (SPLA), led by former Sudanese army officer, Colonel John Garang.¹

Nimeiri was overthrown by the Sudanese army in 1985. After a one-year transitional period, elections were held in 1986 which resulted in a democratically-elected government headed by Prime Minister Sadiq al-Mahdi. Three years of weak coalition governments followed, governments dominated by two Islamic sectarian parties, the Umma Party headed by Sadiq al-Mahdi, and the pro-Egyptian Democratic Unionist Party. Sudan went through a series of political, economic and military crises. In June 1989, a bloodless military *coup d'etat* led by General Omer al-Bashir overthrew Sadiq al-Mahdi's

¹ The SPLA is sometimes also referred to as the SPLM/A, a reference to the Sudan People's Liberation Movement, ostensibly the political component of the organisation. The **Economist** states that "the rebels have always, in theory, been a political movement as well as an army. In practice, the army was the movement" (March 1998). This study refers to the organisation as the SPLA.

administration. The American attitude towards the 1989 *coup d'etat* in Sudan had already been substantially indicated before its occurrence. The **Atlanta Journal and Constitution** newspaper reported in January 1989 that:

(S)ome U.S. officials have begun speculating that a military coup in Sudan might be preferable to its current parliamentary government which helped cause southern Sudan's deadly famine and continues to obstruct relief. "We favor democracy over dictatorship," said a senior U.S. diplomat. "We can't be in a position of seeking an undemocratic government here. On the other hand, we have to treat the government on its merits, and its performance on the humanitarian tragedy has not been satisfactory." Three U.S. diplomats who have frequent dealings with Sudan have suggested to The Atlanta Journal and Constitution in recent weeks that...they wonder if a transitional government under a military officer friendly to the West might be preferable.²

Following the 1989 *coup*, the Sudanese government made attempts to gradually civilianise itself, and established a modern Islamic republic in Sudan. Michael Field, in **Inside the Arab World**, has stated that: "The only Arab country that has put into effect modern, republican, Islamist ideas has been Sudan".³

It may be that the independent stance of the Sudanese government, and the threat that a modern, democratic and republican Islamic model to America's absolutist and authoritarian allies in the Middle East, marked it out as a target for American displeasure. Early American hopes that the government of Sudan would fall, through either internal political or military pressure have proved to be without foundation. The government of Sudan decentralised the administration of the country by introducing a federal system of government, and, in 1991, limited the Islamic *sharia* law initially introduced by Nimeiri to those areas in which Muslims are a majority population, thereby exempting the

² 'Officials: U.S. May Welcome Coup in Sudan: Military Rulers Might Improve Famine Relief', **Atlanta Journal and Constitution**, 27 January 1989, cited in Alex de Waal (Editor), **Food and Power in Sudan: A Critique of Humanitarianism**, African Rights, London, 1997.

³ Michael Field, **Inside the Arab World**, John Murray, London, 1994, p.257.

largely animist southern Sudan.⁴ The Sudanese government has also held local, state, national and presidential elections. In 1996, for example, the Sudanese people were able, for the first time ever, to directly elect their president. Multi-party politics has recently been re-established and is entrenched in the new constitution.⁵

The Khartoum government has also attempted to address the root causes of the Sudanese civil war. It signed the 1997 Khartoum Peace Agreement, and other peace charters, with several factions of Sudan's southern rebels, agreements which included guarantees of a referendum on self-determination for southern Sudan. The offer of a referendum has been acknowledged by the SPLA.⁶ The civil war between the government and SPLA, which had been particularly ferocious in the late 1980s and early 1990s, peaked shortly afterwards, following the SPLA's loss of rear-bases in Ethiopia when the Mengistu regime fell and the SPLA fragmented into different factions. The war was reinvigorated by the Clinton Administration's support for the SPLA faction led by John Garang, and by Washington's encouragement of several of Sudan's neighbours to assist the rebels. The Sudanese government has since also been party to several attempts to achieve a comprehensive cease-fire in Sudan.⁷

In the field of economics, the present government has revived an economy that was in chaotic free fall under the al-Mahdi administration. As the London **Guardian** newspaper, reporting from Khartoum in 1998, pointed out:

⁴ There is a certain amount of divergence in respect of estimates of the religious breakdown of the southern population. The majority of southern Sudanese are animist. The Economist Intelligence Unit in its report entitled **Sudan: Country Profile 1994-95** put the Christian population of southern Sudan at 15 percent. This figure is cited by Human Rights Watch/Africa in its 1996 study of Sudan. The definitive United States government guide, **Sudan - A Country Study**, published by the Federal Research division and Library of Congress, states that "In the early 1990s possibly no more than 10 percent of southern Sudan's population was Christian." The internet reference for this study is <http://lcweb2.loc.gov/frd/cs/sdtoc.html>. Muslims may make up a similar percentage.

⁵ See, for example, 'Sudan Parliament Ratifies Multi-Party Bill', News Article by Reuters on 24 November, 1998 at 09:47:13.

⁶ See, for example, 'Sudan Offers South Secession', News Article by BBC on 22 February 1999 at 00:16:14; 'Referendum Agreed at Sudan Peace Talks', News Article by BBC on 7 May 1998 at 11:06 GMT

⁷ See, 'Sudan Government Declares Comprehensive Cease-Fire', News Article by Associated Press on 5 August 1999 at 17:36:10; 'Sudan President Offers Dialogue With Opposition', News Article by Reuters on 30 June 1999 at 09:03:45; 'Bashir Calls for Peace With Enemies', News Article by BBC on 30 June 1999 at 09:39:11.

In the economic field Sudan comes close to being the perfect disciple of US orthodoxy. According to a United Nations official in Khartoum, its reforms are even “more far-reaching” than those recommended even by the International Monetary Fund. In macro-economics, it is making “tremendous” progress. Sixteen out of 20 targets have been met or exceeded and inflation has been slashed from 148 per cent in 1996 to about 13 per cent earlier this year. Every time IMF representatives come here, they marvel at Sudan’s efficiency.⁸

The attempts by the Sudanese government to address those areas said to be of concern to the United States have been ignored by the Clinton Administration. This has also been placed on record by the **Guardian** newspaper, no friend of Khartoum’s Islamist government, which has observed:

Constantly charged with repression and abuse of human rights, the regime has promulgated a new constitution which codifies freedoms, including multi-party pluralism. Also, European diplomats agree that Sudan has tried to distance itself from support for terrorists...[H]owever flawed the regime’s self-improvement may be, it has unquestioningly made the effort. That, diplomats point out, is more than many regimes in the region, including pro-American ones, have done.⁹

It is extraordinary that the might of the United States government came to be directed in such an unaccountable way upon one of the poorest countries in the developing world. Sudan was desperately poor even before the American-backed destabilisation sought to destroy what little developmental infrastructure there was, especially in the south.

⁸ ‘US Turns a Blind Eye to Sudan’s Endeavours to Clean Up its Act’, **The Guardian**, London, 5 September 1998.

⁹ *Ibid.*

Chapter Two

“CONTROL OF THE AGENDA AND PERCEPTION MANAGEMENT”

An examination of the Clinton Administration’s attempts to control the agenda on, and to influence perceptions of, Sudan reveals the questionable basis upon which the Administration sought to justify its attempts to militarily, politically and economically destabilise the country.

The Clinton Administration’s policy towards Sudan has followed a set pattern. Judy Butler is an academic who has closely studied American foreign policy as it applied to other developing countries such as Nicaragua in Central America. In describing American foreign policy tactics she states that:

The chief means of delegitimization within the United States has been the propaganda war. This war has two major and complementary tactics: “control of the agenda” ...and “perception management”.

Butler outlined the five steps American governments took in their campaigns to isolate and destabilise countries targeted by Washington. They are “managing perceptions”, “divide and conquer”, relegation of the country “to the diplomatic isolation ward”, “turn the economic screws”, and “get others to fight your war”.¹⁰ It is very clear that all these steps have been used by the Clinton Administration to isolate and destabilise Sudan. The Administration has from 1993 onwards sought to secure “control of the agenda” and to manage the way in which Sudan was perceived. Propaganda has been a distinct feature of the Sudanese conflict, just as it has featured in all conflicts in which the United States has become involved. American foreign policy has always included propaganda:

One of the United States’ primary assets in influencing and shaping world politics is its mastery of the use of propaganda. The art of propaganda resulted in great success during and after

¹⁰ Peter Rosset and John Vandermeer (Editors), **Nicaragua: Unfinished Revolution. The New Nicaragua Reader**, Grove Press Inc, New York, 1986, p.211-23.

World War II. The United States...turned this practice into a leading variable in its foreign policy outlook...the US enhanced the borrowed art, added and deducted accordingly, to make it fit with the changing political environment. By far, the art of demonization is the United States' most unique and most effective technique of them all.¹¹

In his foreword to a National Defence University study of political warfare, U.S. Navy Vice-Admiral James A. Baldwin, outlined the framework within which propaganda features:

Warfare is often defined as the employment of military means to advance political ends...Another, more subtle means - political warfare - uses images, speeches, slogans, propaganda, economic pressures...to influence the political will of an adversary.¹²

The process of demonising Sudan was initially embarked upon by accusing Sudan of being an extremist Islamic state, and therefore, by definition, a state sponsor of regional and international terrorism, and human rights abuser. It was also stated that Sudan had been an ally of Saddam Hussein in Iraq during the Gulf War. Sudan's policy of neutrality in that conflict has cost it dear. And from 1995 onwards the Clinton Administration would make much of allegations of human rights abuse, religious intolerance, and "slavery" and "slave trading" in Sudan. It is ironic that the Administration set about demonising the Sudanese despite the fact that, as stated by a former American ambassador to Sudan, the Sudanese people "deserved their reputation as the nicest people in the eastern half of the African continent".¹³

¹¹ 'American Foreign Policy and the Art of Demonisation', Article published by Arabic.com, 10 April 2000, at <http://www.arabia.com/article/0,1690,News-17819,00.html>

¹² James A. Baldwin, Vice-Admiral, U.S. Navy in forward to Paul A. Smith's **On Political Warfare**, National Defense University Press, Fort McNair, Washington-DC, 1990.

¹³ Donald Petterson, **Inside Sudan: Political Islam, Conflict and Catastrophe**, Westview Books, Boulder, 1999, p.75.

2.1 “THE DIPLOMATIC ISOLATION WARD”

Of all these accusations, the Clinton Administration’s placing of Sudan on its official list of state sponsors of international terrorism served most to relegate Sudan “to the diplomatic isolation ward”. The United States, and its allies, were then also able to secure limited United Nations sanctions on Sudan in the wake of the attempted assassination of Egyptian president Hosni Mubarak, on the basis of unproven allegations of Sudanese involvement.

Additionally, American pressure on the United Nations led to the appointment of a United Nations Special Rapporteur on human rights in Sudan. Selectivity in concern for human rights is, of course, not unusual and often dependent on policy objectives. The U.S. Government’s focus on Sudan jarred given that the human rights situations within most of Sudan’s neighbouring countries were considerably more disturbing. While the Administration’s own human rights reports, as well as other sources have documented few political detainees in Sudan, human rights groups were alleging that Egypt had up to 20,000 detainees. Uganda and Eritrea both have very questionable human rights records and several hundred if not thousands of such prisoners. These neighbouring countries are American regional allies, with demonstrably repressive governments.

Donald Petterson, United States ambassador to Sudan from 1992-95, confirmed that the United States played a prominent role at the United Nations in originating and lobbying for resolutions hostile to Sudan. He has written of “the lead [the Clinton Administration] had taken in the United Nations to bring about the adoption of resolutions condemning Sudan.”¹⁴

2.2 TURNING “THE ECONOMIC SCREWS”

The Clinton Administration had also clearly sought to “turn the economic screw” on Sudan. The 1993 listing of Sudan as a state sponsor of terrorism ended any prospect of bilateral American aid and related assistance as well as restricting American economic investment in Sudan. On 3 November 1997, President Clinton signed executive order 13067, under the International Emergency Economic Powers Act (50 U.S.C. 1703 et seq) and the National Emergencies Act (50 USC 1641 c), which imposed comprehensive trade and

¹⁴ Ibid, p.96.

economic sanctions against Sudan. The order declared “that the policies of Sudan constitute an extraordinary and unusual threat to the national security and foreign policy of the United States”.¹⁵ On 1 July 1998, the Department of the Treasury’s Office of Foreign Assets Control (OFAC) issued the Sudanese Sanctions Regulations (63 Fed. Reg. 35809, July 1, 1998). These regulations blocked all property and interests in property of the Sudanese government, its agencies, instrumentalities and controlled entities, including the Bank of Sudan, that were in the United States. The Clinton Administration has also brought pressure to bear on private banks and multilateral lending agencies not to lend to Sudan. They also prohibited: (1) the importation into the United States of any goods or services of Sudanese origin, with the exception of informational material; (2) the exportation or reexportation of goods, technology, or services to Sudan or the Government of Sudan apart from informational materials or donations of humanitarian aid; (3) the involvement of any American person in the export or reexportation of goods and services to or from Sudan; (4) the involvement of any American person in contracts relating to Sudan; (5) the grant or extension of credits or loans by any American person to the Sudanese government; and (6) transactions relating to the transportation of cargo.

The sanctions order has been renewed every year since 1997. On all these occasions the Clinton Administration has claimed that Sudan “continues to present an extraordinary and unusual threat to the national security and foreign policy of the United States”. President Clinton’s 1998 renewal of sanctions also stated that his Administration was concerned about human rights and freedom of religion.¹⁶

¹⁵ ‘The U.S. Imposes New Sanctions on Sudan’, Thomson Financial Publishing, <http://www.tfp.com/news/USSudan.htm>, 4 November 1997.

¹⁶ ‘Text of Clinton Letter on Sudan National Emergency’, News Article by US Newswire on 6 November 1998 at 22:05:52.

2.3 “GET OTHERS TO FIGHT YOUR WAR”

We have not and will not stop looking for ways in which to bring about changes in Khartoum's behaviour.

Edward Brynn, U.S. acting Assistant Secretary of State for African Affairs.¹⁷

The Clinton Administration has also clearly sought to “get others to fight your war”. By 1994, while the Administration’s propaganda campaign against Sudan was intensifying, things within Sudan had settled down markedly from a political and a security point of view. The military situation was better than it had been for many years and the Sudanese Government’s attempts to secure ‘peace from within’ were gaining momentum. It became increasingly evident that the SPLA, weakened by splits and expelled from Ethiopia following the fall of the Mengistu regime, was very unlikely to bring any further significant military pressure to bear on the Sudanese government.

It is a matter of record that from 1994 until the present the Clinton Administration has followed a policy of assisting the SPLA militarily and politically, actively encouraging the rebels to continue, and intensify, their involvement in what is clearly a no-win war.

The American government was also instrumental in temporarily unifying the Sudanese opposition, bringing a variety of groups together with the creation of the National Democratic Alliance (NDA) in Eritrea in June 1995. Groups within this new entity included northern opposition parties such as the Umma Party, Democratic Unionist Party and the Sudanese Communist Party, as well as the SPLA. The Sudan People’s Liberation Army was in effect to form the NDA’s military wing with Garang as the NDA’s military supremo. The National Democratic Alliance established a political-military committee, committing the organisation to the violent overthrow of the Sudanese government. The American ambassador was, in the words of the London-based newsletter, **Africa Confidential**, “conspicuous by his presence”.

¹⁷ The text of his comments is available at http://www.sas.upenn.edu/African_Studies/Urgent_Action/sudan_US.html

The Clinton Administration then took getting “others to fight your war” one step further. In 1996, it openly and unambiguously encouraged the governments of Eritrea, Ethiopia and Uganda not only to afford the SPLA safe rear bases, but also to both spearhead and support rebel military incursions into Sudan. This led to attacks into border regions of southern and eastern Sudan by Ethiopian, Eritrean and Ugandan military forces, often in brigade strength.

The Clinton Administration’s determination to control both the agenda on, and the perception management of, Sudan is all too transparent. On 15 February 1995, Antony Lake, President Clinton’s then National Security Adviser (and Clinton’s unsuccessful nominee for Director of the Central Intelligence Agency, CIA), speaking before a conference organised by the Center for Strategic and International Studies in Washington-DC stated:

We will be working with other governments in the region to see how we can best contain the influence of the Sudanese Government until it changes its views and begins to behave in accordance with the norms of international behaviour that we think governments should follow.

Shortly after that declaration, on 22 March 1995, Edward Brynn, the United States acting Assistant Secretary of State for African Affairs, speaking before a House of Representatives sub-committee on Africa, declared:

In short, while we have been successful in keeping attention focused on Sudan, we have been unable to affect change in those regime policies and practices of most concern to us. We will maintain bilateral and international pressure on Khartoum. We have not and will not stop looking for ways in which to bring about changes in Khartoum’s behaviour. The Sudanese government must understand that those same policies and practices which we find threatening and objectionable will eventually cause its downfall.¹⁸

The Administration’s agenda was repeatedly and openly stated. In late 1997, for example, John Prendergast, the National Security Council’s then director

¹⁸ The text of Assistant Secretary of State Brynn’s comments is available at the following web-site http://www.sas.upenn.edu/African_Studies/Urgent_Action/sudan_US.html

for Eastern Africa, stated that the government of Sudan was viewed as “the principle threat to U.S. security interests on the Continent of Africa today”.

He outlined American government policy when he spoke of the several levels of pressure being brought to bear on Sudan. These levels included placing Sudan on the list of state sponsors of terrorism and the unilateral sanctions that measure triggered: a regional level made up of three initiatives which included the “Front Line States Initiative” whereby the United States sought to “seek to include Uganda and Eritrea and Ethiopia in their effort to defend themselves from Sudan’s campaign of regional destabilization by providing defensive non-lethal military equipment to those three countries”; the Inter-Governmental Authority on Drought and Development, (later the Inter-Governmental Authority on Development, IGADD and then IGAD) Peace Initiative whereby the American government declared IGADD as the “only viable interlocutor for peace talks on Sudan”; and thirdly, the Greater Horn of Africa Initiative supporting “African-led solutions to their own problems”. The third level was said to be the domestic level within Sudan whereby the American government declared an intention to “build the capacity of Sudanese organizations, particularly in rebel-held areas, to respond to...emergencies in war-torn areas of Sudan”.

Prendergast also stated that the United States government had decided to “increase its engagement with the...opposition umbrella, the National Democratic Alliance, to support the non-violent political objectives of the opposition...To this end, we have decided to promote development assistance to opposition controlled areas of Sudan...It will allow us the possibility to support those in southern and eastern Sudan to promote the rule of law through the support of local court systems and civil administration, something that has already been going on for some time now”. Prendergast also said that a third initiative at the domestic level was an “effort to increase unilateral pressure on the Sudan government and vigorously condemn their actions on a consistent basis”.¹⁹

¹⁹ Speaking at the ‘Meeting on Religion, Nationalism and Peace in Sudan’, United States Institute of Peace, Washington-DC, 17 September 1997.

Chapter Three

THE CLINTON ADMINISTRATION'S REPEATED ABUSE OF ANTI-TERRORISM LEGISLATION

You cannot have people saying "We have proof of certain things" against a whole country but nobody knows what that proof is. There is a difference between whether something is proved sufficiently to bring a man before a court...and whether it is sufficient to prove to adopt one's political line.

Raymond Kendall, International Secretary-General of Interpol²⁰

The cornerstone of the Clinton Administration's rationale for its policies towards Sudan is its repeated claim that Sudan is a supporter of international terrorism. This is made clear in statements by Administration officials and is constantly cited in media coverage. The Clinton Administration listed Sudan as a state sponsor of terrorism in August 1993. Sudan joined Iran, Iraq, Libya, North Korea, Syria and Cuba on the American list. Whatever other states on the list may have done, Sudan was included despite the fact that there *was not a single example of Sudanese involvement in any act of international terrorism*. And it is also clear that Sudan was listed without any evidence of its support for terrorism. This much is a matter of record. Former United States President Jimmy Carter, long interested in Sudanese affairs, went out of his way to see what evidence there was for Sudan's listing. Carter was told there was no evidence:

In fact, when I later asked an assistant secretary of state he said they did not have any proof, but there were strong allegations.²¹

The focus for the Clinton Administration's allegations has been the United States Department of State publication, **Patterns of Global Terrorism**. It is important, first of all, to put **Patterns of Global Terrorism** into its legal context. The publication states that it is prepared in

²⁰ Cited in Fenton Bresler, **Interpol**, Mandarin, London, 1992, p.265.

²¹ **The Independent**, London, 17 September 1993.

compliance with United States law, Title 22 of the United States Code, Section 2656f (a), requiring the Department of State “to provide Congress a full and complete annual report on terrorism for those countries and groups meeting the criteria of Section (a) (1) and (2) of the Act. As required by legislation, the report includes detailed assessments of foreign countries where significant terrorist acts occurred, and countries about which Congress was notified during the preceding five years pursuant to Section 6 (j) of the Export Administration Act of 1979 (the so-called terrorism list countries that have repeatedly provided support for international terrorism).²²

The 1992 **Patterns of Global Terrorism**, the year before Sudan’s listing, stated that: “There is no evidence that the Government of Sudan conducted or sponsored a specific terrorist attack in the past year, and the government denies supporting any form of terrorism activity”²³ The report did record that: “In 1992 the Government of Sudan continued a disturbing pattern of relationships with international terrorist groups...Elements of the Abu Nidal organization (ANO), the Palestinian Islamic Movement (HAMAS), and the Palestinian Islamic Jihad (PIJ) terrorist organizations continue to find refuge in Sudan”. The London **Independent** described this as “keeping dubious company”.²⁴ The same groups, and many others, can be found organised and active in Western capitals across the world. In Britain many of the same “elements” are living as refugees on state benefits. They have even found a “refuge” in the United States. HAMAS, for example, held its third world congress in Kansas city, and has held meetings in Phoenix attended by Hamas leaders and 4000 supporters and sympathisers.²⁵

The 1993 **Patterns of Global Terrorism**, the first report which included Sudan on this list, once again clearly stated:

²² **Patterns of Global Terrorism**, 1992, United States Department of State, Washington-DC, 1993, iv.

²³ **Patterns of Global Terrorism**, 1992, United States Department of State, Washington-DC, 1993, p.4.

²⁴ **The Independent**, London, 9 June 1993.

²⁵ ‘Iran’s War on the West’, **Reader’s Digest**, January 1994, p.74.

Although there is no conclusive evidence linking the Government of Sudan to any specific terrorist incident during the year, five of fifteen suspects arrested this summer following the New York City bomb plot are Sudanese citizens.²⁶

Various newspapers and journals also recorded the simple lack of evidence for terrorist support before and after Sudan's listing. The London **Independent** of 9 June 1993, for example, stated: "So far, no major terrorist incident has been traced to the Islamic regime in Sudan. The Sudanese lack the logistical abilities to run terrorist networks...even if they wished". The London **Guardian** of 19 August 1993 reported that: "Independent experts believe...that these reports [of terrorist training camps] have been exaggerated, and that Sudan is too short of money to make it an active sponsor of terrorism". The **Independent's** Robert Fisk writing in December 1993, several months after the American decision, described Sudan as:

a country that is slowly convincing its neighbours that Washington's decision to put Sudan on its list of states supporting 'terrorism' might, after all, be groundless. Even Western diplomats in Khartoum are now admitting privately that - save for reports of a Palestinian camp outside Khartoum like those that also exist in Tunisia, Yemen, Syria and other Arab countries - there may be no guerrilla training bases in the country after all.²⁷

One year after Sudan's listing, the **Independent** returned to the theme. Referring to the presence of Palestinian and Lebanese dissidents: "Intelligence assessments reckon that these groups are allowed to live and study and perhaps to plot in apartments in the capital".²⁸

²⁶ **Patterns of Global Terrorism**, 1993, United States Department of State, Washington-DC, 1994, p.25.

²⁷ **The Independent**, London, 8 December 1993.

²⁸ **The Independent**, London, 23 August 1994.

3.1 THE LISTING OF SUDAN AS A STATE SPONSOR OF TERRORISM

It would seem, therefore, that Sudan was listed as a state sponsor of terrorism despite a complete absence of any evidence whatsoever of involvement in any act of terrorism. Donald Petterson, the United States ambassador to Sudan at the time of Sudan's listing, stated that he was "surprised" that Sudan was put on the terrorism list. Petterson said that while he was aware of "collusion" between "some elements of the Sudanese government" and various "terrorist" organisations:

I did not think this evidence was sufficiently conclusive to put Sudan on the U.S. government's list of state sponsors of terrorism.²⁹

It would appear that Ambassador Petterson, the Clinton Administration's ambassador to Sudan, was not even briefed prior to the decision to list Sudan being taken. When he queried the decision, he was told by an assistant secretary of state that the "new evidence was conclusive".³⁰ One can only speculate as to whether the assistant secretary of state who briefed Ambassador Petterson was the same assistant secretary of state who told former President Carter a few days later that the Clinton Administration did not have any proof, but that there were "strong allegations".

It should be pointed out, in any instance, that the extent to which inclusion on the list is dependent on policy considerations at any one moment in time, is highlighted by the case of Iraq. Iraq was first listed in 1979, was de-listed in 1982 when it went to war against Iran, which was seen as being in the American interest, and then put back on the list after the Gulf war. Nothing had changed in the meantime - Saddam Hussein's government was in power throughout. Political expediency had dictated Iraq's removal and then relisting.

The Clinton Administration's listing of Sudan served clear objectives. Sudan was projected as a state sponsor of terrorism and thereby to a great extent isolated internationally. Listing also brings with it specific sanctions, financial

²⁹ Petterson, op.cit., p.69.

³⁰ Ibid.

restrictions and prohibitions on economic assistance. These include a ban on arms-related exports and sales and a tight control of “dual-use” goods and technologies. The United States must also oppose any loan from international financial institutions for a country on the terrorism list.

It is perhaps important to record the Sudanese government’s response to claims that Khartoum in any way supports terrorism:

Sudan has not, and will not, allow its territory to be used for any act of terror or to be used as a shelter for terrorists or by those who have eluded justice. Sudan, like many other states, suffers day after day with those innocent civilians who lose their lives or who are harmed as a result of terrorist acts perpetrated in many parts of the world. Killing women and children, terrorizing peaceful citizens, destroying property and taking innocent civilians hostage cannot be accepted under any divine law; nor can they be accepted by any human being who believes in justice and peace.³¹

Speaking in 1994, the then director-general of the Sudanese Foreign Ministry, and subsequently Sudanese ambassador to the United States, Mahdi Ibrahim Mohamed touched on American double-standards:

How can you prove a negative? We have always believed that in Western countries the defendant is innocent until proven guilty. In our case, it is not like that. Until today, no information has been provided about a terrorist harboured in our country.³²

The 1994 **Patterns of Global Terrorism** once again stated that: “There is no evidence that Sudan, which is dominated by the National Islamic Front (NIF), conducted or sponsored a specific act of terrorism in 1994”. The report did claim that people associated with ANO, the Lebanese Hizballah, the Palestinian Islamic Resistance Movement (HAMAS), the Palestinian Islamic Jihad (PIJ) and Egypt’s Islamic Group were present in Sudan. In what was described as a “positive development”, the report did record that the

³¹ Speech by the Sudanese Permanent Representative to the United Nations, before the Security Council, 16 August 1996.

³² **The Independent**, London, 23 August 1994.

international terrorist “Carlos”, Illyich Ramirez Sanchez, was extradited to France.³³

It is clear that the Clinton Administration’s listing of Sudan as a state sponsor of terrorism, in the absence of any proof or evidence of such activity, was an abuse of United States anti-terrorism legislation for policy reasons.

3.2 WAIVING ANTI-TERRORIST LEGISLATION FOR DEMOCRATIC PARTY DONORS

Whenever convenient, however, the Administration has chosen to ignore its own anti-terrorist legislation for economic and business reasons. The Clinton Administration has, for example, granted sanctions exemptions for the import of Sudanese gum arabic, an indispensable foods, soft drinks and pharmaceutical stabiliser, of which Sudan has a near monopoly. And, in an equally clear cut instance of hypocrisy, it is also the case that in late 1996 the Clinton Administration had sought to grant an exemption to Occidental Petroleum, an American oil company, to become involved in the Sudanese oil industry.

The Occidental issue caused the Administration considerable embarrassment. At a January 1997 press briefing, a State Department spokesman defended the Administration’s position by stating: “If...individual financial transactions are found not to have an impact on any potential act of terrorism or to fund any group that supports terrorism, then these transactions...may be permitted”.³⁴ The **New York Times** commented that:

Recent days brought word that last summer business considerations led the White House to waive a law prohibiting American companies from doing business with countries that sponsored terrorism. Specifically, officials gave approval to the Occidental Petroleum Corporation to take part in a \$930 million

³³ **Patterns of Global Terrorism** 1994, United States Department of State, Washington-DC, 1995, p.23.

³⁴ ‘U.S. Department of State, Daily Press Briefing’, by Nicholas Burns, 17 January 1997.

oil project in Sudan...Washington's policy toward the Sudanese regime now seems hopelessly confused. Secretary of State Madeleine Albright did little to clarify it at her introductory news conference last Friday. Even as she called for new United Nations sanctions against Sudan, she endorsed the decision to let Occidental bid for the oil contract.³⁵

The **Washington Post** also commented:

[T]he elasticity of the law as it comes to US economic interests - and especially when those interests also happen to contribute generously to the Democratic National Committee - will not go unnoticed...It can only undercut U.S. efforts to isolate what it considers - or says it considers - rogue states.³⁶

3.3 THE MUBARAK ASSASSINATION ATTEMPT

The American government has claimed Sudanese involvement in the 1995 attempted assassination of Egyptian president Hosni Mubarak. In June 1995, while in Addis Ababa, Egyptian President Hosni Mubarak was the target of an assassination attempt. Several Egyptian terrorists tried to kill him in a gun attack on his limousine. This was one amongst many attempts by Egyptian extremists to kill Egyptian ministers and government officials. Islamic extremists had tried to assassinate Mubarak on several occasions, the first attempt being on 25 April 1982. The London **Independent** newspaper of 2 July 1995 reported that the Egyptian government initially accused the Ethiopian government of involvement in the assassination attempt: "Egyptian investigators claimed three Ethiopian security officials took part in the failed assassination attempt". The Ethiopian government issued an official statement refuting the Egyptian claim, stating:

Egyptian officials have over the past week been spreading all sorts of self-serving fantastic stories solely based on their imagination...It is now appearing that the Egyptian appetite for the fabrication of lies in connection with the crime committed by Egyptian terrorists is proving to have no limit and they have at this point reached a state

³⁵ 'Oil Deals and Arms Sales', Editorial, **The New York Times**, 28 January 1997.

³⁶ 'Commerce and Terrorism', Editorial, **The Washington Post**, 24 January 1997.

where Ethiopia can no longer refrain from putting the record straight...The Egyptian authorities are being requested through this statement...to refrain from continuing with their unacceptable campaign of lies and defamation, the full motive of which is known only to themselves.³⁷

The then Israeli Prime Minister Yitzhak Rabin blamed the murder attempt on “Islamic fundamentalists with the encouragement of Iran”. The Iranian government countered by accusing Israel of involvement in the incident.³⁸

Shortly after accusing Ethiopia of involvement, however, Egypt accused the Sudanese government of having been involved. Sudan had condemned the incident and strongly denied any involvement. The Egyptians claimed that three of the gunmen had fled to Sudan. Thirty-two days after the assassination attempt, the Ethiopian authorities provided the government of Sudan with the details of one of the suspects who left Addis Ababa by air on the same day as the incident. Among the only descriptions of these suspects were that one wore a Casio watch, and that one was married. Over the following weeks and months the United Nations demanded that Sudan extradite these men. The Sudanese government called in Interpol to assist with the manhunt. The government also published prominent ‘wanted’ notices in all the Sudanese Arabic daily newspapers for three days running. The notice was also published in the weekly English-language newspaper. Similar notices were broadcast on national television and radio. The notices were also sent to all Sudanese states, municipalities and localities. By March 1996, the Sudanese government had exhausted most if not all of the options open to it in its manhunt and stated that it was possible that one or two of the wanted men may have transited through Sudan. None could be found given the very meagre information provided by the Egyptian and Ethiopian authorities.

The only named suspect in the assassination attempt, Mustafa Hamza, one of the three said to be in Sudan, was subsequently located and interviewed by the international media in Afghanistan. A long interview with Hamza was published in **Al-Hayat** newspaper on 21 April 1996. Hamza stated that the Egyptian group, *Al Gamaa al Islamiya*, was responsible for the murder

³⁷ Statement by the Ministry of Information of the Transitional Government of Ethiopia, Addis Ababa, 3 July 1995.

³⁸ **The Independent**, London, 28 June 1995.

attempt. He stated that most of the gunmen involved came from Pakistan, travelling on passports issued by an Arab country, and that one or two men had entered Ethiopia from Sudan, having received visas from the Ethiopian embassy in Khartoum. He said that only one of the gunmen had left through Sudan and that he was now in a third country. Hamza stated that Sheikh Omer Abdel Rahman was the movement's spiritual leader. **Al-Hayat** reported that Hamza stated that there were "deep differences between the ruling Islamic Front in the Sudan and his Group (Gamaa Islamiya). He accused the Sudanese Government [of following a] distorted and deviated application of Islam". Simply put, the Sudanese model of Islam was too liberal for him.

In spite of the fact that at least one of the alleged gunmen was clearly in Afghanistan, that another was said to be in a third country, and that the otherwise forthcoming chief suspect denied that a third suspect had even been in Sudan, the United Nations, under American pressure, still imposed limited sanctions on Sudan for not extraditing these suspects. As late as December 1996, and in the face of clear evidence such as the above interview in Afghanistan, the Ethiopian government was still insisting that all three of the suspects were still in Sudan.³⁹ The subsequent trial of those suspects caught in Ethiopia itself was held in closed session.

President Mubarak's claims about the attempted assassination have been questioned. **Middle East International** reported in its 7 July 1995 issue that "the Egyptian government has produced no evidence that the attempted killers were in fact Sudanese or in any way backed by Sudan. But this did not prevent Mubarak...from pointing the finger at Egypt's southern neighbour and its ideological leader Hassan Turabi. His accusations were vehemently denied in Khartoum. It seems that Mubarak would rather blame the Sudanese than the Egyptian Islamists his government have been trying to crush for the last three years...Pointing the finger at Sudan has ensured that public attention has been kept off domestic politics." A different article in the same issue made perhaps the key point in stating: "It will be difficult to prove - or to disprove - the Sudan government's involvement in the assassination attempt...But this is not a police investigation, it is a political clash." The impermanence of the Egyptian attitude was perhaps also revealed when one year later, **Middle East International** reported that, on the occasion of meetings between Presidents Mubarak and al-Bashir during the 1996 Arab Summit, the issue of

³⁹'Showdown in Sudan', **The Middle East**, December 1996.

assassination attempt was described as a “triviality” by the Egyptian state media.⁴⁰

Despite the unanswered questions surrounding the Mubarak assassination attempt, the United Nations Security Council passed resolutions 1044, 1054 and 1070. Resolution 1054 introduced limited diplomatic sanctions, the scaling down of Sudanese embassy staff and restrictions on travel by Sudanese government officials. Resolution 1070 had sought to impose restrictions on the international flights of Sudanese airlines but was never implemented. The fact that in May 1997, the United States government was still expecting Sudan, under pain of continued sanctions, to extradite someone, Mustafa Hamza, , who had clearly been in Afghanistan for almost two years, far beyond Sudanese jurisdiction, shows how the issue is being clearly exploited for propaganda and policy reasons.⁴¹

3.4 THE AMERICAN GOVERNMENT AND ISLAMIC TERRORISM

It may well be the case that the American government were eager to deflect as much of the focus on the issue of “Islamic terrorism” onto other shoulders. As James Adams, the London **Sunday Times** Washington correspondent, has pointed out, it was the United States which had spent three billion dollars in training, equipping and, where necessary, motivating Islamic fundamentalist combatants:

The roots of this new terrorism lie not in Tehran but in the ten-year war in Afghanistan which began after the Soviets invaded the country in 1979. Following the invasion, the American government embarked on what was to become one of the largest covert efforts ever to fund, arm and train a guerrilla army. Over ten years, the US spent a total of £3 billion in secret aid, which was running at around £600m a year just before the Soviets withdrew in 1989. That money was spent largely on supplying the guerrillas who were trained and housed by the Pakistan government. Other Arab countries, particularly Saudi Arabia,

⁴⁰ **Middle East International**, London, 19 July 1996.

⁴¹ See the testimony of US Assistant Secretary of State George Moose before the Senate Foreign Relations Committee, Reported by USIA, 15 May 1997.

also contributed to the underwriting of the guerrilla effort...At the time the covert operation was under way, there was little concern in Washington about who actually received the money or guns.⁴²

The **Economist** in April 1993, touching on Egyptian President Hosni Mubarak's concerns about Islamic terrorism:

During the 1980s, America provided full-scale support for the fundamentalist mujahideen, including the 20,000 or so outsiders who at one time or another joined the Afghan fighters...Times change, but the Afghan veterans continue to cause trouble, in Algeria as well as Egypt. Mr Mubarak blames America for creating the basis of a terrorist network; some conspiracy-minded Arabs believe that the old links between fundamentalists and their American ex-supporters cannot simply have faded away.⁴³

Adams echoes the **Economist's** reporting when he states that "Both the Pakistanis and the Egyptians blame the CIA for this legacy of terror".⁴⁴ The London **Observer** newspaper referred to this phenomena as the "Frankenstein the CIA created".⁴⁵

Given the American Government's own clear involvement in the funding and sponsorship of what it itself would subsequently come to describe and define as Islamic terrorists and international terrorism (much of it subsequently focused upon American allies such as Egypt, Algeria and Saudi Arabia, and then on America itself) it makes considerable sense for Washington to cast around for people they can transfer blame to. Sudan is one such candidate. It is also convenient for the Egyptian government to blame Sudan for its problems just as it has previously blamed the USA for creating a terrorist network.

The fact is that the United States government through its various defence and intelligence agencies had spent up to three billion dollars in training Islamic

⁴² James Adams, **The New Spies**, Hutchinson, London, 1994, p.180.

⁴³ **The Economist**, 14 April 1993.

⁴⁴ Adams, op.cit., p.188.

⁴⁵ See, 'Frankenstein the CIA Created', **The Observer**, London, 17 January 1999.

fundamentalist guerrillas from around the world, as well as Afghans, not only in the use of weapons of war and explosives but also how to master the logistics of how to supply and carry out acts of war and sabotage against a variety of targets. All this training took place within CIA-supervised camps in Pakistan. The United States government had also extensively armed these same Islamic fundamentalists, providing them with assault rifles, machine guns, rocket launchers, explosives and quantities of American Stinger surface-to-air missiles.

3.5 THE WORLD TRADE CENTER BOMBING: CONTRADICTION AND CONFUSION

The World Trade Center in New York was bombed in February 1993. Several people died and dozens were injured when a car-bomb exploded in the Center's car-park went off. In March 1994, four Arabs were convicted of having caused the explosion. Ten other people were later also convicted in connection with the World Trade Center bombing and other terrorist conspiracies. In a remarkably clumsy way, the Clinton Administration has sought from time to time to insinuate that Sudan was somehow involved in the bombing.

Given the Clinton Administration's obvious eagerness to attribute any act of terrorism to Sudan, it is clear that had there been the slightest evidence of the Sudanese government's involvement in such a direct attack on the United States, it would not only have immediately trumpeted it around the world, but savage retaliation would have followed. Given that the World Trade Center/New York conspiracies had been extensively penetrated by both the CIA and the Federal Bureau of Investigation, as was clearly revealed during the trials⁴⁶, had there been the remotest link between Sudan and the bombings it would have been documented. It is an ironic fact, as the **Economist** has also documented, that several of the suspects in the bombing of the World Trade Centre had 'Afghani' connections.⁴⁷ One of the prime suspects, Mahmoud Abu-Halima, was himself an 'Afghani', having been militarily trained in Pakistan at an American-sponsored base.

⁴⁶ See, for example, 'US Terrorist Trial', **Middle East International**, London, 14 April 1995. The chief bomb maker, Emad Saleh, had been working for the FBI since 1991.

⁴⁷ **The Economist**, 5 June 1993.

In its attempts to implicate Sudan in the World Trade Center bombing, the Clinton Administration has contradicted itself on several occasions. In March 1993, for example, the United States government stated that the World Trade Center bombing was carried out by a poorly trained local group of individuals who were not under the auspices of a foreign government or international network.⁴⁸ In June 1993, the American authorities again stated there was no evidence of foreign involvement in the New York bombing or conspiracies.⁴⁹ The American government then reversed its position in August 1993 alleging Sudanese involvement in the New York bomb plots.⁵⁰ This finding was then comprehensively contradicted in 1996 by Ambassador Philip C. Wilcox Jr., the Department of State's Coordinator for Counterterrorism. On the occasion of the release of the 1995 **Patterns of Global Terrorism**, on 30 April 1996, Ambassador Wilcox made it very clear that there was no Sudanese involvement whatsoever in the World Trade Center bombings:

We have looked very, very carefully and pursued all possible clues that there might be some state sponsorship behind the World Trade Center bombing. We have found no such evidence, in spite of an exhaustive search, that any state was responsible for that crime. Our information indicates that Ramzi Ahmed Yousef and his gang were a group of freelance terrorists, many of whom were trained in Afghanistan, who came from various nations but who did not rely on support from any state.⁵¹

Yet, earlier that month, on 3 April, the then American ambassador to the U.N., Madeleine Albright, in meetings at the United Nations, claimed that two Sudanese diplomats had been involved in the World Trade Center bombing, and other "plots".⁵² This presents an interesting situation. The political appointee, Mrs Albright, with a political and policy line to follow, claiming one thing, and the professional anti-terrorism expert, Ambassador Wilcox, saying something completely different. On something as serious as allegations

⁴⁸ **The New York Times**, 26 March 1993.

⁴⁹ **The New York Times**, **The Washington Post**, 25 June 1993.

⁵⁰ **The New York Times**, 18 August 1993.

⁵¹ **Patterns of Global Terrorism: 1996 Briefing**, Press briefing by Ambassador Philip C. Wilcox Jr, Washington-DC, 30 April 1996 on US Government Home Page, at <http://www.state.gov/www/global/terrorism/960430.html>

⁵² 'U.S. Expels Sudanese Diplomat: Diplomat Implicated in U.N. Bomb Plot', News Article by United States Information Agency, 10 April 1996.

of terrorism, allegations involving the murderous bombing of the World Trade Center and a conspiracy to bomb other targets in New York, such a divergence is totally remarkable and yet again only but undermines the credibility of American claims with regard to Sudanese “involvement” in terrorism.

It is disturbing to note that in March 2000, seven years after the World Trade Center bombing, and four years after Ambassador Wilcox gave the definitive answer stating there was no Sudanese involvement, President Clinton’s special envoy to Sudan, former Congressman Harry Johnston, was still insinuating Sudanese involvement, stating that all those involved in the bombing had carried Sudanese passports.⁵³ First of all, as stated above, only five of the fifteen people arrested were Sudanese. Nationality in and of itself is no evidence for a state’s involvement in terrorism, and particularly in the case of the World Trade Center bombing. A number of those involved were Egyptian, would this mean that Egypt was complicit in the bombing? Others were Americans and Palestinians. Two other American citizens have been indicted for their involvement in the East African embassy bombings. Does this necessarily imply that the American government was somehow involved?

An even clearer example of the Administration’s misuse of anti-terrorism legislation for political reasons followed President Clinton’s cruise missile attack on the al-Shifa medicines factory in Khartoum. It is now abundantly evident that this attack, on an alleged chemical weapons facility owned by Osama bin-Laden, was a disastrous intelligence failure. As will be outlined, every one of the American claims about the al-Shifa factory proved to be false. Clinton Administration officials also subsequently admitted that when they attacked the factory they did not know who the owner was, Under Secretary of State Thomas Pickering stating that who owned the plant “was not known to us”.

When, several days later, the American government learnt, from subsequent media coverage of the attack, who actually owned the factory, that person, Mr Saleh Idris, was then retrospectively listed under legislation dealing with “specially designated terrorists”. On 26 August, 1998, the Office of Foreign Assets Control, the unit within the U.S. Treasury Department charged with the enforcement of anti-terrorism sanctions, froze more than US\$ 24 million of Mr

⁵³ ‘U.S. Envoy Upbeat After Talks With Sudan’, News Article by CNN on 6 March 2000 at 9:50 PM EST.

Idris's assets. These assets had been held in Bank of America accounts. On 26 February 1999, Mr Idris filed an action in the U.S. District Court for the District of Columbia, for the release of his assets, claiming that the government's actions had been unlawful. His lawyers stated that while the law used by the Clinton Administration to freeze his assets required a finding that Mr Idris was, or had been, associated with terrorist activities, no such determination had ever been made. Mr Idris had never had any association whatsoever with terrorists or terrorism. On 4 May 1999, the deadline by which the government had to file a defence in court, the Clinton Administration backed down and had to authorise the full and unconditional release of his assets.⁵⁴

The listing of Sudan as a state sponsor of terrorism provides a macro example of the Clinton Administration's abuse of anti-terrorist legislation. The case of Mr Idris provides a micro example of this misuse. The Clinton Administration's clear abuse of anti-terrorist legislation and its manipulation and abuse of legal measures for political expediency and convenience is not just immoral; it also discredits American anti-terrorist legislation internationally.

⁵⁴ See, 'US Unfreezes Assets of Sudan Factory Owner', Agence France Press, 4 May, 1999, 20:51 GMT; 'US Oks Payout for Sudan "Mistake": Faulty Intelligence Blamed for Air Strike', **The Washington Times**, 5 May 1999; 'US Admits Sudan Bombing Mistake', **The Independent**, London, 4 May 1999; 'US to Unfreeze Accounts Frozen Over Plant', **The Asian Wall Street Journal**, 5 May 1999.

3.6 THE CLINTON ADMINISTRATION AND THE AL-SHIFA FACTORY BOMBING FIASCO

[T]he strike in regards to the Khartoum chemical plant cannot be justified...These are pretty harsh words. I know one thing for sure. The intelligence agencies of other countries look at that and they think, 'Wait a minute, if you hit the wrong target or if in fact the justification was not accurate, it is either ineptitude or, to get back to the wag-the-dog theory, something else is going on. That gets to our credibility. And that is why both the administration and the Congress must insist on a foreign policy where if you draw a line in the sand, if you make a statement, your credibility is tremendously important.

U.S. Senator Pat Roberts⁵⁵

On 7 August 1998, terrorist bombs devastated United States embassy buildings in Kenya and Tanzania. Hundreds of people, some of them American, were killed in the explosion in Nairobi and dozens in the blast in Dar-es-Salaam. Thousands more were injured. The American government linked Osama bin-Laden, the Saudi-born millionaire funder of Islamic extremism with these attacks. It is worth noting that the Sudanese government immediately and repeatedly condemned the embassy bombings. The Sudanese foreign minister, Dr Mustafa Osman Ismail, stated, for example, that: "These criminal acts of violence do not lead to any goal."⁵⁶ On 11 August, Agence France Presse reported the Sudanese foreign minister's statement that "We must pool our efforts to eradicate all the causes of terrorism" and he had called for:

the solidarity and cooperation of all the nations in the region and the international community to stand up to international terrorism.⁵⁷

⁵⁵ 'Roberts Calls US Missile Attack on Sudan Unjustified', by Dennis Pearce, **The Wichita Eagle**, 28 October 1998. Senator Roberts is a member of both the Senate Intelligence and Armed Forces Committees.

⁵⁶ 'Sudan Condemns Bombings of U.S. Embassies', News Article by Reuters on 8 August 1998 at 08:54:19.

⁵⁷ 'Sudan Offers Nairobi Help to Track Down the "Guilty Men"', News Article by Agence France Presse on 11 August 1998 at 12:33

It is a matter of record that the Sudanese government took its condemnation of the Kenyan and Tanzanian bombings one step further. Sudan offered to help in tracking down the terrorists involved. The foreign minister stated that: "Sudan supports Kenya in its efforts to reach the people who committed the incident and is prepared to cooperate fully with it in this regard."⁵⁸ The government of Sudan also immediately granted United States requests for access to Sudanese airspace to evacuate American diplomatic staff and citizens from Kenya, and to provide emergency assistance to those affected in the bombing. When the United States requested further humanitarian overflight authorisations they too were granted. No one, not even the Clinton Administration, has claimed that the Sudanese Government in any way supported or even sympathised with these bombings.

On 20 August, the United States government launched missile attacks, involving 75 Cruise missiles, on installations said to be part of Osama bin-Laden's infrastructure inside Afghanistan. Washington also chose to attack the al-Shifa pharmaceutical factory in Khartoum, the capital of Sudan, alleging that it was making chemical weapons as part of Osama bin-Laden's infrastructure of international terrorism. The al-Shifa plant was badly damaged by the 17 Cruise missiles used in the American attack. Several workers were injured in the attack. A nightwatchman died of his injuries. Two food processing factories were also damaged in the strike.⁵⁹

The United States government made several, widely-reported, claims about the al-Shifa factory. In the news briefing given by United States Defence Secretary, William Cohen, on 20 August, he stated that the al-Shifa factory "produced the precursor chemicals that would allow the production of...VX nerve agent". Secretary Cohen also stated that Osama bin-Laden "has had some financial interest in contributing to...this particular facility".⁶⁰

The American government also claimed that no commercial medicines or drugs were made at the factory. The **New York Times**, for example, reported:

⁵⁸ 'Sudan Offers to Help Find Kenya Bombings', News Article by Reuters on 11 August 1998 at 12:28:46.

⁵⁹ 'Two Food Processing Factories Hit in US Raid: Witness', News Article by Agence France Press on 21 August 1998 at 09:05:12.

⁶⁰ 'Text of news briefing given by Defence Secretary William Cohen and Gen. Henry Shelton on military strikes in Afghanistan and Sudan', the **Guardian** website, at http://reports.guardian.co.uk/sp_reports/usbombs/376.html.

“statements by a senior intelligence official hours after the attack that the plant in Khartoum...produced no commercial products.”⁶¹ President Clinton’s National Security Advisor, Sandy Berger, went on record stating:

There is no question in our mind that facility, that factory, was used to produce a chemical that is used in the manufacture of VX nerve gas and has no other commercial distribution as far as we understand. We have physical evidence of that fact and very, very little doubt of it.⁶²

ABC News also stated that senior intelligence officials had claimed that: “there was no evidence that commercial products were ever sold out of the facility.”⁶³

In the briefings shortly after the bombing United States officials also claimed that the al-Shifa facility was heavily guarded.⁶⁴ In a briefing on the al-Shifa factory soon after the strike on Khartoum, a senior American intelligence official told reporters in Washington that: “The facility also has a secured perimeter and it’s patrolled by the Sudanese military.”⁶⁵

One would presume that the intelligence officials involved in these, and other briefings, would have been the cream of the American intelligence community. They would also be presenting the latest intelligence material the United States government had to hand to justify its Cruise missile attack on Sudan - information which would have been gathered by the intelligence agencies of the most powerful country on Earth, intelligence agencies which have budgets running into billions of dollars. Every one of their claims proved to be demonstrably false.

Within hours of the attack, the Sudanese President, Omer al-Bashir, said that Sudan would be bringing an official complaint at the American action before the United Nations Security Council and that the Sudanese government would

⁶¹ **The New York Times**, ‘Possible Benign Use Is Seen for Chemical at Factory in Sudan’, 27 August 1998.

⁶² ‘Sample From Sudan Plant Said to Link It to Weapons’, **International Herald Tribune**, 25 August 1998.

⁶³ ‘White House Has Trouble Explaining Attack on Sudan. More Questions Than Answers’, ABCNews.com, Barbara Starr, Washington, 26 August 1998.

⁶⁴ **The New York Times**, ‘Possible Benign Use Is Seen for Chemical at Factory in Sudan’, 27 August 1998.

⁶⁵ ‘CIA “has residue from Shifa plant”’, **The Guardian**, London, 25 August 1998.

also ask the United Nations to establish “a commission to verify the nature of the activity of the plant.”⁶⁶ President al-Bashir flatly denied American claims that the al-Shifa plant was being used to make chemical weapons. He accused President Clinton of lying:

Putting out lies is not new for the United States and its president.
A person of such immorality will not hesitate to tell any lie.⁶⁷

President al-Bashir also stated that Sudan was critical of the United States government, and not of American companies or citizens: “We have no animosity towards the American people and non-government agencies.”⁶⁸ In a formal letter to the United Nations Security Council, Bishop Gabriel Rorich, the Sudanese Minister of State for External Affairs, condemned the American attack on the factory. The Sudanese government stated that the factory was privately owned and had been financed by several Sudanese investors and the Bank of the Preferential Trade Area (PTA), also known as Comesa. The factory produced more than half of Sudan’s need for medicines. The Sudanese government stated:

The allegations in U.S. statements that Osama bin-Laden owned this factory and that it produced chemical weapons and poisonous gases for terrorist purposes are allegations devoid of truth and the U.S. government has no evidence for this.

Sudan requested the convening of the Security Council to discuss the matter, and also requested a technical fact-finding mission to verify American claims.⁶⁹ The United States deputy ambassador to the United Nations, Peter Burleigh, dismissed Sudanese calls for independent verification of the site: “I

⁶⁶ See, ‘Sudan to Protest to UN Over US strike - Adds Beshir Comments’, News Article by Agence France Presse on 20 August 1998 at 22:17:17.

⁶⁷ ‘Sudan to Protest to UN Over US strike - Adds Beshir Comments’, News Article by Agence France Presse on 20 August 1998 at 22:17:17.

⁶⁸ ‘U.S. Tells Sudan It Wasn’t Personal’, News Article by Associated Press on 24 August 1998 at 09:52:42.

⁶⁹ ‘Letter of H.E. Bishop Gborial Roric, State Minister at the Ministry of External Affairs to the President of the United Nations Security Council on the flagrant American aggression against the Sudan’, Ministry of External Affairs, Khartoum. See, also, ‘Sudan Formally Asks for UN Meeting, Probe of Plant’, News Article by Reuters on 22 August 1998 at 05:44 pm EST; ‘Khartoum Seeks Condemnation, Damages and Fact-Finding Team’, News Article by Agence France Presse on 23 August 1998 at 19:03:09

don't see what the purpose of the fact-finding study would be. We have credible information that fully justifies the strike we made on that one facility in Khartoum".⁷⁰

The Sudanese government also stated that it was prepared to allow Americans to visit Khartoum to establish whether the al-Shifa factory was involved in the production of chemical weapons.⁷¹ The Sudanese interior minister, Abdel Rahim Hussein, repeated invitations to investigate the site to the London **Sunday Times**: "We are ready to receive specialists from the Americans and the West to investigate that the factory had nothing to do with chemical weapons."⁷²

The Sudanese foreign minister also invited an investigation committee from the United States government itself to come and investigate "whether this factory...has anything to do with chemical (weapons)."⁷³ On 22 August, the Sudanese President invited the United States Congress to send a fact-finding mission:

We are fully ready to provide protection and all other facilities to enable this mission to obtain all information and meet anyone it wants.⁷⁴

In the weeks and months following the al-Shifa bombing, the Sudan would repeatedly call on the United Nations and United States to inspect the remains of the factory for any evidence of chemical weapons production. The Americans have steadfastly refused to inspect the site. This is ironic given that in 1998, the United States and Britain militarily attacked Iraq because that country would not allow the inspection of certain factories and the remains of factories, but when the Sudanese requested a similar inspection of a site claimed to have been a chemical weapons factory, the Clinton Administration

⁷⁰ 'US "Reveals" Nerve Gas Evidence', BBC World: Africa news, Tuesday, 25 August 1998 Published at 10:42 GMT 11:42 UK.

⁷¹ 'Sudan Willing to Accept US-led Probe into Factory Attack', News Article by Agence France Presse on 23 August 1998 at 18:03:59.

⁷² 'Was the Sudan Plant Really Linked to Nerve Gas', **The Sunday Times**, London, 23 August 1998.

⁷³ 'Minister: Sudan Invites an American Verification Committee', News Article by Associated Press on 22 August 1998 at 00:16.

⁷⁴ 'Sudan President Invites Fact-Finders, Warns of Retaliation', BBC Online Network, World Mediawatch, Saturday, 22 August 1998 Published at 17:47 GMT 18:47 UK.

pointedly refused. The **Washington Post** quoted a Sudanese diplomat at the United Nations:

You guys bombed Iraq because it blocked U.N. weapons inspectors. We're begging for a U.N. inspection and you're blocking it.⁷⁵

Almost immediately following the American attack and their claims that the factory was producing chemical weapons, credible voices began to doubt the American justification for their strike. Amongst these voices were several Britons who had either worked at the factory, or who had visited it. What the factory produced, and its ownership, was addressed by Ghazi Suleiman, the lawyer representing Saleh Idris, the owner of the al-Shifa pharmaceutical factory. It should be noted that that Mr Suleiman is no friend of the present government in Sudan. He is, in the words of **The Economist**, "the country's leading human-rights lawyer and an outspoken critic of the regime".⁷⁶ He spent 25 days in detention earlier in 1998. Mr Suleiman said that Mr Idris did not know Osama bin-Laden, and that the factory produced only drugs, not chemical weapons. He said:

I think the Americans are under bad information and they are not well briefed.... I think it would have been prudent before destroying the plant to come and investigate the site.

The factory had been designed by an American, Henry Jobe, of the world-renowned MSD Pharmaceutical Company. Interviewed by the London **Observer** newspaper, Mr Jobe stated: "We didn't intend a dual use for it. We didn't design anything extra in there. The design we made was for pharmaceuticals."⁷⁷ It is perhaps indicative of the incompetence of American intelligence in its assessment of the al-Shifa factory, that Mr Jobe revealed that he was interviewed for the first time by the CIA about the plant and its equipment, one week *after* the American missile strike.⁷⁸

The Sudanese government invited journalists from the print and electronic media into the country to inspect the bombed factory. The **Washington Post**

⁷⁵ 'Absent at Conference, Sudan is Still Talking With U.S.', **The Washington Post**, 17 March 2000.

⁷⁶ **The Economist**, 29 August 1998.

⁷⁷ 'Sudanese Plant "Not Built for Weapons"', **The Observer**, London, 30 August 1998.

⁷⁸ 'More Doubts Rise Over Claims for U.S. Attack', **The Wall Street Journal**, 28 August 1998.

reported that, whereas the government has “routinely declined visas to American journalists because the United States has declared it to be a terrorist state” it now “ushered in reporters by the score...to photograph, videotape and broadcast live”. The **Washington Post** reported that visiting reporters from American, British, French, German, Japanese and Arab media outlets were “picking through the rubble”.⁷⁹

Amongst the dozens of journalists and news services who visited the site, was the flagship American international news gatherer, CNN. It reported:

The utter destruction in the wake of a missile attack...Laid out in display: what the government says are remnants of the missiles salvaged from the rubble, all part of a concerted campaign to persuade the international community that Sudan has nothing to hide. And repeated calls, too, for an independent inspection team to investigate the site. The government here apparently confident that no trace of any agent used in the manufacture of chemical weapons will be found.⁸⁰

It is evident that there was distinct unease amongst Khartoum’s foreign diplomatic corps at the targeting of the al-Shifa factory. It was reported that the German ambassador to Sudan, Werner Daum, had immediately contradicted United States claims about the factory. In a communication to the German foreign ministry, he stated: “One can’t, even if one wants to, describe the Shifa firm as a chemical factory.”⁸¹ The German ambassador also stated that the factory had no disguise and there was nothing secret about the site.⁸²

The **Guardian**, reporting from Khartoum, stated that “most European diplomats here are as aghast at the raid, and above all the choice of target, as they (the Sudanese government) are”. The paper interviewed a senior European diplomat who said that: “There was absolutely nothing secret about the plant and there never has been.”⁸³

⁷⁹ ‘U.S., Sudan Trade Claims on Factory’, **The Washington Post**, 25 August 1998.

⁸⁰ ‘Sudan’s President Says Blame Falls on Clinton, Not the American People’, 24 August 1998 at 4:14 p.m. ET.

⁸¹ ‘Sudanese Plant “Not Built for Weapons”’, **The Observer**, London, 30 August 1998.

⁸² ‘Destroyed Sudanese Factory Produces only Drugs: German Ambassador’, News Article by Xinhua on 30 August 1998 at 00:00:31.

⁸³ **The Guardian**, London, 27 August 1998.

3.7 THE CLINTON ADMINISTRATION AND THE AL-SHIFA FACTORY: UNTENABLE CLAIMS

The American intelligence claims about the al-Shifa factory fell by the wayside one by one. The United States government made five claims about the al-Shifa factory in its attempts to justify its Cruise missile attack on the plant. These were as follows: the al-Shifa plant was making precursors to the VX nerve gas, namely a compound known as EMPTA; that Osama bin-Laden either owned or had a financial link to the al-Shifa factory; that the al-Shifa factory did not produce any medicines or drugs; that the al-Shifa factory was a high security facility guarded by the Sudanese military; and that there were weapons of mass destruction technology links between Sudan and Iraq. An examination and assessment of the evidence released by the United States found it to be confused, inconclusive and contradictory. After just over one week of sifting through American government claims, The **Observer** newspaper spoke of:

a catalogue of US misinformation, glaring omissions and intelligence errors about the function of the plant.⁸⁴

The claim that the al-Shifa plant was making precursors to the VX nerve gas was immediately challenged by American and European scientists, chemists and chemical warfare experts. Evidence of such claims was demanded. While claiming to have “physical evidence” to support their attack on al-Shifa, United States officials initially said that they would not be able to release it for security reasons. Speaking on CNN’s Late Edition on 22 August, the President’s National Security Adviser, Sandy Berger, refused to describe the “physical evidence” the government had, saying that it was necessary to protect intelligence methods and sources. In the days following the attack, Bill Richardson, the United States ambassador to the United Nations, said that that the United States government was in possession of “undeniable physical evidence” that al-Shifa was being used to manufacture chemical weapons. He admitted that the American government had not presented this evidence to the United Nations Security Council, but that it had been shown to United States congressional leaders. Richardson stated that “We believe that is sufficient”.⁸⁵

⁸⁴ ‘Sudanese Plant “Not Built for Weapons”’, **The Observer**, London, 30 August 1998.

⁸⁵ ‘Sudan’s Plea for Inquiry is Spurned’, **The Financial Times**, 25 August 1998.

After further international pressure, the United States government officials then stated on 24 August that the United States had material from the plant, including equipment and containers which carried residues of a chemical substance with no commercial uses, but which it was said was exclusively used in VX nerve gas.⁸⁶ It was additionally stated by the two anonymous officials that the CIA had used light spectrum data collected by spy satellites to analyse emissions from the plant and that they may also have employed banded migratory birds that fly through Khartoum to gather information about production at the plant.⁸⁷

The United States position then shifted, and on 25 August it claimed that the key evidence justifying its destruction of the al-Shifa plant was in fact a soil sample of a precursor chemical in the making of the VX nerve gas obtained months previously from the factory.⁸⁸ The United States government then refused to identify what they claimed to be the precursor.⁸⁹ The White House press spokesman, Mike McCurry, speaking on 24 August, stated, for example, that: “The nature of that information is classified now.”⁹⁰ After several days of attempting to avoid naming the compound, the American government stated that the chemical was said to be O-ethylmethyl-phosphonothioic acid, or EMPTA.

The American Under Secretary of State Thomas Pickering went on record to claim that:

The physical evidence is a soil sample, analysis of it shows the presence of a chemical whose simple name is EMPTA, a known precursor for the nerve agent VX....We think that it was this evidence, and evidence like it, which made our decision to carry out this strike on this particular target the correct and proper decision under the circumstances.⁹¹

⁸⁶ ‘CIA “Has Residue from Shifa Plant”’, **The Guardian**, London, 25 August 1998.

⁸⁷ ‘Britain and Sudan Trade Blows as US Claims VX Gas “Evidence”’, **The Independent**, London, 25 August 1998.

⁸⁸ ‘U.S. Says Iraq Aided Production of Chemical Weapons in Sudan’, **The New York Times**, 25 August 1998.

⁸⁹ ‘US Had “Precursor” to Nerve Gas Sample from Sudanese Plant: Newsweek’, News Article by Agence France Presse on August 23, 1998 at 19:49 GMT.

⁹⁰ ‘US Confident of Attacks’ Success’, News Article by UPI on 24 August 1998 at 26:50:41

⁹¹ ‘U.S. State Dept. Says Soil Showed VX-Sudan Link’, News Article by Reuters on 26 August 1998 at 6:43 AM EDT.

The soil samples were said to have been obtained from the factory itself.⁹² An American intelligence official added that:

It is a substance that has no commercial applications, it doesn't occur naturally in the environment, it's not a by-product of any other chemical process. The only thing you can use it for, that we know of, is to make VX.⁹³

This was immediately challenged by the **New York Times**, which stated that: "The chemical precursor of a nerve agent that Washington claimed was made at a Sudanese chemical factory it destroyed in a missile attack last week could be used for commercial products."⁹⁴ The **New York Times** cited the Organization for the Prohibition of Chemical Weapons (OPCW) as stating that the chemical could be used "in limited quantities for legitimate commercial purposes". These purposes could be use in fungicides, and anti-microbial agents. It should be noted that the OPCW is an independent international agency which oversees the inspections of governments and companies to ensure they are not making substances that contravene the chemical weapons ban treaty.

There also appeared to be confusion in the official American government claims about the EMPTA compound. On 26 August, the U.S. Arms Control and Disarmament Agency stated that EMPTA was listed as a so-called Schedule 1 chemical - an immediate chemical weapons precursor with no recognised commercial use - by the Organisation for the Prohibition of Chemical Weapons. The U.S. Arms Control and Disarmament Agency then changed its public stance within a matter of hours, after OPCW officials said that EMPTA could have commercial uses. Contradicting American government claims, the Organisation for the Prohibition of Chemical Weapons said that the organisation classifies Empta on its Schedule 2b of compounds that could be used to make chemical weapons but which also have commercial uses. The OPCW said that EMPTA is identified with a process to make plastics flexible and also with some fungicides and anti-microbial agents.⁹⁵

⁹² 'US Strives to Justify Aid Strike on Sudan Attack on Factory', **The Independent**, 26 August 1998.

⁹³ 'US strives to Justify aid Strike on Sudan Attack on Factory', **The Independent**, 26 August 1998.

⁹⁴ 'Chemical Made at Bombed Sudanese Factory had Commercial Uses: Report', News Article by Agence France Presse on 27 August 1998 at 11:38 GMT.

⁹⁵ "Smoking Gun" for Sudan Raid Now in Doubt', **The Chicago Tribune**, 28 August 1998.

Sources at the Organisation for the Prohibition of Chemical Weapons also pointed out that EMPTA is difficult to isolate when in soil. A chemical weapons expert at OPCW also stated that pesticide traces in the soil could result in a false-positive result.⁹⁶ Mike Hiskey, an expert at the world-renowned Los Alamos National Laboratory in the United States, said that the chemical had commercial uses, including the manufacture of some herbicides and pesticides.⁹⁷ The **Guardian** also reported that: “a search of scientific papers showed that it could be used in a variety of circumstances.”⁹⁸

The London **Observer** also stated that:

US credibility has been further dented by Western scientists who have pointed out that the same ingredients are used for chemical weapons and beer, and that mustard gas is similar in make-up to the anti-clogging agent in biro ink. It has also been pointed out that the cherry flavouring in sweets is one of the constituent parts of the gas used in combat. Empta also has commercial uses not linked to chemical weapons.⁹⁹

The Sudanese government directly challenged American claims to have a soil sample. The Sudanese information minister, Dr Ghazi Saleheddin, stated:

They have not produced any convincing evidence. We have to be satisfied that the United States is not making this up. It's not enough to produce soil which could have been made up in the United States itself, and to claim that the soil contains toxic agents. For a factory to produce toxic agents, you need special facilities, special preparations, special storage areas and preparations facilities. You can't keep things to yourself and keep claiming you have the final proof without allowing people to verify your claims.¹⁰⁰

⁹⁶ 'More Doubts Rise Over Claims for U.S. Attack', **The Wall Street Journal**, 28 August 1998.

⁹⁷ "'Smoking Gun' for Sudan Raid Now in Doubt", **The Chicago Tribune**, 28 August 1998.

⁹⁸ 'Expert Queries US Labelling of Sudan chemicals', **The Guardian**, London, 28 August 1998.

⁹⁹ 'Sudanese Plant "Not Built for Weapons"', **The Observer**, London, 30 August 1998.

¹⁰⁰ 'Sudan Demands U.S. Evidence That Factory Made Nerve Agents', News Article by Associated Press on 25 August 1998 at 12:50:46.

The **Observer** reported that American intelligence sources were moving to “less and less credible positions”.¹⁰¹ On 6 September 1998, The **Washington Post**, in an editorial entitled ‘Intelligence Lapse?’, called American intelligence claims about the al-Shifa factory into question:

the possibility of an intelligence failure in the choice of targets in Sudan is so awful to contemplate...But enough questions have been raised, and the administration’s story has been often enough revised, to warrant further inquiry...How could the CIA not have known more about the factory - not have known what so many ordinary citizens apparently knew? Some officials reportedly pointed to a search of the factory’s Internet site that listed no products for sale. We can only hope that, if the administration could speak more openly, it could make a more persuasive case. At a minimum, there is room here for congressional intelligence committees to inquire further.

This **Washington Post** editorial was amongst the first of many American newspaper editorials and articles explicitly questioning the Clinton Administration’s attack on the al-Shifa factory. In February 1999, extensive tests by Professor Thomas Tullius, chairman of the chemistry department at Boston University, on samples taken from the wrecked al-Shifa plant and its grounds, found that “to the practical limits of scientific detection, there was no EMPTA or EMPA, its breakdown product.”¹⁰²

The claim that Osama bin-Laden either owned or had a financial link to the al-Shifa factory also quickly unravelled. The United States government claimed that Osama bin-Laden either owned or had a financial interest in the al-Shifa factory. This was denied both by the real owner and the Sudanese government. Mr Suleiman, the al-Shifa company’s lawyer confirmed that the owner was a Sudanese businessman, Saleh Idris. The plant had been established by Bashir Hassan Bashir, and had been sold in March 1997 to Mr Idris.¹⁰³ Interviewed in late 1999, Under Secretary of State Thomas Pickering admitted that when the U.S. Government attacked the al-Shifa factory, who actually owned the

¹⁰¹ ‘Sudanese Plant “Not Built for Weapons”’, **The Observer**, London, 30 August 1998.

¹⁰² ‘Experts Find No Arms Chemicals at Bombed Sudan Plant’, **The New York Times**, 9 February 1999.

¹⁰³ ‘Sudan Tells British Ambassador to go as Diplomatic Row Grows’, **The Guardian**, London, 25 August 1998.

plant “was not known to us”.¹⁰⁴ That is to say that despite the fact that Mr Idris had owned the factory for 18 months prior to the American attack, the American intelligence community were unaware of that fact. All any of the U.S. government’s many intelligence agencies had to do to ascertain who owned the al-Shifa factory was telephone the factory, or ask any of the European ambassadors - including the British ambassador - who had visited the plant and knew the owner.

On 25 August a United States intelligence official, giving an official briefing to the media on the American missile strikes admitted that the ties between bin-Laden and the al-Shifa factory were “fuzzy”.¹⁰⁵ On the same day, Reuters reported that a United States intelligence official had said that he: “could not confirm any direct financial link between Bin Laden and the plant.”¹⁰⁶ The **Washington Post** reported that: “Within days, however, U.S. officials began pulling back from directly linking bin Laden to El Shifa Pharmaceutical.”¹⁰⁷ By 31 August, it was being reported by **The New York Times** that: “Some U.S. officials now say Mr. bin Laden’s financial support...did not directly flow to the plant itself”

In a 1 September briefing, American Defence Secretary Cohen was forced to admit that the evidence linking bin-Laden to the al-Shifa plant “was a little tenuous”.¹⁰⁸ That is to say, two weeks after the American government destroyed the al-Shifa factory because, in large part, American intelligence claimed that Osama bin-Laden either owned, part-owned, or had a financial interest in, the al-Shifa factory, the best the American Defence Secretary could come up with was that the claimed link was “a little tenuous”.

The Clinton Administration’s claim that the al-Shifa factory had no commercial products was also quickly disproven. The American news service, ABC News, stated that senior intelligence officials had claimed in relation to

¹⁰⁴ ‘Was Sudan Raid on Target? Did FBI Botch Chance to Grab Embassy Bombing Suspects?’, MSNBC TV News, 29 December 1999, <http://www.msnbc.com/news/351435.asp>

¹⁰⁵ ‘U.S. Intelligence Cites Iraqi Tie to Sudan Plant’, News Article by Associated Press on 25 August 1998 at 20:23:36.

¹⁰⁶ ‘U.S. Intelligence defends VX-Sudan link’, News Article by Reuters on 25 August 1998 at 7:27 PM EDT.

¹⁰⁷ ‘Employees Dispute Charge That Plant Made Nerve Agent’, **The Washington Post**, 26 August 1998.

¹⁰⁸ ‘Administration Officials Detail Missile Strike Strategy’, News Article by Associated Press on 2 September 1998 at 09:25:00.

the al-Shifa factory that: “there was no evidence that commercial products were ever sold out of the facility.”¹⁰⁹ President Clinton’s National Security Advisor, Sandy Berger, personally stated that the Al-Shifa factory: “has no other commercial distribution as far as we understand. We have physical evidence of that fact and very, very little doubt of it.”¹¹⁰

The factory’s lawyer, and Sudan’s most prominent anti-government activist, Ghazi Suleiman, said that the factory produced 60 percent of Sudan’s pharmaceutical drugs, including antibiotics, malaria tablets and syrups, as well as drugs for diabetes, ulcers, tuberculosis, rheumatism and hypertension.¹¹¹ He stated that the factory had employed three hundred workers, supporting some three thousand people.¹¹² Mr Suleiman also echoed Sudanese government calls for a fact-finding mission to examine the factory ruins to verify American claims of chemical weapons production.¹¹³ The factory’s components had been imported from the United States, Sweden, Italy, Switzerland, Germany, India and Thailand.¹¹⁴ Mr Bekheit Abdallah Yagoub, the deputy commissioner of the Sudanese Humanitarian Aid Commission, said the factory supplied 70 percent of the drug needs of southern, eastern and western Sudan, areas wracked by famine and disease.¹¹⁵ Journalists who visited the site were able to find thousands of containers and bottles of human medication and animal drugs, clear evidence of the factory’s commercial production.

If this was not enough evidence, al-Shifa had been in the process of filling a United Nations-approved contract to provide Iraq with \$200,000 worth of ‘Shifzole 2.5 percent (Albndazole 2.5 percent for Levamisole)’, a deworming drug for animals, a contract approved in January 1998 by the United Nation’s Iraqi sanctions committee in January 1998 as part of the “oil for food”

¹⁰⁹ ‘White House Has Trouble Explaining Attack on Sudan. More Questions Than Answers’, ABCNews.com, Barbara Starr, Washington, 26 August 1998.

¹¹⁰ ‘Sample From Sudan Plant Said to Link It to Weapons’, **International Herald Tribune**, 25 August 1998.

¹¹¹ ‘US Bombing Accelerates Health Crisis, Says Sudan’, **Electronic Mail & Guardian**, South Africa, 25 August 1998.

¹¹² ‘Sudanese Lawyer Claims Factory Had No Links to bin Laden’, News Article by CNN on 23 August 1998 at 09:41:34.

¹¹³ ‘Sudanese Rally Behind Government over US Attack’, News Article by Agence France Presse on 29 August 1998 at 23:27:18.

¹¹⁴ ‘US Bombing Accelerates Health Crisis, says Sudan’, **Electronic Mail & Guardian**, South Africa, 25 August 1998.

¹¹⁵ ‘Sudan Dismisses US Factory-Attack Explanation’, News Article by Agence France Presse on 25 August 1998 at 12:55:34.

programme.¹¹⁶ One would have presumed that the American government, and particularly its intelligence agencies, would have been vigorously monitoring any of the United Nations contracts for Iraq.

The United States government eventually conceded that the al-Shifa factory had in fact been commercially producing medicines and drugs. Some days after the missile strike, State Department spokesman James Foley admitted, for example: “That facility may very well have been producing pharmaceuticals.”¹¹⁷ The London **Times** also confirmed the Clinton Administration’s belated acceptance of this fact: “Now they admit it made 60 percent of Sudan’s medicine.”¹¹⁸ On 31 August, it was reported that the Pentagon itself admitted that there had been an intelligence failure on the part of the United States government in not being aware of the commercial production of medicines and drugs: “Some of the intelligence people didn’t know they would find any of that there.”¹¹⁹

For the National Security Advisor to have publicly made such a mistake over what should have been the very easily verifiable issue of whether al-Shifa produced medicines or is yet another key indicator as to the quality and accuracy of American intelligence on the factory. A simple telephone call to the Sudanese chamber of commerce would have sufficed.

On 1 September 1998, in an extraordinary development, at a special briefing to United States senators by a senior intelligence officer, it was further stated that the al-Shifa plant had been targeted, at least in part, because, in the words of Associated Press, “no evidence that any pharmaceuticals were being produced or sold” by the al-Shifa factory had been available on the al-Shifa website. That is to say, one of the official reasons given as to why the factory was hit by Cruise missiles was in effect because it had not updated its internet site.¹²⁰

¹¹⁶ ‘Pharmaceutical is Sudan’s Only “Oil-for-Food” Export’, News Article by Reuters on 25 August 1998 at 4:57 PM EDT.

¹¹⁷ ‘Sudan’s Rogue Regime Savours Sudden Public Relations Victory. Harsh Critic a Poster Boy in Counter-Attack Against U.S.’, **The Toronto Star**, 29 August 1998.

¹¹⁸ ‘America Reviews Sudan Chemical Evidence’, **The Times**, London, 29 August 1998.

¹¹⁹ ‘Doubts Surround U.S. Explanation for Attacking Sudan Factory’, **The New York Times**, 31 August 1998.

¹²⁰ ‘Administration Officials Detail Missile Strike Strategy’, News Article by Associated Press on 2 September 1998 at 09:25:00.

The Clinton Administration had also claimed that the al-Shifa factory was a high security facility guarded by the Sudanese military. In a briefing on the al-Shifa factory soon after the strike on Khartoum, a senior American intelligence official told reporters in Washington that: “The facility also has a secured perimeter and it’s patrolled by the Sudanese military.”¹²¹ United States government claims that the factory was a heavily-guarded, military installation with restricted access, were almost immediately comprehensively contradicted by western journalists. **The Economist**, for example, reported that the al-Shifa factory was “open to the street”, contrasting with other heavily guarded areas of Khartoum.¹²² Associated Press stated that: “There are no signs of secrecy at the plant. Two prominent signs along the road point to the factory, and foreigners have been allowed to visit the site at all hours.”¹²³ The only “military” guard was the old nightwatchman killed in the missile attack.

The Clinton Administration also attempted to justify its strike with the claim that there were weapons of mass destruction technology links between Sudan and Iraq. Some four days after the attack on the al-Shifa factory, the United States government position and focus shifted once again. Unable to prove anything specific, the American government then fell back on to broader claims. In a news article on 25 August 1998, entitled ‘U.S. Intelligence Cites Iraqi Tie to Sudan Plant’, for example, Associated Press reported that: “Intelligence officials are leaning toward the theory that Iraq was spreading its knowledge of chemical weapons production to other Muslim countries.”¹²⁴

On the same day, in an article entitled ‘Times: U.S. says Iraq aided Sudan on chemical weapons’, Reuters reported on American government claims of weapons of mass destruction technology transfer from Iraq to Sudan.¹²⁵ The United States government then claimed that the factory was attacked because of alleged links with Iraq. **The Guardian** reported, for example, that:

¹²¹ ‘CIA “Has Residue from Shifa Plant”’, **The Guardian**, London, 25 August 1998.

¹²² **The Economist**, 29 August 1998.

¹²³ ‘Questions Remain, but Some Sudanese Claims on Factory Prove True’, News Article by Associated Press on 24 August 1998 at 08:34:09.

¹²⁴ ‘U.S. Intelligence Cites Iraqi Tie to Sudan Plant’, News Article by Associated Press on 25 August 1998 at 20:23:36.

¹²⁵ ‘Times: U.S. says Iraq Aided Sudan on Chemical Weapons’, News Article by Reuters on 25 August 1998 at 7:45 AM EDT.

President Clinton's decision to launch the strikes was at least partly influenced by reports that intelligence officers had intercepted phone calls between scientists at the factory and top officials in Iraq's chemical weapons programme.¹²⁶

It is perhaps needless to say that the Clinton Administration refused to name the Sudanese scientists who were said to be in telephone contact with people in Iraq, and has not released transcripts or tapes of the alleged conversations. It is a matter of record, however, that in February 1998, the United States government had itself denied that there was evidence for chemical weapons or technology transfers from Iraq to Sudan, stating that

We have no credible evidence that Iraq has exported weapons of mass destruction technology to other countries since the (1991) Gulf War.¹²⁷

In addition to the American government, in February and March 1998, the British government also stated that there was no evidence for any weapons of mass destruction technology transfers from Iraq to Sudan. This was the view of both the Foreign and Commonwealth Office and the Defence Intelligence staff of the British Ministry of Defence. On 19 March 1998, Baroness Symons, the then Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs, stated in the House of Lords in relation to claims of weapons of mass destruction technology transfers, including chemical and biological weapons, from Iraq to Sudan, that:

We are monitoring the evidence closely, but to date we have no evidence to substantiate these claims.... Moreover, we know that some of the claims are untrue...The defence intelligence staff in the MoD (Ministry of Defence) have similarly written a critique which does not support the report's findings.¹²⁸

Baroness Symons also stated that: "Nor has the United Nations Special Commission reported any evidence of such transfers since the Gulf War

¹²⁶ 'Expert Queries US Labelling of Sudan Chemical', **The Guardian**, London, 28 August 1998.

¹²⁷ 'White House Says No Sign Iraq Exported Arms', News Article by Reuters on 17 February 1998 at 10:20:45.

¹²⁸ House of Lords **Official Report**, London, 19 March 1998, cols. 818-820.

conflict and the imposition of sanctions in 1991.”¹²⁹ Even the broad American claim of weapons of mass destruction technology transfer from Iraq to Sudan was simply unsustainable.

The Clinton Administration’s attack on al-Shifa was roundly condemned within the international community. On 23 August, 1998, both the Organisation of the Islamic Conference, a pan-Islamic organisation representing Islamic countries, and the League of Arab States, made up of 22 Arab countries, condemned the United States missile strike on Sudan, calling the attack “a blatant violation” of the Charter of the U.N.¹³⁰ The Organisation of African Unity also called for an independent investigation of the al-Shifa site. American allies such as France and Italy also expressed doubts about Washington’s claims about al-Shifa.¹³¹

On 3 September 1998, the summit meeting of the Non-Aligned Movement, meeting in Durban, South Africa, and representing well over one hundred countries, passed the following resolution:

The Heads of State or Government...expressed their deep concern over the air attack carried out by the United States Government against the El-Shifa Pharmaceutical Plant in the Sudan on 20 August 1998, and considered this as a serious violation of the principles of international law and the UN Charter and contrary to the principles of peaceful settlement of disputes as well as a serious threat to the sovereignty and territorial integrity of the Sudan and the regional stability and international peace and security. They further considered this attack as a unilateral and unwarranted act. The Heads of State or Government condemned this act of aggression and the continuing threats made by the United States Government against the Sudan and urged the US Government to refrain from such unilateral acts. They further expressed support to the Sudan

¹²⁹ House of Lords **Official Report**, London, 19 March 1998, cols. 818-820.

¹³⁰ ‘League of Arab States Supporting Sudan’, News Article by Xinhua on 23 August 1998 at 18:29:38.

¹³¹ ‘Allied Doubts Grow About the US Strike on Sudanese Plant’, **The Boston Globe**, 24 September 1998.

in its legitimate demands for full compensation for economic and material losses resulting from the attack.¹³²

Far from isolating Sudan, American policy had led to an unprecedented level of international support and sympathy for the Khartoum authorities, as well as strengthening the government domestically.

What was perhaps even more disturbing than the systematic unravelling of the Clinton Administration's stated reasons for attacking the al-Shifa factory itself, was the shambolic way in which the factory was targeted. It was revealed in the weeks after the raid that the decision to attack the factory was taken by a very small number of predominantly civilian aides to President Clinton. The White House went ahead with the attack on al-Shifa without informing four of the five members of the Joint Chiefs of Staff. Neither was the FBI informed, even though the agency was directly responsible for investigating the terrorist bombings of the two American embassies which precipitated the attack. The US Attorney General Janet Reno was informed, but she was ignored when she questioned the strength of the evidence available. The Defense Intelligence Agency, the Pentagon's own intelligence service, was also not informed of the attack.¹³³

It has, of course, been openly speculated upon that the decision to attack Afghanistan and Sudan was intimately linked to the Monica Lewinsky scandal. Articles such as **Vanity Fair's** 'Weapons of Mass Destruction' articulated just such concerns.¹³⁴ It might be pointed out, in passing, that President Clinton showed a marked reluctance to agree to scientific tests in both cases.

In a **New York Times** article published one year after the bombing, further details of the intelligence blunders surrounding the decision to attack al-Shifa emerged. There was considerable doubt about the targeting of al-Shifa even within the small group of people involved in the decision to attack. The State Department's Bureau of Intelligence and Research had cautioned the Secretary of State before the attack, questioning the links between al-Shifa and bin Laden. These concerns were put in writing. Under Secretary of State Thomas

¹³² Final Document, XII NAM Summit, Durban, 29 August - 3 September 1998.

¹³³ See, Seymour Hersch's article 'Missiles of August', **The New Yorker**, 12 October 1998: Wire service coverage such as 'Report: Raid Planned Without FBI', News Article by Associated Press on 4 October 1998 at 20:26:14 is also typical.

¹³⁴ Christopher Hitchens, 'Weapons of Mass Destruction', **Vanity Fair**, March 1999.

Pickering conceded that intelligence analysts had expressed concerns about the target before the attack. Asked how serious these concerns were, Pickering stated that “[t]hey were serious enough to send a memorandum...” When the Bureau of Intelligence and Research attempted to raise the issue again following the attack, their report was spiked by Pickering. Following the attack other intelligence officials questioned the validity of the al-Shifa strike. These have included the head of the CIA’s Directorate of Operations, the Directorate’s Africa chief and the head of the CIA Counterterrorism Center.¹³⁵

The al-Shifa bombing has been compared to the bombing of the Chinese embassy in Belgrade during NATO’s war over Kosovo. While the Belgrade incident was the result of similarly mistaken targeting by CIA intelligence sources, that is where the comparison ends. The Chinese embassy bombing was one of thousands of targets selected during NATO’s intensive bombing campaign against Yugoslav targets. It is a sad reality that when one bombs thousands of targets, some mistakes will be made. No such excuse exists for the bombing of the al-Shifa factory. Given the Clinton Administration’s repeated claims of that Sudan sponsored terrorism, and that the al-Shifa factory had allegedly been under suspicion and observed for months, there is simply no excuse for such an intelligence failure.

¹³⁵ ‘To Bomb Sudan Plant, or Not: A Year Later, Debates Rankle’, **The New York Times**, 27 October, 1999.

Chapter Four

THE CLINTON ADMINISTRATION AND SUDAN: A SYSTEMIC INTELLIGENCE FAILURE

Highlighted by the al-Shifa fiasco, the Clinton Administration's intelligence and information on Sudan in general and "terrorism" in particular, and the way the administration has chosen to interpret and use intelligence, has self-evidently been abysmal. The Clinton Administration is served by thirteen separate intelligence agencies. Their budget amounts to almost thirty billion dollars a year: 85 percent of this budget is dedicated to military intelligence. The primary mission of these intelligence agencies is "to collect, evaluate, and disseminate foreign intelligence to assist the President and senior US Government policymakers in making decisions relating to the national security".¹³⁶ Amongst the many resources at the disposal of these intelligence agencies are satellites that can see everything imaginable and that can monitor every electronic communication on the face of the earth.

One would have assumed that allegations of weapons of mass destruction technology, and factories allegedly engaged in the production of such weapons, and allegedly owned and controlled by Osama bin-Laden, would have been of considerable significance to American "national security". One would have imagined that some of the immense resources briefly mentioned above would have been focused on every facet of the al-Shifa factory in Khartoum down to the last nut and bolt. Indeed, the Clinton Administration claimed that the al-Shifa medicines factory had been under surveillance for several months before the Cruise missile attack which destroyed the plant.¹³⁷

It would appear, however, that despite having monitored the al-Shifa factory for all that time and despite the awesome array of intelligence resources and assets at their disposal, it was beyond the ability of the American intelligence community to ascertain who owned Sudan's biggest pharmaceutical factory, despite the fact that the factory was publicly mortgaged. It is also clear that far

¹³⁶ 'Frequently Asked Questions', Central Intelligence Agency Official Website at http://www.ocdi.gov/cia/public_affairs/faq.html

¹³⁷ 'U.S. Intelligence Defends VX-Sudan Link', News Article by Reuters on 25 August 1998 at 14:22:54.

from being able to ascertain whether the al-Shifa medicines factory produced any chemical weapons, the American intelligence community were not even able to ascertain whether al-Shifa produced any commercial products - despite the fact that the factory produced two-thirds of Sudan's medicines and animal drug needs, and held United Nations drug contracts. A simple low-tech telephone call to the Sudanese chamber of commerce, or to the factory itself, or to any of the various ambassadors - including the British ambassador - who had visited the factory, would have answered several of the questions which the Clinton Administration so publicly got wrong in the days following the bombing. This almost unbelievable intelligence failure is also all the more surprising given the fact that Washington had previously enjoyed a warm military and intelligence relationship with Sudan in the 1980s, and despite the fact that unlike intelligence gathering in other countries such as Libya, Iraq or Iran, which is very difficult given the closed nature of those countries, Sudan is, in the words of the **Guardian**, "one of the most open and relaxed Arab countries".¹³⁸

That the Clinton Administration chose to act on what has subsequently been seen to be faulty intelligence is a reflection of poor judgement on the part of the Administration. Equally unacceptable has been the Administration's tendency to ignore intelligence concerns when they conflicted with stated policy. To have allowed intelligence gathering and analysis on Sudan to degenerate as much as it clearly did is a reflection of bad government. Both are compounded by the Administration's clear attempts to then defend questionable stances towards Sudan by hiding behind "intelligence" which could not be "revealed."

Former President Carter established in 1993 that, despite listing Sudan as a state sponsor of terrorism, the Clinton Administration had no evidence, and no intelligence, to support the listing. Several years later the absence of any credible intelligence to support the Clinton Administration's continuing allegations of Sudanese involvement in terrorism continued to be documented. In a 26 December 1996 **International Herald Tribune** article by veteran American investigative reporter Tim Weiner, it was clear that no evidence or proof had emerged: "U.S. officials have no hard proof that Sudan still provides training centers for terrorists". The article stated that "The big issue for the

¹³⁸ 'Western Envoys in Sudan Faced with Divided Loyalties', **The Guardian**, London, 27 August 1998.

United States is that Sudan has served as a safe house for stateless revolutionaries”. Mr Weiner also interviewed key American officials “responsible for analyzing the Sudan”. The answer to whether or not Sudan was involved in supporting terrorism, was “we just don’t know”. Sudan, nevertheless, continued to be listed as a state sponsor of terrorism.¹³⁹

What is clear is that American intelligence agencies have not able to find any proof of Sudanese involvement in international terrorism, before or after the Clinton Administration listed Sudan as a state sponsor of terrorism. The singular lack of judgement on the part of the Clinton Administration and the American intelligence community was amply illustrated by its eagerness to accepted fabricated claims concerning the Sudanese government.

In May 2000 Sudan was once again listed by the Clinton Administration as a state sponsor of terrorism. The State Department stated that Sudan was a “central hub” for international terrorism.

4.1 THE CLINTON ADMINISTRATION’S WITHDRAWAL OF OVER 100 “FABRICATED” REPORTS ON SUDAN AND “TERRORISM”

Not only were American intelligence agencies unable to accurately analyse events and trends in Sudan, there is ample evidence that they actually accepted as facts claims about Sudanese involvement in terrorism which were subsequently revealed to have been fabricated. In September 1998, in the wake of the al-Shifa fiasco, both the **New York Times** and the London **Times** reported that the Central Intelligence Agency had previously secretly had to withdraw over one hundred of its reports alleging Sudanese involvement in terrorism. The CIA had realised that the reports in question had been fabricated, probably by political opponents of the government or other anti-Sudanese forces. It is clear that the American intelligence agencies were either unable or disinclined to check the accuracy of their sources, and were all too eager to rely on information of dubious quality because it supported the Clinton Administration’s preconceived ideas with regard to Sudan. The London **Times** concluded that this:

¹³⁹ See, **Unproven, Unsustainable and Contradictory: United States Government Allegations of Sudanese Involvement in International Terrorism**, The British-Sudanese Public Affairs Council, London, 1999, available at <http://www.espac.org>

is no great surprise to those who have watched similar CIA operations in Africa where “American intelligence” is often seen as an oxymoron.¹⁴⁰

A striking example of this was the closure by the Clinton Administration of the American embassy in Khartoum in 1996. This decision was presented as yet one more example of concern over Sudan’s alleged support for international terrorism. CIA reports were said to have stated that American embassy staff and their families were in danger.¹⁴¹ The Clinton Administration’s spokesman, Nicholas Burns, stated at the time that:

We have been concerned for a long period of time about the activities and movements of specific terrorist organizations who are resident in Sudan. Over the course of many, many conversations with the Sudanese Government, we simply could not be assured that the Sudanese Government was capable of protecting our Americans against the specific threats that concerned us...[T]he specific nature of these threats, the persistence of these threats, and our root belief at the end of all these conversations that this particular government could not protect them led us to take this extraordinary measure of withdrawing all of our diplomats.¹⁴²

It is now admitted the reports cited in justifying this decision were subsequently withdrawn as having been fabricated. As the **New York Times** investigation documented:

In late 1995 the CIA realized that a foreign agent who had warned repeatedly of startling terrorist threats to U.S. diplomats, spies and their children in Khartoum was fabricating information. They withdrew his reports, but the climate of fear and mistrust created by the reports bolstered the case for withdrawing personnel from the U.S. Embassy in Khartoum,

¹⁴⁰ **The Times**, London, 22 September 1998; **The New York Times**, 21 and 23 September, 1998.

¹⁴¹ ‘Withdrawal of US Diplomats - Security Council Condemnation’, **Keesings Archives**, Volume 42, 1996.

¹⁴² Daily Press Briefing, U.S. Department of State, 1 February 1996 available at http://dosfan.lib.uic.edu/ERC/briefing/daily_briefings/1996/9602/960201db.html

officials said...The embassy remained closed, even though, as a senior intelligence official put it, “the threat wasn’t there” as of 1996.¹⁴³

The **New York Times** also reported that there were similar unverified and uncorroborated reports that the then national security advisor, Antony Lake, had been targeted for assassination by terrorists based in Sudan. Lake was moved into Blair House, a federal mansion across the street from the White House and then to a second, secret, location. The **New York Times** reported that Lake “disappeared from view around the time the embassy’s personnel were withdrawn”. There is little doubt that the supposed threat to Lake was as fabricated as the CIA reports concerning the American embassy in Khartoum. The newspaper stated that: “The threat to Tony Lake had a chilling effect on the National Security Council.”

There is no doubt that the equally spurious “threats” to American diplomats and their children in Khartoum had an equally chilling effect on the State Department and other agencies. The fact remains however that these “threats”, then seen as proof of Sudanese complicity in terrorism, were contained in the over one hundred reports that the CIA later admitted it had to withdraw because they had been fabricated. To have to withdraw one or two intelligence reports on such serious matters is bad enough. To have to withdraw over one hundred such reports can only be described as a massive systemic intelligence failure. One can only but point out that the Clinton Administration used the Sudanese government’s inability to react to “specific” threats made by “specific” terrorist organisations against American diplomats, non-existent fabricated threats, as one more example of Sudan’s involvement with terrorism.

The American embassy in Khartoum was subsequently partly re-opened in October 1997, and Antony Lake eventually did come out of hiding. And yet, as late as March 2000, four years after the above intelligence fiasco, the White House was still falsely stating: “In 1996, we removed full-time staff from the Embassy and relocated them to Nairobi for security reasons.”¹⁴⁴ In what could

¹⁴³ ‘Decision to Strike Factory in Sudan Based on Surmise’, **The New York Times**, 21 September 1999.

¹⁴⁴ Extract on Sudan from the Daily Press Briefing, the United States Department of State, 3 March 2000, 12:35 PM.

pass for a snapshot of the accuracy of Clinton Administration claims about Sudan and terrorism in general, the **New York Times** stated that:

the Central Intelligence Agency...recently concluded that reports that had appeared to document a clear link between the Sudanese Government and terrorist activities were fabricated and unreliable...The United States is entitled to use military force to protect itself against terrorism. But the case for every such action must be rigorously established. In the case of the Sudan, Washington has conspicuously failed to prove its case.¹⁴⁵

Ambassador Petterson, the United States ambassador to Sudan from 1992-95, clearly documents an earlier example of the Clinton Administration acting upon fabricated and unreliable claims of Sudanese complicity in “terrorism”. In his memoirs of his time in Sudan Ambassador Petterson reveals that in August 1993, “information about a plan to harm American officials led the State Department to order an evacuation of our spouses and children and a reduction of my American staff by one-third”. Petterson stated that “[w]e at the embassy had seen or heard nothing manifesting a clear and present danger from either terrorists or the Sudanese government. But the order was firm and irrevocable”.¹⁴⁶ Petterson also documented that subsequently “new information” had been “acquired” which indicated “an increasingly precarious situation for Americans in Khartoum”. Ambassador Petterson later reveals that the allegations in question were unfounded:

The months wore on, no credible threat to embassy Americans materialized, and eventually serious doubt was raised about the validity of the information that had led to the evacuation.¹⁴⁷

It perhaps goes without saying that for a government to evacuate the spouses and children of diplomats, and to reduce its embassy staff, is a serious matter. It is an even more serious matter when a government totally closes an embassy, withdrawing all diplomats and dependants. This was done on two occasions in Sudan. The partial evacuation happened in 1993. The total evacuation was carried out in 1996. The Clinton Administration ordered both evacuations on

¹⁴⁵ ‘Dubious Decisions on the Sudan’, Editorial, **The New York Times**, 23 September 1998.

¹⁴⁶ Petterson, op.cit., p.71.

¹⁴⁷ Petterson, op.cit., p.91.

the basis of intelligence information received which supposedly warned of threats to American diplomats and their families. On both occasions the Administration also demanded that the Sudanese government somehow deal with these threats, and it was inferred that if Khartoum did not do so this would be more evidence of Sudan's involvement with terrorism. It is now clear, as outlined by independent sources such as Ambassador Petterson, and the **New York Times**, that both the partial evacuation of American embassy staff and dependants in 1993, and the full withdrawal of the embassy in 1996, were the results of faulty intelligence reports based on claims subsequently revealed to have been fabricated.

4.2 THE CLINTON ADMINISTRATION'S REFUSAL OF SUDANESE REQUESTS FOR COUNTER-TERRORISM TEAMS TO VISIT SUDAN

The Clinton Administration's poor record and questionable judgement with regard to intelligence and the issue of terrorism was further highlighted by the September 1998 **New York Times** revelation that:

In February 1997, Sudanese President Omar al-Bashir sent President Clinton a personal letter. It offered, among other things, to allow U.S. intelligence, law-enforcement and counterterrorism personnel to enter Sudan and to go anywhere and see anything, to help stamp out terrorism. The United States never replied to that letter.

In April 1997, there was another invitation, once again inviting the Clinton Administration to send FBI counterterrorism units to Sudan to verify any information they may have had about terrorism. The letter was addressed to Representative Lee Hamilton, the then chairman of the House Foreign Affairs Committee, and is part of the Congressional Record.¹⁴⁸ This offer was eventually turned down four months later.

There is a further, even more disturbing example of the Clinton Administration's questionable judgement regarding Sudan and international terrorism. In a series of investigative articles entitled "U.S. Fumbles Chance to Nab Bombers: State Department Stopped FBI from Pursuing Leads in East

¹⁴⁸ 'Perspective on Terrorism - Olive Branch Ignored', **The Los Angeles Times**, 30 September 1998.

Africa Blasts”, “State, FBI Questioned Over Africa Blasts: Congress Questions Sudan Missile Strike, ‘Missed Opportunities’” and “Was Sudan Raid on Target? Did FBI Botch Chance to Grab Embassy Bombing Suspects?”, the American MSNBC new network reported that in early August 1997, shortly after the terrorist bombings of the American embassies (and before the bombing of the al-Shifa factory), the Sudanese authorities had arrested two prime suspects in the embassy bombings. These suspects had been observed monitoring the American embassy in Khartoum, and were arrested after attempting to rent an apartment across the street from the embassy. The two men had Pakistani passports, Afghani accents, and a list of known bin-Laden contacts in Sudan. They had also both been in Kenya for the three weeks before the embassy bombing. The reference on their visa applications to enter Sudan was the same company accused by the American authorities of supplying explosives and weapons to Osama bin-Laden.

The Sudanese authorities notified the FBI and repeatedly offered to turn the two suspects over to the American authorities. Senior American law enforcement officials have subsequently stated that while the FBI were eager to taken up the offer, the State Department prevented any such investigation. After the bombing of the al-Shifa factory, the Sudanese government deported the two men to Pakistan.¹⁴⁹ In July 1999, MSNBC further documented that there had been Sudanese offers to assist even after the al-Shifa bombing:

Still, despite fierce protests from Sudan over the missile attack, the Sudanese government has continued to court U.S. officials with intelligence allegedly collected during the interrogations of the two before they were deported and observations made during the period between their release and deportation. As late as last month, FBI officials had renewed their requests to the State Department to sanction official contacts with Sudan that might lead to new information about the bin Laden network’s plans. Again, the State Department declined.¹⁵⁰

¹⁴⁹ “State, FBI Questioned Over Africa Blasts: Congress Questions Sudan Missile Strike, ‘Missed Opportunities’”, 19 August 1999; and ‘Was Sudan raid on target? Did FBI Botch Chance to Grab Embassy Bombing Suspects?’, MSNBC TV News, 29 December 1999, <http://www.msnbc.com/news/351435.asp>

¹⁵⁰ ‘U.S. Fumbles Chance to Nab Bombers: State Department Stopped FBI from Pursuing Leads in East Africa Blasts’, News Article by MSNBC on 29 July 1999, available at <http://www.msnbc.com/news/294848.asp>

The MSNBC report also quoted a Kenyan diplomat, who described his government as “furious” that the U.S. had passed up on an opportunity to apprehend men suspected of involvement in the bombing which killed hundreds of Kenyans.

It is a matter of record that both House and Senate intelligence committees began an investigation into why the Clinton Administration passed up on the chance of interviewing two prime suspects in the embassy bombings. By any standard, the Administration’s studied disinterest in the opportunity of interrogating these two suspects in the bombing of two American embassies is deeply questionable. Perhaps it was ineptitude on the part of politicians, intelligence and law enforcement officials. Perhaps it was an unwillingness on the part of sections of the Clinton Administration to address any development that might have invalidated the attack on Sudan and the al-Shifa factory that was to follow a week or so afterwards, a strike that was necessary and urgent in order for President Clinton to appear “presidential” in the midst of the Lewinsky scandal.

4.3 THE CLINTON ADMINISTRATION AND OSAMA BIN-LADEN

The Clinton Administration’s capacity for own goals is clear. The issue of Osama bin-Laden is a case in point. As was outlined in the 1993 **Patterns of Global Terrorism**, Pakistan had then begun to “expel Arab militants affiliated with various mujahedin groups and nongovernment aid organisations”.¹⁵¹ It is no secret that many of these individuals, denied entry to their own countries, took advantage of Sudan’s then non-visa policy for Arab nationals and sought refuge in Sudan. One such person was the Saudi Osama bin-Laden. Previously a CIA asset and the recipient of considerable American funding during the Afghan war, Osama bin-Laden chose not to return to his home country, and also went to Sudan. A man of considerable wealth, bin Laden became commercially involved in Sudan. One of his construction companies began building roads.

¹⁵¹ **Patterns of Global Terrorism**, 1993, United States Department of State, Washington-DC, 1994, p.4.

The Clinton Administration brought pressure to bear on the Khartoum authorities to expel him from the Sudan. The Sudanese minister of information, Dr Ghazi Saleheddin, revealed that:

We gave [U.S. officials] a piece of advice that they never followed. We told them: “Don’t send him out of Sudan because you will lose control over him...Now, the United States has ended up with war with an invisible enemy”.¹⁵²

In May 1996, at the insistence of the United States, Sudan expelled bin Laden and over one hundred of his followers and their dependants. They chose to leave for Afghanistan, perhaps the single most difficult place in the world from which to monitor bin Laden and his activities. The results of this relocation are sadly all too well known. While in Sudan he did not engage in any terrorist activities. It was comparatively easy for the Sudanese and American authorities to monitor his activities, and, in the case of the Sudanese authorities probably to exercise a moderating influence of sorts.

For all the allegations it has made, and despite the awesome and unprecedented intelligence, information-gathering and surveillance tools at its disposal, the Clinton Administration has not been able to point to a single act of terrorism sponsored or supported by the government of Sudan. It has admitted as much in its own reports. Neither has the Administration identified a single “terrorist training camp” in Sudan: had any such data been available it would undoubtedly been attacked at the same time as the al-Shifa factory. Senior European diplomatic sources in Khartoum have questioned whether these camps ever existed.

The hundreds of news and sensation hungry journalists who flooded into Khartoum following the attack on the al-Shifa factory, all eagerly exploring any terrorist link, were also unable to find any evidence of terrorists or terrorist camps. What the Administration did “identify” as a chemical weapons-producing facility, the al-Shifa plant, is now internationally acknowledged to have been nothing more than a medicines factory.

¹⁵² ‘Sudan Seeks an Apology from the United States along with U.N.’, News Article by Associated Press on 24 August 1998 at 08:26:28

The Clinton Administration is also guilty of turning a blind eye to crucial intelligence opportunities in the war against terrorism. The Administration chose not to accept two offers by the Khartoum authorities for American intelligence and counterterrorist personnel to carry out whatever investigations they wished to in Sudan. An even more questionable Clinton Administration decision was to ignore repeated Sudanese requests that they interrogate two suspects in the Nairobi embassy bombing who had been arrested by the Sudanese authorities in Khartoum while renting accommodation overlooking the American embassy. The Clinton Administration would appear to have ignored this vital opportunity as it would have been inconvenient given that they intended to attack Sudan because of its alleged complicity in the Nairobi bombings.

It is evident that the Clinton Administration has barely, if at all, acknowledged Sudan's efforts to address American concerns about its alleged support for terrorism. It is difficult to see what more Khartoum could have done in this respect. Sudan arrested and extradited Illyich Ramirez Sanchez, "Carlos the Jackal" to France, and, as requested by Washington, it expelled Osama bin Laden, and his associates, from Sudan. In September 1995 Sudan imposed strict visa requirements on visitors to Sudan, ending its no visa policy for Arab nationals. It has signed various United Nations, international and Arab anti-terrorist accords. In April 1998, for example, Sudan became a signatory to the Arab Agreement for Combating Terrorism. The Sudanese ministers of internal affairs and justice signed the agreement on behalf of Sudan.¹⁵³ In August, 1998, the Sudanese ambassador to Egypt stated Sudan welcomed an Egyptian proposal to convene an international conference on combating terrorism.¹⁵⁴ Sudan has also signed the chemical weapons convention in May 1999.¹⁵⁵ On several occasions, Sudan invited the American government to send CIA and FBI counter-terrorists teams down to Sudan to investigate any concerns they may have about Sudan and terrorism. Not only did Sudan immediately condemn the embassy bombings, it actually arrested two prime suspects in the bombings and repeatedly requested that the American authorities interrogate these suspects.

¹⁵³ 'Internal Affairs Minister: Arab Agreement For Combating Terrorism is a Strong Reply to Enemies', Sudan News Agency, 25 April 1998.

¹⁵⁴ 'Sudan Welcomes Egypt's Anti-Terrorism Conference Proposal', News Article by Xinhua on 22 August 1998 at 14:32:43.

¹⁵⁵ 'Sudan Says Joins Pact Against Chemical Weapons', News Article by Reuters on 19 August 1999 at 10:31:52.

4.4 THE CLINTON ADMINISTRATION: IN SEARCH OF NEW ENEMIES ?

Since the end of the cold war [America] has been in search of an enemy

The Economist¹⁵⁶

In addition to understandable attempts by Washington to distance itself from the American government's previous institutional support for "Islamic terrorism", that is to say its support for tens of thousands of Islamic fighters in the Afghan war, there is another obvious reason for Washington's attempts to present Muslim countries such as Sudan as state sponsors of terrorism. It is clear that Sudan's listing was motivated by policy considerations. It is also clear that attempts to identify Sudan with "Islamic terrorism" fits into a bigger policy picture. In an article entitled 'In Search of a New Enemy', **Iviews**, the online Muslim newspaper, points to distinct motives for pushing the issue of "Islamic" terrorism and the subsequent need to label Islamic "rogue" states as state sponsors of terrorism:

Last week, testifying on security threats against the United States before the United States before the Senate Select Intelligence Committee, CIA director George Tenet laid out a blueprint for America's national security doctrine in the twenty-first century. Topping Tenet's list of principal threats was terrorism committed by Muslims...Like many of his colleagues in the national security profession, Tenet paints a picture for Congress and the American people of a vast conspiracy of 'Islamic terrorists' stretching across the globe; irrational fanatics who burn with rage at American and probe out weaknesses for a chance to strike. Of course, that is the picture he must paint - his agency's funding depends on it. This is the dilemma of America's intelligence community. The Evil Empire has crumbled...How will career spooks continue to justify their existence, in an America with no enemy looming outside its gates, no convincing threat to its survival...One faction of the American political and

¹⁵⁶ **The Economist**, 21 September 1996.

security establishment believes the 'Islamic terrorist threat' is the perfect savior for their uncertain careers.

The hysteria of people such as Director of Central Intelligence Tenet fuels tension and becomes a self-fulfilling prophecy...Even worse, people in Washington listen to these people, often with disastrous results. The Clinton Administration is still hoping the world will forget about the Al-Shifa pharmaceutical plant in Sudan, which it bombed on the advice of the CIA. The incident eroded America's credibility overseas - the inevitable outcome of all decisions spurred by ideology, not by real intelligence work or a sound understanding of what our national interests are.¹⁵⁷

There is some justification for the **Iviews** line of argument. The theme of "Islamic terrorism" has been echoed time and again. On 21 August, 1998, for example, Madeleine Albright stated that the Islamic terrorist threat is "the war of the future".¹⁵⁸ In January 1999, President Clinton approved the biggest increase in defence spending since the cold war. Despite the absence of the Soviet Union and Warsaw Pact, American defence spending was scheduled to increase by \$12 billion in 1999, and by a total of \$110 billion over the next six years. This budget increase represented the first increase in defence spending in ten years, and the biggest increase since 1984.¹⁵⁹ And yet, claims about an "Islamic" terrorist threat are not borne out by the facts. The 1998 **Patterns of Global Terrorism** stated that "the number of international terrorist attacks actually fell again in 1998, continuing a downward trend that began several years ago." Interestingly, with regard to "Total Anti-U.S. Attacks", which are listed by region, the following pattern emerges: Africa 3, Europe 3, West Europe 13, Middle East 5, and Latin America 87. These figures speak for themselves. And as stated in an article by John Mueller and Karl Mueller, published in **Foreign Affairs**, "On average far fewer Americans are killed each year by terrorists than are killed by lightning, deer accidents or peanut

¹⁵⁷ 'In Search of a New Enemy', *iviews.com*, 7 February 2000.

¹⁵⁸ **The Observer**, London, 23 August, 1998.

¹⁵⁹ 'Terror Threat Ups Defence Budget', **The Guardian**, London, January 4, 1999. See, also, 'Islamic Fundamentalism \$500 Billion Bogey', *The Wisdom Fund*, 2 August 1996, at <http://www.twf.org/News/Y1997/Billions.html> and 'Clinton's \$124 Billion Defense Increase Jeopardizes Social Security, Medicare. "Islamic Terrorism" Helps Justify Defense Spending', *The Wisdom Fund*, 18 January 1999, at <http://www.twf.org/News/Y1999/0118-RobPoor.html>

allergies. To call terrorism a threat to national security is scarcely plausible.”¹⁶⁰

Amazingly, two years after the al-Shifa factory “weapons of mass destruction” fiasco, the Clinton Administration has once again attempted to associate Sudan with weapons of mass destruction.

New York Times columnist William Safire presented allegations that Iraq’s Saddam Hussein was involved in the construction of a US\$ 475 million missile factory in Sudan. The source for this somewhat improbable disinformation had been a “Pentagon intelligence agency report”.¹⁶¹

This disinformation, again at the expense of Sudan and Sudan’s reputation, can clearly be linked to the Clinton Administration’s controversial attempts to introduce a National Missile Defence shield, dubbed the “son of star wars” after President Reagan’s attempts to create a similar anti-missile defence during the Cold War. The Clinton Administration has stated that it will soon decide whether to give the thirteen billion dollar project the final go-ahead. Robert Walpole, the top United States intelligence officer dealing with missile defence has stated that “We are looking at reactions in different countries, allies as well as potential enemies.”¹⁶² Mr Walpole has stated that European political and public opinion was less convinced than the Americans of the need for such a defence shield. The London-based International Institute for Strategic Studies, for example, has reported that:

The US has had little success in convincing its European critics that its plans for deployment are sensible, or useful. There are few in Europe who believe that the so-called ‘rogue’ states are led by men so irrational that they would threaten the US with weapons of mass destruction carried on ballistic missiles - even if they were able to do so.¹⁶³

¹⁶⁰ John Mueller and Karl Mueller, ‘Sanctions of Mass Destruction’, **Foreign Affairs**, May/June 1999, p.43.

¹⁶¹ See, William Safire, ‘Saddam’s Sudan’, **The New York Times**, 23 March 2000; ‘Saddam’s Rogue Alliance’, Editorial, **The Washington Times**, 3 April

¹⁶² ‘Europe Warned of Iranian Missile Threat’, **The Guardian**, London, 8 May 2000.

¹⁶³ *Ibid.*

The National Missile Defence also has powerful domestic critics. It is all too obvious that in its search for “new enemies”, and in its attempts to justify billions more in defence spending, the Clinton Administration, through its intelligence agencies, has yet again used Sudan as a convenient ‘rogue’ state in order to invoke “national security” considerations. There can be little doubt that American intelligence claims of a ballistic missile factory being built in Sudan by North Koreans and paid for by Saddam Hussein are as unfounded as claims of the al-Shifa factory’s involvement with chemical weapons.

Chapter Five

THE CLINTON ADMINISTRATION, ISLAMIC FUNDAMENTALISM AND SUDAN

The Clinton Administration has repeatedly attempted to invoke the image of Islamic extremism with regard to Sudan's Islamist model of government. This stated concern is somewhat undermined by the fact that Washington has shown no such concern about the most fundamentalist state of all, Saudi Arabia, and turned a blind eye to the fundamentalist regime introduced by their then ally in Sudan, General Nimeiri. As then United States vice-president George Bush pointed out in March 1985, some two years after Nimeiri introduced a very strict version of *sharia* law throughout Sudan, the United States has "provided unprecedented amounts of relief aid to Sudan...the largest recipient of U.S. development aid in sub-Saharan Africa".¹⁶⁴ Mr Bush was not exaggerating. In 1985, U.S. aid to Sudan topped \$400 million. This was in addition to over \$300 million in military assistance between 1982 and 1985. The American government's selectivity about its concern about "Islamic fundamentalism" and *sharia* law is self evident.

What is also self-evident is that while successful as a propaganda projection, the Clinton Administration's claims about Islamic extremism in contemporary Sudan are simply not borne out by reality.¹⁶⁵

Dr Hasan Turabi has been seen as the architect of Sudan's present Islamic model. He was elected speaker of the Sudanese Parliament in 1996. In a 1995 interview Dr Turabi outlined his concepts of Islamic government and society:

What would an Islamic Government mean?...The model is very clear; the scope of government is limited. Law is not the only agency of social control. Moral norms, individual conscience, all these are very important, and they are autonomous. Intellectual attitudes toward Islam are not going to be regulated or codified

¹⁶⁴ Statement by Vice President Bush, Khartoum, 7 March 1985, Department of State **Bulletin**, May 1985, Washington-DC, pp. 13-14.

¹⁶⁵ See, for example, **Religion in Sudan**, Religion File Number 3, The Sudan Foundation, London, 1998. This is available at <http://www.sufo.demon.co.uk/reli003.htm>

at all. The presumption is that people are free. The religious freedom not just of non-Muslims, but even of Muslims who have different views, is going to be guaranteed. I personally have views that run against all the orthodox schools of law on the status of women, on the court testimony of non-Muslims, on the law of apostasy. Some people say that I have been influenced by the West and that I border on apostasy myself...I don't accept the condemnation of Salman Rushdie. If a Muslim wakes up in the morning and says he doesn't believe any more, that's his business. There has never been any question of inhibiting people's freedom to express any understanding of Islam. The function of government is not total.¹⁶⁶

Respected Africa analyst and commentator Colin Legum has defined some of the differences between Turabi and Islamic fundamentalists:

Turabi's policies are out of step with other Islamic fundamentalist organisations on a number of important issues. For example, he strongly opposes the idea of a Pan-Islamic movement, which brought him into conflict with other (Muslim Brotherhood) parties in Egypt and elsewhere. He insists that the Sudan has its own national problems which require a particularist approach.

One of Turabi's fundamental breaks with the strict Islamic traditionalists is over the place of women in Muslim societies. As a declared supporter of women's liberation, he insists on their right of equality and their right to full membership of the (Muslim Brotherhood), the only Islamic movement that does so.¹⁶⁷

Legum also commented on the particular difficulties faced by Islamic leaders in the Sudan in trying to "reconcile the demands for an Islamic state with the interests of the sizeable minority of non-Muslim Southerners". Legum states that:

¹⁶⁶ Milton Viorst, 'Sudan's Islamic Experiment: Fundamentalism in Power', **Foreign Affairs**, May/June 1995, Volume 74, Number 3, p.53.

¹⁶⁷ Colin Legum, 'Struggle Over Sharia', **New African**, March 1992, p.33.

The solution proposed is that non-Muslims should have the right to live according to their own traditions and desires just as Muslims have the right to live in a system governed by sharia laws within a democratic society.

A significant example of Khartoum's effort to accommodate the interests of Sudan's non-Muslim southerners was the 1991 exemption of the largely non-Muslim southern Sudan from *sharia* law. Even the Clinton Administration has had to admit that *sharia* law was not applied in the south. The American State Department's **Sudan Country Report on Human Rights Practices**, for example, has stated:

Sudan's 1991 Criminal Act, based on Shari'a law, (prescribes) specific "hudud" punishments. The Government officially exempts the 10 Southern States, whose population is mostly non-Muslim, from parts of the 1991 Criminal Act. But the Act permits the possible future application of Shari'a law in the south, *if the local state assemblies so decide*.¹⁶⁸ (emphasis added)

It was the present Sudanese government, therefore, that exempted southern Sudan from the Islamic *sharia* law introduced by Washington's ally General Nimeiri, and kept in place by the democratically-elected government of Sadiq al-Mahdi. Such behaviour sits uncomfortably with Washington's projections of Sudan as an extremist Islamic state.

This view has also been supported by respected commentators such as the veteran American journalist Milton Viorst, **New Yorker** columnist and author of **Sandcastles: The Arabs in Search of the Modern World**. Viorst has written that "Sudan is the only state in our age that has formally opted for Islam as its system of government". He has also compared the Sudanese model to others in the region:

By the standards of other Arab societies, Turabi's concept of Islam is open-minded and tolerant. Though he sees no reason to

¹⁶⁸ **Sudan Country Report on Human Rights Practices for 1995**, Bureau of Democracy, Human Rights and Labor, United States Department of State, Washington-DC, February 1996.

emulate Western liberalism, few would contradict his assertion that “we do not advocate a very strict form of Islam”. The signs are plentiful, in a visit to Sudan, that the Islam practiced there is less strict than that of Egypt, to say nothing of Saudi Arabia. One scarcely sees the hijab, the head-covering that makes many women in Egypt appear so forbidding, much less the Saudi veil. Most Sudanese reflected Turabi’s preference for a genial, non-rigorous Islam, more in keeping with Sudan’s special experience within the flow of Islamic history.¹⁶⁹

Viorst has also interviewed the Sudanese head of state Omer al-Bashir. President al-Bashir stated with regard to the Sudanese model of Islam that:

Not all groups agree on how we are interpreting the sharia, but we believe there is wide latitude. We have chosen a moderate way, like the Koran itself, and so the sharia in Sudan will be moderate. The dispute over what it requires lies not in the area of private but of public affairs. Unfortunately, there is no model in history for Islamic government. Fourteen centuries have gone by since the prophet, and everyone now has his image of an Islamic state. Some countries confuse traditions - like the suppression of women - with religion, but tradition is not Islam.¹⁷⁰

Professor Tim Niblock is one of the foremost British authorities on Islam and Sudan. He has pointed out two areas in which Sudan’s model differs from mainstream Islamist thought. One is the Sudanese Islamists’ “explicit acceptance of liberal democracy as the appropriate form of political organisation for Sudan. The advocacy of liberal democracy by the N.I.F. went well beyond the stress which Islamist movements customarily place on the need for shura (consultation).” Secondly, the Sudanese model with regard to women is “qualitatively different from that proposed in most Islamist programmes. The emphasis is on women ‘escaping from social oppression’ and ‘playing a full part in building the new society’, rather than on their

¹⁶⁹ Milton Viorst, ‘Sudan’s Islamic Experiment: Fundamentalism in Power’, **Foreign Affairs**, 1995, Volume 74, Number 3, pp. 46-47.

¹⁷⁰ *Ibid*, pp. 52-53.

primary duty lying within the family”.¹⁷¹ Even the **New York Times**, a source not noted for its affinity to Islamic models of government, said of Turabi in 1996: “He voices a tolerant version of political Islam - far less conservative than Saudi Arabia’s, far less militant than Iran’s”.¹⁷²

And there is no doubt that the Sudanese model is under attack for its moderate interpretation of Islam. In February, 1994, for example, extremist gunmen opened fire in the al-Thwarah mosque in Omdurman, Sudan. They killed nineteen people and wounded twenty others. **New African** magazine reported that the Muslim extremists involved “showed that they did not think that the government of General Omar Al-Bashir was sufficiently fundamentalist for them.” One of the targets on their hit list was Dr Turabi.¹⁷³ The London-based Arabic language newspaper **Al-Sharq al-Awsat** has stated with regard to the threat posed by Islamic extremists to the Khartoum authorities, that the government: “Now...senses that it is under threat from factions that can brook no deviation from their hard-line interpretations of religion, which are incompatible with the requirements and conditions of political activity in any Muslim state on earth. Khartoum has been describing them as ‘religious fanatics’...certainly the slaughtering of Muslims in a mosque, as occurred in Sudan, is fanaticism. It is the same fanaticism whose effects we can witness in Egypt and Algeria, regardless of the causes”. The newspaper concluded that “Sudan’s government and people stand in the same trench as the other countries who live in fear of the extremist organisations”.¹⁷⁴

The Clinton Administration’s apparent concern about Islamic fundamentalism, while useful in attacking Sudan, does not of course extend to Saudi Arabia. As has been stated in **Foreign Affairs**:

The greatest hypocrisy in the debate over political Islam is the fact that the Americans have fought a war and committed their military and diplomatic power to secure the survival of the most

¹⁷¹ Professor Tim Niblock, ‘Islamist Movements and Sudan’s Political Coherence’, in Herve Bleuchot, Christian Delmet and Derek Hopwood, (Editors), **Sudan: History, Identity, Ideologies**, Ithaca Press, Reading, 1991, p.265.

¹⁷² **New York Times** Service, republished in **International Herald Tribune**, 26 December 1996.

¹⁷³ **New African**, December, 1994, p.14.

¹⁷⁴ **Al-Sharq al-Awsat**, London, 8 February 1994; See, also, a typical fundamentalist critique of Sudan’s Islamic model, ‘Sudan: When a State is Not an Islamic State?’, Khilafah, at <http://www.Khilafah.org/graphics/pseudo/countries/issudan.html>

fundamentalist state of all - Saudi Arabia. The Saudi regime's own legitimacy is based on an alliance with the Wahhabi movement, and extremely conservative Sunni sect. The Saudi government is actually more rigid in its application of Islamic law and more repressive in many respects than the one in Tehran. Saudi Arabia has no form of popular representation, political rights are totally denied to women and non-Muslims, and the regime has consistently applied sharia to criminal justice. It has financed a variety of Islamic groups worldwide, including the Hamas...Saudi Arabia, like all the other Arab oil-exporting states of the Persian Gulf, is an absolute monarchy that does not recognize the concepts of civil rights or civil liberties.¹⁷⁵

By way of comparison, Sudanese Christians occupy key posts throughout Sudanese political life. They include the Sudanese vice-president, cabinet members, ambassadors, legislators and civil servants. And, in the words of the Pan African News Agency: "Women have also moved to assume senior positions in most occupations. They are already cabinet ministers, high court judges, ambassadors, university professors, medical doctors and police and army officers."¹⁷⁶

The Clinton Administration's violent opposition to Sudan should perhaps be evaluated not so much in its concern about the "extremism" of the model as much as the fact that it presents the threat of a good example, a modern, liberal model of Islam which intellectually undermines those fundamentalist states in the Gulf states. *Far from its stated concern about fundamentalism, one could argue that part of the Administration's moves against Sudan was to help protect the most fundamentalist state of all.*

¹⁷⁵ Leon T. Hadar, 'What Green Peril?', *Foreign Affairs*, Spring 1993, p.39.

¹⁷⁶ 'Sudanese Women as War Victims', News Article by PANA on 6 March 2000.

Chapter Six

THE CLINTON ADMINISTRATION AND “SLAVERY” IN SUDAN

[O]vereager or misinformed human rights advocates in Europe and the US have played upon lazy assumptions to raise public outrage. Christian Solidarity International, for instance, claims that “Government troops and Government-backed Arab militias regularly raid black African communities for slaves and other forms of booty.”...This despite the fact that there is no evidence for centrally organized, government-directed slave raiding or slave trade.

Alex de Waal ¹⁷⁷

[T]he charge that government troops engage in raids for the purpose of seizing slaves is not backed by the evidence.

Anti-Slavery International ¹⁷⁸

The Clinton Administration has repeated alleged that “slavery” exists within Sudan, and that the Sudanese government was involved with the events described as “slavery”.¹⁷⁹ It is clear that the Administration has used these allegations to considerable propaganda effect within the international community. These claims have come to characterise much of the propaganda levelled at the present government in Sudan. The facts are clear. There has long been a history of tribal raiding in several parts of central and southern Sudan, often between tribes competing for water and pastures at given times of the year. A spate of such raids was normally settled at an inter-tribal peace meeting which would traditionally return those abducted. In central Sudan traditional rivals have been the Dinka and various Arabised Baggara tribes. These rivalries were exploited and heightened in the 1980s, during the

¹⁷⁷ Alex de Waal, ‘Sudan: Social Engineering, Slavery and War’, **Covert Action Quarterly**, Washington, Spring 1997.

¹⁷⁸ Peter Verney, **Slavery in Sudan**, Anti-Slavery International and Sudan Update, London, May 1997, p.20.

¹⁷⁹ See, for example, ‘Text: Koh 3/30 Remarks to U.N. Commission on Human Rights’, The Office of International Information Programs, U.S. Department of State, 20 March 2000.

administration of Sadiq al-Mahdi, when both the government and the SPLA armed various tribes with modern, automatic weapons, and encouraged them to attack each other. Since then there has been considerable inter-tribal conflict, in the course of which men, women and children have been abducted and kidnapped. The vastness of Sudan, much of which has always proved difficult to administer - even without the dislocation of civil war - has made it very difficult for effective action against those responsible for such activities.

It is these tribal raids, and the abductions which have occurred during such conflict, that have been presented by Christian fundamentalist groups such as Christian Solidarity International (CSI) and other activists as “slavery”.¹⁸⁰ Despite the fact that the Dinka are overwhelmingly animist, these groups have additionally presented the conflict between the Dinka and the Arabised Baggara as a religious one. These groups have also claimed that the Sudanese government are themselves intimately involved in these “slave raids”. It is also a matter of fact that almost identical patterns of inter-tribal raiding and abduction between the Dinka and Nuer, two black southern Sudan tribes, has not been described as “slavery”, while the same activity when it is between the Baggara and Dinka is presented as “slavery” and “slave raiding”.¹⁸¹ As can be seen by the above quotations, both Alex de Waal and Anti-Slavery International are critical of the irresponsible claims made by CSI.

It is perhaps appropriate to note the sober and common sense comments of the Sudan Foundation in addressing the claims made by Christian Solidarity International:

[D]uring the past 13 years, the population of Greater Khartoum has increased by several million. Most of this new population is made up of black people from the south fleeing the civil war. There are many other places they could go - Kenya, Uganda, Chad, and other neighbouring countries that have not the ability to seal their borders against refugees. But they have gone to Khartoum. And once in Khartoum, they have proved unwilling to return to their homes. If these people were as much at risk of

¹⁸⁰ See, for example, ‘Devastating Slave Raids in Sudan’, Christian Solidarity International, Zurich, 19 March 1998.

¹⁸¹ See, for example, “**Slavery**” in Sudan. When is a “Slave” not a “Slave”: An Examination of the 1999 Wunlit Accords, The British-Sudanese Public Affairs Council, London, December 1999, available at <http://www.espac.org>

being enslaved by northerners as [alleged by CSI] Khartoum would have been their last place of refuge. It would make as little sense to go there as would have for Jews in Nazi-occupied Europe to have sought refuge in Berlin. That Khartoum was their first place of refuge must be taken as important evidence against [CSI] claims. [CSI] offer eyewitness testimonies by often unnamed individuals. We offer the actual testimony of millions whom any tourist can see.

Christian Solidarity International has also been closely identified with a process of what it claimed was “slave redemption”, whereby it allegedly bought the freedom of “slaves” captured in raids. It is also now clear that these claims have also been contradicted by other independent sources. One of these sources was the Canadian government’s special envoy to Sudan, Mr John Harker. One of Mr Harker’s specific tasks was to “independently investigate...allegations of slavery and slavery-like practices in Sudan”. While Mr Harker was rightly critical of many human rights abuses in Sudan, he clearly questioned the credibility of large-scale “slave redemptions” as arranged by groups such as Christian Solidarity International:

[R]eports, especially from CSI, about very large numbers were questioned, and frankly not accepted. Mention was also made to us of evidence that the SPLA were involved in “recycling” abductees...Serious anti-abduction activists...cannot relate the claimed redemptions to what they know of the reality.

The Harker Report went on to state that:

Several informants reported various scenarios involving staged redemptions. In some cases, SPLM officials are allegedly involved in arranging these exchanges, dressing up as Arab slave traders, with profits being used to support the SPLM/A, buy weapons and ammunition.¹⁸²

¹⁸² John Harker, **Human Security in Sudan: The Report of a Canadian Assessment Mission**, prepared for the Minister of Foreign Affairs, Ottawa, January 2000, available at <http://www.dfait-maeci.gc-foreignp-3110186-e.pdf>, p.1

The Sudanese government position on slavery is very clear. Sudan is a signatory to several key international conventions outlawing slavery. These include the 1926 Slavery Convention, as amended by the New York Protocol of 1953, and the Supplementary Convention on the abolition of slavery, the slave trade and institutions and practices similar to slavery which was ratified by the Sudan in 1956 and 1957. Additionally, the 1991 Criminal Law Act clearly defines abduction, forced labour, kidnapping, unlawful confinement and unlawful detention as criminal acts punishable by imprisonment.

It should be noted that the 1999 resolution on Sudan passed by the United Nations' Commission on Human Rights in Geneva, while critical of many excesses, pointedly did not use the word "slavery", referring instead to abductions and kidnappings. This resolution was carried unanimously by the Commission.¹⁸³ The Clinton Administration was unhappy with this wording and has continued to use discredited propagandistic terms such as "slavery" and "slave".

¹⁸³ 'Situation of Human Rights in the Sudan', Commission on Human Rights Resolution 1999/15, 23 April 1999.

Chapter Seven

SUDAN, OPERATION LIFELINE SUDAN AND HUMANITARIAN ASSISTANCE

The Clinton Administration has repeatedly claimed that the Sudanese government has deliberately interfered with humanitarian assistance to those parts of Sudan affected by the civil war. The Administration has distorted the reality.

Humanitarian relief to the war affected parts of Sudan is provided by Operation Lifeline Sudan (OLS). Operation Lifeline Sudan began in 1989 under the auspices of the United Nations, and with the approval and cooperation of the government of Sudan. Operational Lifeline Sudan is a consortium of aid agencies bringing together the UN World Food Programme (WFP), the UN Children's Fund and 35 other non-governmental organisations. It seeks to bring food and humanitarian aid to those communities in southern Sudan most affected by the fighting and drought, communities within both government and rebel-held areas of the south. OLS is present in 69 locations throughout southern Sudan. It has 355 international staff members, who in turn are assisted by 2000 Sudanese employees.¹⁸⁴

Operation Lifeline Sudan was unprecedented in as much as it was the first time that a government had agreed to the delivery of assistance by outside agencies to rebel-controlled parts of its own country. As the London **Guardian** observed:

Most of the people affected live in areas controlled by anti-government rebels and...they were reached by flights from Kenya. Governments involved in civil wars usually refuse to authorise cross-border feeding.¹⁸⁵

The Sudanese model, developed during the tenure of the present Sudanese government, has subsequently been used in several other areas of civil conflict, including several in Africa. It is also a matter of record that the number of

¹⁸⁴ **The Daily Telegraph**, London, 27 April 1998.

¹⁸⁵ 'Millions Still in Need in Sudan', **The Guardian**, London, 25 April 1998.

Khartoum-approved Operation Lifeline Sudan feeding sites in southern Sudan has grown from twenty in the early 1990s to well over one hundred by 1998. During the 1998 famine, the number increased to more than 180 locations.¹⁸⁶

The Clinton Administration's portrayal of Sudan as obstructing the delivery of food aid is somewhat dented by the fact that the number of food delivery sites (almost all of which are to rebel-controlled areas) has increased eight-fold in the past several years. These increases in food delivery sites were agreed by the Khartoum authorities despite it being widely known that the SPLA were diverting very sizeable amounts of this aid for its own uses. (Unlike in northern Sudan or those parts of southern Sudan administered by the Sudanese government, where aid is given to various international and domestic non-governmental organisations for distribution, in southern Sudan such food aid is handed over directly to the SPLA).

Washington's claims about Sudanese non-cooperation with humanitarian relief are also undermined by the fact that unanimous United Nations resolutions have acknowledged "with appreciation" the cooperation of the Sudanese government with agreements and arrangements facilitating "relief operations".¹⁸⁷

The nature of the Clinton Administration's "humanitarian" assistance to Sudan has itself come into focus. The Administration, for example, has given millions of dollars in funding to Norwegian People's Aid (NPA), a non-governmental organisation active in southern Sudan. A November 1999 Norwegian television documentary, entitled 'Weapons Smuggling in Sudan', has highlighted the role played by NPA in logistically and politically perpetuating the Sudanese civil war.¹⁸⁸ There had always been considerable speculation as to whether NPA was militarily involved with the SPLA. This documentary confirmed that the NPA has for several years organised an air-bridge for the supply of weapons to battle zones within Sudan. One of the NPA pilots involved in the gun running stated that on one occasion his plane had landed at SPLA bases with some 2.5 tonnes of weapons. It was stated that Norwegian People's Aid had flown between 80 - 100 tonnes of weapons into

¹⁸⁶ **The Guardian**, London, 25 April 1998.

¹⁸⁷ 'Emergency Assistance to the Sudan', UN General Assembly Resolution A/RES/53/1 O, 17 December 1998.

¹⁸⁸ **Vapensmuglerne I Sudan**, 'Brennpunkt', NRK Television, Norway, 17 November 1999.

Sudan in aeroplanes supposedly carrying humanitarian assistance. Among the tonnes of weapons flown into Sudan were landmines. The documentary also placed on record other clear evidence of NPA military involvement with the SPLA. Two questions must be asked. The first is how much American taxpayers money has been used to provide the SPLA with weapons of war, including landmines? And secondly, was the Clinton Administration aware that it was in effect funding such operations?

The activities of Norwegian People's Aid had long been of concern to some of its donors. The Norwegian government had previously commissioned an independent investigation into NPA. The subsequent report documented NPA complicity in the diversion of food aid to the SPLA. It stated that:

NPA's intervention is that of a solidarity group. It has taken a clear side in the war. It supports the causes of SPLA/M...NPA's solidarity approach means that in practice the activities of NPA are closely related to the political and military strategies of the rebel movement.¹⁸⁹

The report also mentioned that:

The position of NPA in supplying resources to one party in the conflict has been quite exceptional. The agency has repeatedly stepped beyond the boundaries of what is generally considered humanitarian practice in its support to the rebel movement.¹⁹⁰

It is clear that the Administration and the United States Congress have been critical of neutral food relief delivery mechanisms such as Operation Lifeline Sudan. While providing some humanitarian assistance through OLS, the Clinton Administration has also chosen to provide groups like Norwegian People's Aid with millions of dollars in funding. Norwegian People's Aid openly states that "[a] major contributor to our programme in Sudan, is the USAID".¹⁹¹ How much of this American funding is then deliberately diverted

¹⁸⁹ **Evaluation of Norwegian Humanitarian Assistance to the Sudan**, a report submitted to the Royal Norwegian Ministry of Foreign Affairs, COWI, Royal Ministry of Foreign Affairs, Oslo, November 1997, p.27.

¹⁹⁰ *Ibid.*, p.47.

¹⁹¹ See, for example, the Norwegian People's Aid website at http://www.npaid.org/about_npa/funding.html

by NPA and provided to the SPLA to sell to buy more weapons or to use to sustain its combatants in the field is unclear. What is undeniable is that at least some of the Clinton Administration's funding is being used to artificially prolong the Sudanese civil war.

Chapter 8

SUDAN AND THE GULF WAR

It has been stated that another reason for the Clinton Administration's hostility to Sudan was that Sudan was in some way an ally of Iraq's during the 1991 Gulf war. What is true is that Sudan chose to pursue a neutral course during the conflict. Those Arab countries that were not part of the anti-Saddam Hussein coalition included Jordan, Yemen, Libya, Tunisia, Algeria, Mauritania and Sudan. While these countries remained outside of the anti-Saddam coalition that was built up, they all - including Sudan - endorsed the United Nations sanctions imposed on the Iraqi regime. At two meetings of the Arab League in the week after the invasion of Kuwait on 2 August 1990, the Council of Foreign Ministers on 3 August and the summit of Arab heads of state on 10 August, several Arab countries expressed reservations about the wording of Arab League statements and were also concerned about the deployment of American and British servicemen in the Gulf.

The respected study of the Gulf war, **The Gulf War Reader: History, Documents, Opinion**, published by Random House, stated in respect to Sudan and other countries:

It was not only the pressure of their publics that dictated their voting on 10 August...they were all genuinely concerned at the danger of a military confrontation between the US-led coalition and Iraq and fearful of its consequences for themselves and for the region as a whole. Nor did any of the dissenting countries at the government level condone the invasion of Kuwait or the violation of the moral and legal principles it entailed. All of them denounced the invasion in face-to-face meetings with Saddam and in repeated unilateral public statements.¹⁹²

In the British Government's official publication **Britain and the Gulf Crisis**, Sudan is mentioned once. The publication records that Sudan "entered

¹⁹² Micah L. Sifry and Christopher Cerf (Editors), **The Gulf War Reader: History, Documents, Opinions**, Times Books, Random House, New York, 1991, pp.162-64.

reservations” regarding the Arab League’s resolution to send a pan-Arab force to defend Saudi Arabia. Algeria, Yemen, Libya, Mauritania and the Palestine Liberation Organisation also either expressed reservations or voted against the resolution.¹⁹³ In **The Gulf War Assessed**, a 287-page study written by John Pimlott, Stephen Badsey, and other staff members of the Royal Military Academy, Sandhurst, the British Army’s military academy, Sudan is mentioned once. That reference is to Sudan having voted along with Jordan, Yemen, Djibouti, Libya, Iraq and the Palestine Liberation Organisation against a further Arab League resolution.¹⁹⁴

It is unclear how Sudan’s public and private denunciation of Iraq’s invasion of Kuwait, as well as its support for several of the United Nations sanctions in respect of Iraq’s invasion could have made Sudan an ally of Saddam Hussein during the Gulf conflict. Along with several other Arab states it opted for neutrality. It is also clear that the Clinton Administration did not victimise other Arab League members such as Jordan or Algeria who abstained or registered reservations in international votes on the issue. In any instance, Sudan’s relations with both Kuwait and Saudi Arabia are good, and have been restored to their pre-Gulf War levels.¹⁹⁵

¹⁹³ **Britain and the Gulf Crisis**, HMSO, London, 1992, p.9.

¹⁹⁴ John Pimlott and Stephen Badsey, **The Gulf War Assessed**, Arms and Armour Press, London, 1992, p.43.

¹⁹⁵ See, for example, ‘Kuwait-Sudan End Decade of Enmity With Summit’, News Article by Reuters on 14 February 2000 at 14:23:35; and Sudan’s Beshir to Make First Visit to Kuwait, Saudi Arabia Since Gulf War’, News Article by Agence France Press on 13 February 2000 at 13:54:52.

Chapter Nine

THE CLINTON ADMINISTRATION'S SUPPORT FOR THE SUDAN PEOPLE'S LIBERATION ARMY

John Garang's S.P.L.A. has squandered a sympathetic cause...they have behaved like an occupying army, killing, raping and pillaging.

The New York Times¹⁹⁶

[T]he United States is believed to be helping the SPLA, through neighbouring countries.

The Economist¹⁹⁷

The Clinton Administration's stated desire to provide food aid to the SPLA made public already existent links between Washington and the SPLA. The Administration's military, diplomatic and political support for the SPLA has long been an open secret. In its programme of supporting the SPLA, tens of millions of dollars worth of covert American military assistance has been supplied to the rebels. This has included weapons, logistical assistance, and military training. On 17 November 1996, the London **Sunday Times** reported that:

More than \$20m of military equipment, including radios, uniforms and tents will be shipped to Eritrea, Ethiopia and Uganda in the next few weeks...much of it will be passed on to the Sudan People's Liberation Army (SPLA), which is preparing an offensive against the government in Khartoum.

This was confirmed by the newsletter **Africa Confidential**: "The United States pretends the aid is to help the governments concerned...to protect themselves from Sudan...It is clear the aid is for Sudan's armed opposition."¹⁹⁸ The Clinton Administration has used the same covert warfare tactics that the

¹⁹⁶ 'Misguided Relief to Sudan', **The New York Times**, 6 December 1999.

¹⁹⁷ 'Sudan's Rebels Change Their Spots', **The Economist**, 28 March 1998.

¹⁹⁸ **Africa Confidential**, 15 November 1996. See, also, 'US Masterminds 3-Pronged War on Sudan', **Africa Analysis**, 7 February 1997.

Reagan Administration used against the *Sandinista* government in Nicaragua. As much has been unambiguously stated by the man who should know, John Prendergast, the National Security Council's Sudan expert, who went so far as to make a direct comparison between Sudan to Nicaragua:

The parallels to Central America in the 1980s are stark. The US provided covert aid to the Contras (and official aid to the regimes in El Salvador, Honduras and Guatemala) and because of domestic public pressure urged numerous reforms on the Contras (and the three Central American governments), especially in the area of human rights and institutional reform (though the pressures were undercut by an administration in Washington not serious about human rights).¹⁹⁹

It is obvious that the *Contras* in the Sudanese example are the SPLA. In addition to using surrogates, the United States has also provided military training to the SPLA by CIA and special forces instructors. United States army generals, for example, have been present during Ugandan army exercises held in conjunction with SPLA forces and Eritrean army units. The American military presence in these "front line" states was under the guise that U.S. advisers were providing "antiterrorist" training.²⁰⁰ **Africa Confidential** has confirmed that the SPLA "has already received US help via Uganda" and that United States special forces are on "open-ended deployment" with the rebels.²⁰¹ The Sudanese government has also specifically accused the United States of supplying SPLA rebels with landmines.²⁰²

It is clear that American support resulted in intransigence on the part of the SPLA with regard to a negotiated, political solution to Sudan's conflict.

¹⁹⁹ John Prendergast, **Crisis Response: Humanitarian Band-Aids in Sudan and Somalia**, Pluto Press, London, 1997, p.77.

²⁰⁰ See, for example, 'US Troops Land in Uganda to Train Peacekeepers', News Article by Reuters on 22 July 1997; and 'U.S. Special Forces Train Africans', News Article by Associated Press on 24 August 1997, 12:15 PM EDT; 'US Flies in Howitzers to Subdue Sudan', **Africa Analysis**, No. 290, 6 February 1998.

²⁰¹ **Africa Confidential**, 15 November 1996

²⁰² 'Sudan Accuses US of Supplying Rebels with Mines', News Article by Xinhua on 21 January 1998 at 12:53:58.

The SPLA have repeatedly paid lip service to the various rounds of IGAD peace-talks, and have rejected other peace initiatives, and offers of cease-fires.²⁰³

9.1 THE CLINTON ADMINISTRATION AND “PRE-EMINENT WAR CRIMINALS”

The Clinton Administration’s close association with an organisation that has so evidently and so consistently abused human rights in southern Sudan has been of particular concern domestically. The **New York Times** has publicly opposed any American support, describing the SPLA as “brutal and predatory”, stating that they “have behaved like an occupying army, killing, raping and pillaging” in southern Sudan, and calling SPLA leader John Garang one of Sudan’s “pre-eminent war criminals”.²⁰⁴ The American Secretary of State, Madeleine Albright, prefers to refer to Garang as “a very dynamic leader”.²⁰⁵ She also described him as “sophisticated and dedicated and determined.”²⁰⁶ Eight US-based humanitarian organisations working in Sudan, including CARE, World Vision, Church World Service, Save the Children and the American Refugee Committee have outlined the consequences of Garang’s dedication, stating that the SPLA has:

engaged for years in the most serious human rights abuses, including extrajudicial killings, beatings, arbitrary detention, slavery, etc.²⁰⁷

Human Rights Watch, similarly no friend of Khartoum, also stated in response to the Clinton Administration’s eagerness to provide logistical support to the SPLA that:

²⁰³ See, for example, ‘Sudan Rebels Reject Peace Plan’, News Article by BBC on 30 August 1999 at 12:14:08; ‘Southern Sudan Rebels Reject Egyptian-Libyan Peace Plan’, News Article by Associated Press on 30 August 1999 at 20:55:01; ‘Sudan Rebel Leader Rejects Government Truce Offer’, News Article by Agence France Presse on 6 August 1999 at 10:37:48; ‘Annan Calls on Sudan’s SPLM Leader to Sign Ceasefire’, News Article by Agence France Press on 7 August 1999 at 02:37:52.

²⁰⁴ ‘Misguided Relief to Sudan’, Editorial, **The New York Times**, 6 December, 1999.

²⁰⁵ ‘US Boosts Aid to Southern Sudanese, Urges Reenergised Peace Process’, News Article by Agence France Presse on 23 October 1999 at 13:20:59.

²⁰⁶ See, **Los Angeles Times**, 24 October 1999, and ‘Albright: U.S. to Lobby for International Pressure to End Sudan Conflict’, News Article by CNN on 23 October 1999 at 12:01 PM EDT.

²⁰⁷ ‘Humanitarian Organizations Oppose Plan Providing Food to Sudanese Rebels’, Press Release by InterAction, the American Council for Voluntary International Action, Washington-DC, 30 November, 1999.

The SPLA has a history of gross abuses of human rights and has not made any effort to establish accountability. Its abuses today remain serious.²⁰⁸

The **Economist** also summed up the international community's perception of the SPLA when it stated that:

[The SPLA] has...been little more than an armed gang of Dinkas...killing, looting and raping. Its indifference, almost animosity, towards the people it was supposed to be "liberating" was all too clear.²⁰⁹

The United Nations Special Rapporteur on human rights in Sudan has provided graphic proof of this behaviour. He documented an incident in which John Garang's SPLA forces attacked two villages in Ganyiel region in southern Sudan. The SPLA murdered 210 villagers, of whom 30 were men, 53 were women and 127 were children. The Special Rapporteur stated that:

Eyewitnesses reported that some of the victims, mostly women, children and the elderly, were caught while trying to escape and killed with spears and pangas. M.N., a member of the World Food Programme relief committee at Panyajor, lost four of her five children (aged 8-15 years). The youngest child was thrown into the fire after being shot. D.K. witnessed three women with their babies being caught. Two of the women were shot and one was killed with a panga. Their babies were all killed with pangas. A total of 1, 987 households were reported destroyed and looted and 3, 500 cattle were taken.²¹⁰

The **New York Times'** use of the term war criminals in connection with the SPLA is all too accurate. Had the above incident happened in Bosnia or Kosovo, those involved in these murders, and other similar incidents, and those commanding them up to and including Garang, would have been

²⁰⁸ 'Rights Group Warns US Against Feeding Sudan Rebels', News Article by Reuters on 14 December, 1999 at 11:34:40.

²⁰⁹ **The Economist**, March 1998.

²¹⁰ **Situation of Human Rights in the Sudan**, UN Special Rapporteur Gaspar Biro, E/CN.4/1996/62, 20 February 1996.

indicted as war criminals. The added irony is that the United States government is clearly aware of this particular incident, having recorded the above-mentioned massacre, and the SPLA's refusal to account for this atrocity, in its own **Country Reports on Human Rights Practices**.²¹¹ The Ganyiel incident is, sadly one of many similar instances of gross human rights abuses against civilians that can only be described as war crimes.

Amnesty International, for example, recorded another incident in which SPLA forces lined up 32 women from the village of Pagau, 12 kilometres from Ayod in southern Sudan, and then shot each once in the head. Eighteen children were reported to have been locked in a hut which was then set on fire. Three children who attempted to escape were then shot. The rest burnt to death. In Paiyoi, an area north-east of Ayod, Amnesty International reported that 36 women were burnt to death in a cattle byre. Nine others were clubbed to death by the SPLA.²¹²

The SPLA have also engaged in ethnic cleansing every bit as murderous as that carried out in Bosnia or Kosovo. Following a split in the SPLA, Amnesty International stated that the two groups which emerged attacked each other and civilian groups "for ethnic reasons".²¹³ Amnesty International stated that Garang's faction of the SPLA (largely Dinka, and known then as SPLA-Torit) ethnically cleansed Nuer and other civilians suspected of supporting the other faction:

In the early part of 1993 SPLA-Torit began an operation which involved the destruction of villages thought to be sympathetic to the Unity group. In January, 17 Latuka villages around the Imatong and Dongotona mountain ranges were destroyed, displacing tens of thousands of people. In the same month Torit faction forces moved further north and attacked Pari villages around the densely populated area of Jebel Lafon, some 100

²¹¹ See, for example, **Sudan Country Reports on Human Rights Practice for 1996**, Bureau of Democracy, Human Rights and Labor, United States Department of State, Washington-DC, 30 January 1997, p.2.

²¹² **Sudan: The Ravages of War: Political Killings and Humanitarian Disaster**, Amnesty International, London, AI Index: AFR 54/29/93, 29 September 1993, p.25.

²¹³ **Sudan: The Ravages of war: Political Killings and Humanitarian Disaster**, op. cit., p.21.

kilometres east of Juba. Scores of civilians remain unaccounted for and are alleged to have been killed.²¹⁴

Amnesty International reported that in April 1993, SPLA forces:

massacred about 200 Nuer villagers, many of them children, in villages around the town of Ayod. Some of the victims were shut in huts and burnt to death. Others were shot.²¹⁵

SPLA ethnic cleansing continues to this day. Throughout 1999, for example, the BBC and other reliable sources, reported on SPLA violence towards non-Dinka ethnic groups, groups which “accused the SPLA of becoming an army of occupation”.²¹⁶

The SPLA has also murdered dozens of humanitarian aid workers from the mid-1980s to the present. In one attack alone, for example, SPLA gunmen killed 23 relief workers, drivers and assistants.²¹⁷ In 1998, the SPLA murdered relief workers in the Nuba mountains, and in 1999 the SPLA murdered four aid workers assisting with a Red Cross project in southern Sudan.²¹⁸ Prendergast has confirmed that: “The SPLA-Mainstream has engaged in major diversion as well as torturing or killing relief personnel”.²¹⁹

These examples are but a tiny fraction of the many war crimes against civilians carried out by the SPLA. In **Civilian Devastation: Abuses by all Parties in the War in Southern Sudan**, a 279-page study, Human Rights Watch devoted 169 pages to SPLA human rights abuses (government violations were dealt with over 52 pages). What must be borne in mind is that it is rare that the incidents mentioned above are actually documented by Western sources. In most instances there simply are no survivors left in such attacks.

²¹⁴ Ibid, p.24

²¹⁵ **Amnesty International Report 1994**, Amnesty International, London, 1994, p.275.

²¹⁶ See, for example, ‘Growing Friction in Rebel-Held Southern Sudan’, News Article by BBC Online on 9 June 1999 at 16:36 GMT.

²¹⁷ **Denying “The Honor of Living”:** Sudan A Human Rights Disaster, Africa Watch, London, 1989, p.116.

²¹⁸ See, ‘Sudan Aid Workers Executed’, News Article by BBC World on 3 April, 1999 at 03:25 GMT.

²¹⁹ Prendergast, op. cit., p.54

The SPLA has not only carried out war crimes against civilians. Reputable human rights groups have reported the SPLA's cold-blooded murder of prisoners of war. Africa Watch, for example, reported that after the SPLA captured the southern town of Bor there were "reports that a large number of captured soldiers, possibly running into the hundreds, were executed by the SPLA immediately following the capture". Africa Watch also quoted a SPLA source who stated that government soldiers captured after fighting were routinely killed. The human rights group also recorded that there were "no accounts of the SPLA holding prisoners of war from (pro-government) militias."²²⁰ In 1998, the Sudanese Advisory Committee on Human Rights and the human rights committee of the Sudanese Parliament both issued statements which reported that the SPLA had murdered more than one thousand prisoners of war.²²¹

Amnesty International has also documented that the SPLA is ruthless in preventing civilians from leaving its areas for refuge in government-controlled areas. In the Nuba mountains, for example, the SPLA imposed a "civilian exclusion zone" around areas it dominated in order to deter civilians leaving. Those leaving were murdered by the SPLA.²²² African Rights has spoken of "a nihilistic attitude towards civilians and existing social structures."²²³

An even more chilling account, which directly echoes that of African Rights, is provided by Dr Peter Nyaba, a current member of the SPLA National Executive Committee. As such he is an unassailable source. As a former SPLA military officer, Nyaba is in a unique position to describe the behaviour of the SPLA within those areas of Sudan which it controlled or was active in:

Once they were deployed at the war front, their first victims became civilians, whom they...terrorised, brutalised, raped, murdered and dehumanised.²²⁴

²²⁰ **Denying 'The Honor of Living': Sudan A Human Rights Disaster**, op. cit., p.155.

²²¹ 'Sudanese Government Accused SPLA of Killing 1,000 POWs', News Article by Agence France Presse on 15 May 1998.

²²² **'The Tears of Orphans': No Future Without Human Rights**, Amnesty International, London, 1995, p.89.

²²³ **Food and Power in Sudan**, African Rights, London, 1997, p.82.

²²⁴ Peter Nyaba, **The Politics of Liberation in South Sudan: An Insider's View**, Fountain Publishers, Kampala, 1997, pp.49-50.

Nyaba himself quotes a senior SPLA administrator as saying that the SPLA “looked down upon the people without arms like conquered people at their mercy”. Nyaba then goes on to record that:

(W)ithout sufficient justification, the SPLA turned their guns on the civilian population in many parts of the South. The consequence of this was that many communities turned against the SPLA and migrated *en masse* to the government garrison towns...As a consequence of all these factors, the SPLM/A...degenerated into an agent of plunder, pillage and destructive conquest...an SPLA soldier operating in any area different from his own home saw no difference between the civil population...and the enemy. The SPLA became like an army of occupation in the areas it controlled and from which the people were running away.²²⁵

Within this SPLA *regime* in areas of southern Sudan occupied by the SPLA, Nyaba further records that:

Encouraged by the examples of grabbing, looting, murder and rape committed by some senior officers in the Movement, many of the commanders at various fronts turned their attention to amassing wealth looted from the civilian population...In many places, the civilians fled from the so-called ‘liberated’ areas, which had become nothing but ruins.²²⁶

The SPLA has also callously and indiscriminately used landmines within civilian areas. The US Department of State’s Sudan **Country Report on Human Rights Practices**, for example, documented that rebel forces “indiscriminately laid land mines on roads and paths, which killed and maimed...civilians.”²²⁷ An Africa Watch report stated that SPLA “land mines are planted at well-heads, on roads, near marketplaces, and close to injured people, so that would-be rescuers are blown up.”²²⁸

²²⁵ Ibid, p.52.

²²⁶ Ibid, p.58.

²²⁷ **Sudan Country Report on Human Rights Practices for 1995**, Bureau of Democracy, Human Rights and Labor, United States Department of State, Washington-DC, 1996, p.7.

²²⁸ **Denying “The Honor of Living”: Sudan A Human Rights Disaster**, op. cit., p.157.

The Clinton Administration must also be aware of the SPLA's systematic theft of humanitarian aid and its diversion for its own purposes. In July 1998, at the height of the devastating 1998 famine, the Roman Catholic Bishop of the starvation-affected diocese of Rumbek, Monsignor Caesar Mazzolari, stated that the SPLA were stealing 65 percent of the food aid going into rebel-held areas of southern Sudan. Agence France Presse also reported that:

Much of the relief food going to more than a million famine victims in rebel-held areas of southern Sudan is ending up in the hands of the Sudan People's Liberation Army (SPLA), relief workers said.²²⁹

SPLA National Executive Committee member Dr Nyaba is once again well positioned to describe SPLA policy in respect of the diversion of food aid from civilians to the SPLA:

[S]ince humanitarian assistance is only provided for the needy civil population, the task of distribution of this assistance fell on specially selected SPLA officers and men who saw to it that the bulk of the supplies went to the army. Even in cases where the expatriate relief monitors were strict and only distributed relief supplies to the civilians by day, the SPLA would retrieve that food by night. The result of this practice led to the absolute marginalisation and brutalisation of the civilian population.²³⁰

There is also a direct link between the supply of food aid to the SPLA and the prolongation of war in southern Sudan. It has been conclusively documented that the SPLA has having engaged in the systematic theft and diversion of emergency food aid intended for famine victims and refugees. The SPLA has repeatedly used food aid, and its denial, as a weapon in their war against the Sudanese government. In so doing it has been at least partly responsible for the famines that have resulted in the deaths of so many Sudanese civilians. Perhaps the most disturbing aspect of SPLA food aid diversion is that there is evidence that the SPLA sells diverted humanitarian aid, either stolen from

²²⁹ 'Aid for Sudan Ending Up With SPLA: Relief Workers', News Article by Agence France Presse on 21 July, 1998 at 08:23:48.

²³⁰ Nyaba, *op. cit.*, p.53.

civilians or directly from aid agencies, in order to purchase weapons and munitions with which to carry on the war.²³¹

It is against this backdrop, that the **New York Times** has said of the SPLA:

[C]hanneling assistance to southern rebels would ally Washington with a brutal and predatory guerrilla army. One of the tragedies of Sudan's war is that John Garang's S.P.L.A. has squandered a sympathetic cause. Though its members claim to be "Christians resisting Islamization, they have behaved like an occupying army, killing, raping and pillaging."²³²

In February 2000, because of unacceptable demands made upon them by the SPLA, eleven international non-governmental aid organisations were forced to leave southern Sudan. These NGOs included CARE, Oxfam, Save the Children and Medecins Sans Frontieres. These NGOs handled about 75 percent of the humanitarian aid entering southern Sudan. The SPLA had demanded that all aid agencies active in southern Sudan sign a memorandum which dictated SPLA control over their activities, and aid distribution, as well as which Sudanese nationals the agencies employed, and which stipulated a swath of "taxes" and charges for working in southern Sudan. The European Union described the SPLA demands as a serious violation of humanitarian law and suspended its substantial aid program to rebel-controlled areas.

9.2 THE CLINTON ADMINISTRATION'S SUPPORT FOR TERRORISM IN SUDAN

It is perhaps ironic that the United States government has listed Sudan as a state sponsor of terrorism, without having produced any such evidence, while at the same time the United States itself clearly qualifies as a state sponsor of terrorism by its military training, logistical and diplomatic support for the SPLA. American support for the SPLA, by Washington's own definition, also clearly qualifies as support for international terrorism as the SPLA activities involve more than one country. In addition to the SPLA's close identification with widespread human rights abuses with Sudan, the SPLA has also been guilty of widescale terrorism during its conflict with the Sudanese government.

²³¹ 'Aid Money Supported Rebellion in Sudan', **Aktuelt**, Denmark, 20 May, 1998.

²³² 'Misguided Relief to Sudan', **The New York Times**, 6 December 1999.

This has included the widespread murder of Sudanese men, women and children, indiscriminate mortaring and rocketing of urban areas in southern Sudan, resulting in hundreds of further civilian deaths, extensive pillaging and shooting of civilians along the Sudan-Ethiopian border, the torture and execution of opponents, the murder of international relief workers, and the laying of landmines. The SPLA has also admitted the shooting down of civilian airliners within Sudan, incidents involving considerable loss of civilian life. In one instance the SPLA shot down a civilian airliner taking off from Malakal in southern Sudan, killing sixty people. Two days later the SPLA announced it would continue to shoot down civilian aircraft. A further civilian aircraft was downed: thirteen passengers and crew died.²³³

The American government, in its own **Country Reports on Human Rights Practices**, has documented examples of SPLA terrorism, including that the SPLA “conducted indiscriminate mortar and rocket attacks on the southern city of Juba, killing more than 40 civilians and wounding many others. These attacks...seemed intended to terrorize the inhabitants”.²³⁴ In another instance, the American government stated that the SPLA had continued the random shelling of Juba, killing over 200 southern civilians.²³⁵ It is clear, therefore, that according to the United States government’s own definition of terrorism and international terrorism, that the SPLA is a group guilty of both terrorism and international terrorism. The relevant definitions come from Title 22 of the United States Code, Section 2656f (d): “The term terrorism means premeditated, politically motivated violence perpetrated against noncombatant targets by subnational or clandestine agents, usually intended to influence an audience” and “The term international terrorism means terrorism involving citizens of the territory of more than one country”.

²³³ Denying “The Honor of Living”: Sudan A Human Rights Disaster, op. cit., pp.116-17.

²³⁴ Sudan Country Report on Human Rights Practices for 1990, Bureau of Democracy, Human Rights and Labor, United States Department of State, Washington-DC, February 1991. p.387.

²³⁵ Sudan Country Report on Human Rights Practices for 1992, Bureau of Democracy, Human Rights and Labor, United States Department of State, Washington-DC, February 1993.

9.3 THE CLINTON ADMINISTRATION AND DIRECT FOOD AID TO THE SPLA MOVEMENT

This is likely to prolong the war, ally Washington with one of Sudan's pre-eminent war criminals and enlist America in the conflict's most pernicious tactic - the use of food as a weapon of war

The New York Times²³⁶

It would set a terrible precedent

CARE²³⁷

Recent moves in Washington, including legislation passed by the United States Congress, and actively supported by key members of the Clinton Administration, which authorised direct American government food aid to the Sudan People's Liberation Army, provoked considerable controversy in the United States and within the international community. The military implications of such assistance were clear. The **New York Times**, for example, plainly stated that:

The plan is designed by its advocates in the State Department and the National Security Council to strengthen the military operations of the Sudan People's Liberation Army.²³⁸

John Prendergast confirmed this motivation: "This is so forces can eat more easily and resupply forces in food-deficit areas." He also said that the Administration hoped that the food aid would allow rebels to "stay in position or expand positions in places where it is difficult to maintain a logistical line."²³⁹ The move has been opposed by the international and American humanitarian aid community for two reasons. Firstly, it would be of direct assistance to an organisation with an appalling human rights record. Secondly, it would compromise existing food relief operations for civilians in southern Sudan, in particular Operation Lifeline Sudan, the United Nations-directed effort which brings the Sudanese government, the SPLA and over forty non-

²³⁶ 'Misguided Relief to Sudan', Editorial, **The New York Times**, 6 December 1999.

²³⁷ 'US Plan to Feed Sudan Rebels Rapped', **The Boston Globe**, 6 December 1999.

²³⁸ 'Misguided Relief to Sudan', Editorial, **The New York Times**, 6 December 1999.

²³⁹ *Ibid.*

governmental organisations together.²⁴⁰ There was also clear dissension within the Clinton Administration itself. The assistant secretary of state for refugees and humanitarian assistance, Julia Taft, went public with her concerns: “This is a departure from the way we should be using food aid.”²⁴¹

The United Nations World Food Programme expressed deep concerns about the American moves. The WFP stated that: “We are concerned that it could potentially jeopardise our logistics operations in Sudan.”²⁴² The WFP pointed to possible confusion between American airplanes delivering food to the rebels, and their distribution points, and those operated by the UN. SPLA leader John Garang clearly stated that the proposed American food aid would boost the SPLA’s military capacity in its war with the Sudanese government.²⁴³ Speaking in December, 1999, he said that: “We will be able to concentrate more men in bigger units. Concentration is one of the principles of war. If you concentrate your manpower or firepower, you get better results.”²⁴⁴

Not surprisingly, the Clinton Administration’s stated intention to feed the SPLA was heavily criticised. In a 13 December 1999 press release, Jemera Rone, the Sudan researcher at Human Rights Watch, stated that “Food Aid is inappropriate for human rights reasons. The SPLA has admitted diverting relief food intended for famine victims during the 1998 famine in southern Sudan. Giving them food aid would reward for that abusive behaviour”. This followed a 10 December 1999 letter by the executive director of Human Rights Watch, Kenneth Roth, to Madeleine Albright criticising calls for American food aid to SPLA combatants.

²⁴⁰ See, for example, ‘UN Criticises “Partisan” Aid to Sudan’, News Article by BBC News Online on 30 November 1999 at 00:05 GMT; ‘U.N. Agency Concerned Over U.S. Food Support For Sudan Rebels’, News Article by Associated Press on 30 November 1999 at 16:30:28; ‘UN Food Agency Worried By US Aid To Sudan Rebels’, News Article by Reuters on 30 November 1999 at 16:32:25; ‘WFP Worried About US Food Aid Project For Southern Sudanese Rebels’, News Article by Agence France Presse on 30 November 1999 at 16:27:45; ‘A Trap In Sudan’, **The Boston Globe**, 30 November 1999.

²⁴¹ ‘U.S. May Give Food to Sudan Insurgents’, **The Chicago Tribune**, 29 November 1999.

²⁴² ‘U.N. Agency Concerned Over U.S. Food Support for Sudan Rebels’, News Article by Associated Press on 30 November 1999 at 16:30:28.

²⁴³ ‘Sudan Rebel Says U.S. Food Aid Will Help’, News Article by Reuters on 9 December 1999 at 11:42:44.

²⁴⁴ ‘Interview - Sudan Rebel Says U.S. Food Aid Will Help’, News Article by Reuters on 9 December 1999 at 11:42:44.

The SPLA has a history of gross abuses of human rights and has not made any effort to establish accountability. Its abuses today remain serious...This pattern makes the provision of any aid to the SPLA wrong, because it would support an abusive force and make the United States complicit in those abuses. Moreover, what makes supplying food aid to the SPLA particularly inappropriate is the group's routine diversion of relief food away from starving civilians.

This then was the organisation that the Clinton Administration chose to support politically, diplomatically and militarily.

9.4 THE CLINTON ADMINISTRATION: TURNING A BLIND EYE TO WAR CRIMES

It cannot be said that the Clinton Administration is unaware that the SPLA has a long history of what can only be described as war crimes and crimes against humanity. Indeed, the White House's own National Security Council, and subsequently the State Department's, Sudan expert, John Prendergast, has declared that the SPLA "was responsible for egregious human rights violations in the territory it controlled".²⁴⁵ Prendergast's involvement provides a clear example of the cynicism with which the Administration must have approached the issue of support for the SPLA. Prior to his 1997 appointment as the director for East African affairs at the National Security Council, and his subsequent appointment as the State Department adviser on Sudan, Mr Prendergast had worked as a policy and development aid expert on north-east African affairs, serving as the director of the Horn of Africa project at the Center of Concern in Washington-DC. Mr Prendergast's 1997 book, **Crisis Response: Humanitarian Band-Aids in Sudan and Somalia**, examined several aspects of the Sudanese conflict in some detail - particularly the appalling human rights record of the SPLA.

²⁴⁵ Prendergast, op. cit., p 77.

He wrote, for example, that:

The SPLA has faced a tidal wave of accusations and condemnation from international human rights organizations and local churches over its human rights record.²⁴⁶

Prendergast documented SPLA involvement in wide-scale killings, ethnic cleansing, terrorism, widespread raping of Equatorian women, systematic abuse of humanitarian aid, corruption and an absolute disregard for human rights. Prendergast confirmed the existence of ethnic tensions between the largely Dinka SPLA, and the Nuer tribe, as well as communities in Equatoria in southern Sudan, ever since the SPLA came into being in 1983, with the SPLA showing an “absolute disregard for their human rights”²⁴⁷:

The SPLA has historically utilized...counter-insurgency tactics against populations and militias in Equatoria considered to be hostile...By destroying the subsistence base of certain groups, relations have been destabilized between various Equatorian populations...This has exacerbated relations between certain Equatorian communities...The common denominator between the attacks was the destruction or stripping of all assets owned by the community, creating increased dependence and displacement.”²⁴⁸

Prendergast also cited one observer as saying “The overwhelmingly ‘Nilotic’ character of the early SPLA was...enough to alienate many Equatorians” and personally states that the SPLA is seen in Equatoria as “an army of occupation.”²⁴⁹ Prendergast was also able to confirm that, in another echo of the war crimes carried out in Bosnia, SPLA behaviour included the systematic raping of women:

Just during the days I was in Western Equatoria in January 1995, there were reports of SPLA soldiers beating civilians in Yambio and an ongoing forced recruitment drive in Maridi. Stories were

²⁴⁶ Ibid, p.72.

²⁴⁷ Ibid, p.57.

²⁴⁸ Ibid, p.56.

²⁴⁹ Ibid, p.57.

also told of SPLA soldiers at the front line in Mundri in late 1994 engaging in widespread raping and forced marriages of Equatorian women.²⁵⁰

Prendergast's 1997 book provides ample evidence of the SPLA's systematic abuse of human rights:

Perhaps one of the most telling signs of SPLA treatment of civilians resulted from an exercise in which children in UN High Commission for Refugees' (UNHCR) camps in Uganda were asked to draw pictures depicting life in a refugee camp for International Refugee Day 1993. Most of the children drew harrowing pictures of pre-rape scenes, killings and lootings, with 'SPLA' written on top of many of the pictures.²⁵¹

He also documented SPLA tactics aimed at destroying civilian centres in areas not controlled by the Garang faction. The SPLA sought to "weaken the subsistence base upon which (opposing groups) depend, utilizing village burning, cattle and crop stealing and destruction, denial of food aid".²⁵²

Very significantly, Prendergast's 1997 book also addressed the SPLA's deliberate abuse of aid and society in those areas it controls:

The human rights abuses of the SPLA are by now well-documented...What is less understood is the abuse and manipulation of humanitarian assistance, the undermining of commerce, and the authoritarian political structures which have stifled any efforts at local organizing or capacity building in the south. These are the elements which have characterized the first decade of the SPLA's existence.²⁵³

Prendergast's working knowledge of the SPLA led him to describe the organisation as having:

²⁵⁰ Ibid, p.28.

²⁵¹ Ibid, p.57.

²⁵² Ibid, p.56.

²⁵³ Ibid, p.46.

attained possession of adequate means of coercion and has terrorized the southern population into passive compliance. The predominant instruments of the movement since 1983 have been and still are coercion and corruption. It has not managed to integrate society around any positive values.

The movement has been able to persist only as long as it successfully coerces, and demoralises social groups in the region. Because the cooperation of the civil population is needed, at times, in order to carry out the liberation struggle, coercion has not been a successful strategy. Corruption, in various doses, might have worked for some time, but it demoralizes both the commanders and the people...Institutionalization of the top-down arrangements by the socialist group who initially established the SPLM/A has led to a permanent oppression of those persons in the area under the control of the movement.²⁵⁴

It is worth noting and comparing the above observations by the academic John Prendergast, published in 1997, with his subsequent statements, later that year, as a Clinton Administration official. In late 1997 he publicly supported the American government's declared intention to "build the capacity of Sudanese organizations, particularly in rebel-held areas, to respond to...emergencies in war-torn areas of Sudan". With Prendergast's blessing, despite the fact that, in his own words, the SPLA had institutionalised "a permanent oppression of those persons in the area under the control of the movement", and that it was only SPLA "coercion" that "terrorized" the people under its control into compliance, the Clinton Administration provided the SPLA with millions of dollars worth of arms, logistical assistance and "civil society" funding within SPLA areas. As Prendergast was only too aware, and publicly illustrated, prior to his appointment, the only organisations which the SPLA allows to exist within rebel-held areas of Sudan are those which it controls.

One would have expected a lot more backbone from Mr Prendergast, one of the few Americans to have been able to form an accurate assessment of the SPLA, and one of even fewer Americans in a position to have been able to significantly influence American policy for the better. The apparent

²⁵⁴ Ibid, p.57.

intellectual dishonesty of such a position is only exceeded by the Clinton Administration's Sudan policy in general.

The Clinton Administration's backing of the SPLA highlights glaring double standards. It apparently has one set of human rights and values for white Europeans in Bosnia and Kosovo and another for black Africans in Sudan. War crimes in the Balkans are condemned by Washington, and those responsible for war crimes such as mass murder and ethnic cleansing are indicted for trial. Almost identical SPLA war crimes such the well-documented shooting, hacking to death or burning alive of hundreds of women and children, are ignored, and their perpetrators given direct American military, logistical, political and propaganda support. And, in addition, the American secretary of state praises the man ultimately responsible for such crimes, John Garang, as being "very dynamic".

Chapter Ten

THE CLINTON ADMINISTRATION AND THE REGIONAL DESTABILISATION OF SUDAN

To the peril of regional stability, the Clinton Administration has used northern Uganda as a military training ground for southern Sudanese rebels fighting the Muslim government of Khartoum

The Boston Globe²⁵⁵

It is also on record that the Clinton Administration has publicly encouraged the regional destabilisation of Sudan. This encouragement took the form of political, financial and military support to several of Sudan's neighbours, including Uganda, Ethiopia and Eritrea.²⁵⁶ The tip of the iceberg in respect of encouragement to Sudan's neighbours was the American government's grant of \$20 million in military assistance to Eritrea, Ethiopia and Uganda. This was in effect a public statement of intent on behalf of the United States government that it encouraged or certainly envisaged a violent solution within Sudan, especially given that it was widely known that Sudanese armed opposition groups would be the direct recipients of this military aid. This policy was incorporated into the Clinton Administration's broader Africa policy, which welcomed the leaders of Uganda, Eritrea and Ethiopia as the leaders of a new African "Renaissance".

Washington's attempts to destabilise the biggest country in Africa, a politically tense country made of more than 450 ethnic groups and tribes and 132 languages, and an Islamic-Christian fault line, can only but be viewed with disbelief. Sudan has ten neighbouring states. A successful attempt to destabilise and fragment Sudan would very likely lead to the "Lebanonisation" of the country, with all the grave implications that would entail. Alternatively, Sudan might become another Somalia, an anarchic patchwork of clan and

²⁵⁵ 'Carter, Others Say US Has Faltered in Africa', **The Boston Globe**, 8 December, 1999.

²⁵⁶ This encouragement has included debt relief as well as significant increases in the levels of British and American aid to these countries. The **Financial Times** of 26 February 1997 reported, for example, that Uganda was said to be expecting debt relief of between US\$ 252 and US\$ 386 million in April 1998.

tribal allegiances. The Clinton Administration's policy is also deeply questionable bearing in mind the genocidal fury that broke out in Rwanda and Burundi when those states imploded. Yet a policy of destabilising Sudan was avidly pursued by Washington.

10.1 ENCOURAGING UGANDA, ERITREA AND ETHIOPIA TO DESTABILISE SUDAN

This United States military encouragement and physical assistance was well documented. On 17 November 1996, the London **Sunday Times** reported that "The Clinton administration has launched a covert campaign to destabilise the government of Sudan". It further stated that:

More than \$20m of military equipment, including radios, uniforms and tents will be shipped to Eritrea, Ethiopia and Uganda in the next few weeks. Although the equipment is earmarked for the armed forces of those countries, much of it will be passed on to the Sudan People's Liberation Army (SPLA), which is preparing an offensive against the government in Khartoum.

This was confirmed by **Africa Confidential**: "The United States pretends the aid is to help the governments concerned...to protect themselves from Sudan...It is clear the aid is for Sudan's armed opposition, which badly needs the promised communications equipment, uniforms and tents."²⁵⁷

Eritrea proved to be a particularly enthusiastic respondent. Despite the fact that the Eritrean war of liberation had in large part been based in Sudan, in late 1995, President Afewerki stated his regime's hostility to Sudan: "We are out to see that this government is not there any more...We will give weapons to anyone committed to overthrowing them".²⁵⁸ In 1996, Aferweki was quoted as saying that "Eritrea will provide any type of support...The sky is the limit."²⁵⁹ Sudanese rebels were allowed to establish several training camps in western Eritrea. The Eritrean government also admitted training some of the rebels themselves. The United States government was also directly involved in this

²⁵⁷ **Africa Confidential**, 15 November 1996

²⁵⁸ **The Economist**, 14 October 1994

²⁵⁹ **The Guardian**, London, 11 May 1996

training process. Ethiopian support involvement in destabilising Sudan was also clear. In the words of **Africa Confidential**: “As in the days of Colonel Mengistu’s dictatorship, the Ethiopians are helping train the SPLA and sending it arms through Gambella. This time they are encouraged not by Russia, but by the USA.”²⁶⁰

It is also common knowledge that the Ugandan government under Yoweri Museveni has long supported the SPLA, both politically and militarily. The military assistance over the years has been considerable, ranging from logistically assisting with the movement of SPLA mechanised regiments into Sudan in 1989, the provision of rear-bases and weapons through to the use of Ugandan air force helicopters in support of SPLA operations, and direct Ugandan military involvement inside Sudan. After years of denying such military assistance, testimony before the Ugandan parliament itself revealed the close relationship between the Ugandan army and the SPLA, including direct supplies of weapons.²⁶¹ Ugandan defence spending in 1996 rose by 36 percent. There was considerable concern at the fact that the Ugandan army has upgraded its armoured units, now possessing over one hundred tanks, given that tanks are almost useless in counter-insurgency operations, but are of course particularly useful in conventional military warfare. It is also a matter of record that Uganda has enjoyed “most favoured son” status from the United States, with the resultant economic and financial assistance that comes with such an association.

There is also evidence that there has been direct American military involvement with the SPLA. An American military presence in “front line” states was camouflaged by claims that U.S. advisers were providing “antiterrorist” training. In 1996, **Africa Confidential** reported that the SPLA “has already received US help via Uganda” and that United States special forces are on “open-ended deployment” with the rebels. United States army generals, for example, have been present during Ugandan army exercises held in conjunction with SPLA forces and Eritrean army units.

The Sudanese government reported that on 12 January 1997, the Ethiopian army had shelled and rocketed Kurmuk, the capital of Kurmuk province and other border towns such as Gizan, Yarada and Menza within the Blue Nile

²⁶⁰ **Africa Confidential**, 7 June 1996

²⁶¹ **Africa Confidential**, 4 October 1996

State of Sudan, from within Ethiopia. This shelling was followed by an incursion by some six thousand Ethiopian regular soldiers supported by armoured units and accompanied by elements of the Sudan People's Liberation Army. These forces occupied the above mentioned towns. The following day saw further shelling, and then occupation, of other towns and areas within Sudan. Similar activity began simultaneously from the Eritrean border.

The National Democratic Alliance claimed, from Eritrea, that it had been responsible for the attacks in the Blue Nile State.²⁶² The **Guardian** on 16 January 1997, reported that the rebels have "tanks and mortars" and Eritrean backing. Ethiopian involvement was also clear. The **Guardian** of 23 January 1997 quoted a senior SPLA officer as saying that "Ethiopia provides us with a corridor" and that Ethiopia accommodated the SPLA. The London **Times** reported that "[b]oth countries have denied any involvement with the SPLA, but Eritrean and Ethiopian officers have been seen commanding SPLA soldiers", and quoted African diplomatic sources as saying "There is no way that the SPLA are not being supported by the Eritreans and Ethiopians". The **Times** also reported that this aggression has the "enthusiastic backing of the United States".²⁶³

The dangers of the Clinton Administration's policy of politically and militarily encouraging Uganda, Ethiopia and Eritrea to engage in the destabilisation of a politically very delicate and ethnically sensitive region would have been crystal clear to any competent Africa analyst. Either Washington's policy and their intelligence analysts were not up to their jobs, or it was decided to ignore whatever caution they may have counselled. Despite attempts to project them as examples of the "African Renaissance", all three regimes were undemocratic by Western standards, all being *defacto* one-party or "no-party" states. All three of these governments have demonstrated a predisposition to interfere in the internal affairs of their neighbouring countries. All three countries are also led by "strongmen" who came to power by armed force. It is a matter of record that Harry Johnston, while still a U.S. Congressman, was particularly critical of Ethiopia. Speaking in late 1995, he stated that there were still fifteen hundred political prisoners in Ethiopia that had not been charged with any offence. Some had been held for as long as three or four years. Johnston also stated that he believed that there were more political

²⁶² **The Independent**, London, 15 January 1997

²⁶³ **The Times**, London, 17 January 1997

prisoners in Ethiopia than the rest of sub-Saharan Africa combined.²⁶⁴ Yet, less than one year later, Harry Johnston's own Clinton Administration was unashamedly providing the same Ethiopian regime with military assistance and actively encouraging it to engage in regional destabilisation. In March 1998, **Newsweek** magazine reconfirmed that: "None of the countries now squeezing Sudan is a multiparty democracy."²⁶⁵

It was claimed by the State Department that the \$20 million of American military assistance for Eritrea, Ethiopia and Uganda was to assist those countries to "protect" themselves against Sudan. This was undermined by the fact that these three countries were the ones that actually invaded Sudan, rather than the other way around. The track record of these countries also presents further examples of their involvement in the destabilisation of other neighbours. Eritrea, for example, came into military conflict with Yemen and Djibouti before its incursions into Sudan and subsequent war with Ethiopia. Uganda has attempted to militarily destabilise every one of its neighbours, with the exception of Tanzania, and is currently heavily committed in the spiralling conflict in the Democratic Republic of Congo.

In its encouragement of Uganda, over the past several years, to destabilise Sudan, the Clinton Administration turned a blind eye to the Museveni government's poor human rights record and one-party state system. The American government had previously voiced several deep reservations about the Museveni regime. In May, 1996, the London **Observer** newspaper reported that: "The Americans are leading the charge to warn that he is heading towards the kind of one-party dictatorship the continent knows only too well. At the heart of the issue is Museveni's ban on multiparty politics." American criticism of Museveni waned as Uganda was drawn into the Clinton Administration's anti-Sudan policy.

Once again, the administration knew the undemocratic and unpredictable nature of the regime with which it was dealing. It nevertheless decided to arm, equip and financially aid the Ugandan government in return for a commitment to supporting Sudanese rebels from Ugandan bases and Ugandan military support for SPLA incursions.

²⁶⁴ 'East Africa/Congressman', Voice of America, 11 October 1995, 15:26:26 EDT.

²⁶⁵ 'African Duel', **Newsweek**, 30 March 1998.

10.2 THE CLINTON ADMINISTRATION AND AFRICA'S "FIRST WORLD WAR"

It is obvious that the Clinton Administration's attempts to regionally destabilise Sudan has backfired. What was even more important in many ways than the physical transfer of military equipment to governments who then sought to use it against Sudan, were the clear political ramifications and consequences of this Clinton Administration policy. In 1996 and 1997 the Clinton Administration actively encouraged the governments of Eritrea, Ethiopia and Uganda, all unstable and undemocratic regimes, to destabilise one of their neighbours, Sudan, the largest country in Africa. In their enthusiastic naivety, what the Administration's policy makers did not realise was that superpower encouragement for African countries to destabilise neighbouring countries in Africa has clear consequences. To an unstable regime, insulated by American support, an American licence to destabilise one neighbour can lead to the wider destabilisation of other neighbours. And this is precisely what has happened in the Horn of Africa and in central Africa. By its clumsy and ill-judged interference, the United States has precipitated widespread conflict between a number of countries, several of them pivotal states in strategic areas.

In an area noted for instability, an area that had just experienced the genocidal madness in Rwanda and Burundi, the Clinton Administration's *carte blanche* for destabilisation prompted Uganda to unilaterally destabilise the Mobutu, and then the Kabila, regimes in what is now the Democratic Republic of the Congo. Eritrea then went to war with Ethiopia, having previously skirmished with Djibouti and Yemen. As early as February 1997, commentators were outlining the possible regional consequences of Washington's policies. In an article entitled 'US Masterminds 3-Pronged War on Sudan', **Africa Analysis** reported:

There is growing anxiety in eastern and central Africa that Ethiopia, Eritrea and Uganda, the Americans and their European friends are steering into open warfare with Sudan. This is in turn stimulating contrary alliances extending to the shifting frontline of the Great Lakes region...The ramifications are alarming diplomats [in Nairobi].²⁶⁶

²⁶⁶ 'US Masterminds 3-Pronged War on Sudan', **Africa Analysis**, 7 February 1997.

The Congolese civil war that followed has spiralled out of control into a vicious war in which Uganda, Rwanda, Burundi, Chad, Angola, Zimbabwe and Namibia have become militarily entangled. Other countries, such as South Africa, remain poised to intervene.²⁶⁷ It is not an exaggeration to say that these conflicts are at least in part, and probably in large part, the result of the Clinton Administration's disastrous Africa policy in general, and Sudan policy in particular.

It is ironic, therefore, for Clinton Administration officials such as Assistant Secretary of State for African Affairs Susan Rice to then warn of the dangers of such conflagrations as she did in October, 1999: "The more countries we have involved, the more complicated it becomes to unravel. This is becoming akin to Africa's first world war." Somewhat incongruously, given Washington's Sudan debacle, Rice also claimed that American policy in Africa is to limit "trans-national" conflicts.²⁶⁸ Once again, the Clinton Administration's intellectual dishonesty is all too clear.

By 2000, at least in part because of "Africa's first world war" in the Congo and the 1998 Eritrean-Ethiopian war, Sudanese relations with Ethiopia, Eritrea and Uganda normalised to a greater or lesser extent. This has been acknowledged and welcomed by the international community.²⁶⁹ In March, 2000 Sudan and Ethiopia announced that their countries' ties were "now much stronger" than they were in early 1990s. They announced that they had signed agreements on cooperation on political and security issues as well as in trade, roads, communications, agriculture and other fields.²⁷⁰ In January 2000, Eritrea and Sudan resumed diplomatic relations with each other.²⁷¹ Eritrea handed back the Sudanese embassy to the Sudanese government. The embassy had previously been given to Sudanese rebels. In December, 1999, Sudan and

²⁶⁷ 'SA Troops Ready for Congo', **The Sunday Times**, Johannesburg, 12 March 2000.

²⁶⁸ 'US Official Warns of War in Africa', News Article by Associated Press, 20 October, 1999 at 22:52 EDT. See, also, 'Where is Clinton's "African Renaissance"', **The Wisdom Fund News & Views**, 31 January 1999, <http://www.twf.org/News/Y1999/0131-AfricaRen.html>

²⁶⁹ See, for example, 'Declaration by the Presidency on Behalf of the European Union on the Normalisation of Sudanese Relations with Neighbouring Countries', European Union, Brussels, 31 January 2000.

²⁷⁰ 'Sudan, Ethiopia Say They Have Normalised Relations', News Article by Agence France Press on 5 March 2000 at 15:14:30.

²⁷¹ See, 'Sudan, Eritrea Resume Diplomatic Relations', News Article by Panafrican News Agency on 4 January 2000.

Uganda also normalised relations, signing a peace agreement brokered by Jimmy Carter.²⁷²

10.3 THE CLINTON ADMINISTRATION: ALIENATING EGYPT OVER SUDAN?

the Clinton Administration has noticeably come into conflict with Egypt regarding Washington's policy towards Khartoum. Egypt has previously been hostile to some of Sudan's policies, and there has been a border dispute over the Red Sea area of Halaib. Whatever differences there may have been in the past, from 1998 onwards Egypt and Sudan have sought to normalise their relations.²⁷³ The Egyptian government has also entered into a constructive dialogue with Sudan. The Egyptian foreign minister, Amr Moussa, has stated: "There's now an openness in Sudan's government. It is prepared to listen and negotiate and reach a vision for a new Sudan that accepts all opposition factions".²⁷⁴ The warmth of Egyptian-Sudanese relations were summed up by the Egyptian foreign minister on the occasion of President al-Bashir's state visit to Egypt in 1999: Moussa stated that "Egypt sees al-Bashir as the head of the Sudanese state and as a representative of his country". Egypt and Sudan were bound up by "eternal, special, historical, and future relations".²⁷⁵

Up until Sudanese independence in 1956, Egypt and Sudan had been one country. Egypt still looks on Sudan as its hinterland, and has long been concerned about the unity of Sudan.²⁷⁶ The Egyptian government now clearly believes that the Clinton Administration's policy towards Sudan can only but

²⁷² See, for example, 'Carter's Patience Pays Off in Africa', *The Washington Post*, 12 December 1999; 'Uganda, Sudan Agree On Ending Rebel Activity', News Article by Reuters on 8 December 1999.

²⁷³ 'Egypt and Sudan Restore "Full" Diplomatic Relations', News Article by Agence France Presse on 23 December 1999 at 12:13:59; 'Focus - Egypt Restores Diplomatic Ties With Sudan', News Article by Reuters on 23 December 1999 at 12:09:13.

²⁷⁴ 'Focus - Egypt's Moussa in Sudan to Discuss Peace', News Article by Reuters on 4 January 2000 at 14:02:46.

²⁷⁵ 'Egypt Hails Sudanese President's Visit', News Article by Xinhua on 22 December 1999 at 20:24:41.

²⁷⁶ See, for example, statements by Osama El-Baz, political adviser to Egyptian president Hosni Mubarak: 'El-Baz: Sudan is the Strategic Depth of Egypt', News Article by ArabicNews.com on 14 September 1999; 'Egypt Reiterates Backing for Sudan's Territorial Integrity', News Article by Xinhua on 22 December 1999 at 20:22:38.

destabilise Sudan. Egypt is also concerned that American support for the SPLA might result in attempts at succession in southern Sudan, something that would have consequences with regard to the Nile river upon which Egypt is so dependent.

It is for these and other reasons that Egypt has thrown itself vigorously into finding a peaceful solution to the Sudanese conflict. Egypt has outlined a peace plan designed to secure a comprehensive political settlement of the Sudanese conflict. Unlike the IGAD peace process, which only involved the Sudanese government and the SPLA, this peace plan called for the involvement of all other parties to the conflict, including the northern opposition parties. This peace initiative called for a permanent cease-fire, and a national peace conference. Sudan immediately accepted the Egyptian-Libyan proposals.²⁷⁷ The SPLA rejected the plan outright.²⁷⁸ The Clinton Administration also rejected the peace plan.²⁷⁹

The Egyptian government has criticised American efforts to undermine their attempts to secure an all-inclusive peace settlement. Egyptian presidential adviser Osama el-Baz stated that “The US opposition...does not concern us much and will not change our stance at all”.²⁸⁰ He also stated that:

No American blessing is requested, no American approval is requested, no American intervention is requested...Now, if the United States is still opposing this, well, this will not be of any importance to us.²⁸¹

²⁷⁷ See, ‘Report: Sudan Accepts Egyptian-Libyan Peace Plan’, News Article by Associated Press on 24 August 1999 at 10:10:00; ‘Sudan “Willing” to Enter Peace Talks, Newspaper Says’, News Article by Agence France Presse on 21 August 1999 at 11:32:43; ‘War-Torn Sudan Takes Step Towards National Dialogue’, News Article by Reuters on 21 August 1999 at 11:35:11.

²⁷⁸ ‘Sudanese Rebels Reject Peace Plan’, News Article by BBC News Online Network on 30 August 1999 at 14:33 GMT; ‘Sudanese Rebels Snub Libyan-Egyptian Mediation Effort’, News Article by Agence France Presse on 30 August 1999 at 21:01:12.

²⁷⁹ ‘Albright Backs Sudan Peace Efforts’, News Article by Associated Press on 22 October 1999 at 5:15:29 (the peace efforts in question are the IGAD talks).

²⁸⁰ ‘Egyptian-Libyan Initiative On-Going Despite US Opposition’, News Article by ArabicNews.com on 3 December 1999.

²⁸¹ ‘Egypt Says U.S. Cannot Halt its Peace Initiative in Sudan’, News Article by Associated Press on 23 November 1999.

Egypt is clearly one of the cornerstones of American foreign policy in the Middle East. The Clinton Administration appears to be in danger of alienating a key ally in its pursuit of its failed anti-Sudanese policies.

Chapter Eleven

THE CLINTON ADMINISTRATION: AT ODDS WITH THE AMERICAN HUMANITARIAN AID COMMUNITY

We would support promoting negotiation rather than backing one side in an extremely complex conflict”.

Oxfam America²⁸²

In addition to criticism of its Sudan policies from the United Nations and international humanitarian aid agencies such as the World Food Programme, the Clinton Administration has also received considerable criticism from the American humanitarian community. The criticism in November 1999 by eight reputable US-based humanitarian organisations working in Sudan, including CARE, World Vision, Church World Service, Save the Children and the American Refugee Committee, of the Administration’s intention to feed the SPLA, was merely the latest expression of the American humanitarian aid community’s unease with American policy towards Sudan. They pointed out that such a policy would “undercut whatever chance exists that the United States would be able to effectively promote a just peace...Food used as a weapon of war such as this can only exacerbate the present conflict, continue the death and suffering of the Sudanese people, and do nothing to promote finding a just peace.”²⁸³ Oxfam America stated that: “Food should be used to feed people. We would support promoting negotiation rather than backing one side in an extremely complex conflict”.²⁸⁴

There have been several previous calls, from American non-governmental organisations most involved in humanitarian aid relief in Sudan, for a more constructive approach on the part of the Administration. In January 2000, the **Washington Post** reported that Save the Children had “joined most of the private and religion-based aid agencies that operate a \$1 million-a-day relief

²⁸² ‘Clinton Gets Stick to Beat Sudan, May Not Use It’, News Article by Reuters on 29 November 1999 at 23:44 EST.

²⁸³ ‘Humanitarian Organizations Oppose Plan Providing Food to Sudanese Rebels’, Press Release by InterAction, the American Council for Voluntary International Action, Washington-DC, 30 November 1999.

²⁸⁴ ‘Clinton Gets Stick to Beat Sudan, May Not Use It’, News Article by Reuters on 29 November 1999 at 23:44 EST.

program in Sudan in beginning to criticize Clinton administration policy as one-sided in its hostility toward the Khartoum government and insufficiently committed to promoting a just peace.”

In September 1999, Save the Children, CARE, Oxfam America, World Vision, the U.S. Committee for Refugees and Lutheran World Relief, and other humanitarian groups met with Madeleine Albright and called upon the administration to make peace its primary objective in Sudan, to support development efforts in the north as well as in the south and for President Clinton to become personally engaged and “to announce a new policy”.²⁸⁵ The president of CARE USA, Peter Bell, a former deputy under-secretary of health, education and welfare, acted as spokesman for the ten-strong group of relief agencies, and urged the State Department to pursue a Sudan policy that was more neutral and less antagonistic towards Khartoum.²⁸⁶

In May 1999, the American branches of three leading humanitarian organisations called on the US government to change its policy toward Sudan. In a joint statement entitled ‘U.S. Government Policy Towards Sudan Must Change, Say Leading U.S. Humanitarian Agencies’, CARE USA, Oxfam America and Save the Children USA called on the Clinton Administration to adopt a “Peace First” policy aimed at ending the Sudanese conflict. The aid agencies called on the American government to: promote a comprehensive cease-fire; support and reinforce the efforts of the IGAD Partners Forum and UN to strengthen the peace process; work with the Partners Forum and UN to establish the means to objectively monitor adherence by all parties to the peace process time-table and hold them accountable; re-establish regular American diplomatic contacts with the Sudanese government that emphasise the need for peace; engage in persuading the SPLA and its regional allies to accept a comprehensive ceasefire and increase their commitment to the peace process; support continued access by all communities to humanitarian assistance; to bring marginalised parties in north and south Sudan into the peace process; commit to humanitarian assistance that will stimulate longer-term development as the peace process moves forward; seek out and support those prominent Sudanese individuals and third party nations with access to the Sudanese government and SPLA to find a way out of the current stalemate; to

²⁸⁵ ‘An Uncharitable Dispute: Relief Organizations Want U.S. Government to Moderate Hard-Line Stance on Sudan’, **The Washington Post**, 5 January 2000.

²⁸⁶ ‘CARE Seeks Political Fix in Sudan’, **The Atlanta Journal-Constitution**, 7 October 1999.

take a leading role in persuading all third parties to end their financial and military assistance to all sides in the war. The agencies also stated their support for a referendum on self-determination for southern Sudan. They also stated that the Sudanese conflict was an unwinnable one for all sides.²⁸⁷

It is evident that these calls by American humanitarian agencies, made over the past eighteen months or so, for a more constructive engagement between Washington and Khartoum, have been ignored by the Clinton Administration.

²⁸⁷ 'U.S. Government Policy Towards Sudan Must Change, Say Leading U.S. Humanitarian Agencies', Statement by CARE USA, Oxfam America and Save the Children USA, 3 May 1999, Integrated Regional Information Network, United Nations Office for the Coordination of Humanitarian Affairs.

Chapter Twelve

THE UNITED STATES CONGRESS AND SUDAN: POORLY INFORMED AND CONFRONTATIONAL

One of the usual mechanisms of oversight on the Administration, the United States Congress, has itself been caught up in the anti-Sudanese frenzy set into motion by the Clinton Administration itself. The United States Congress, the legislature of the most powerful country in the world, has passed resolutions on Sudan whose poor drafting and factual inaccuracies would embarrass a high school debating society. The 1999 Sudan Peace Act, a horrendously misnamed piece of legislation, committed the United States to providing US\$ 16 million to the SPLA to develop “a viable civil authority, and civil and commercial institutions”. The Act also specified that the President detail options and plans for the “provision of nonlethal assistance to participants of the National Democratic Alliance”. Both these items served to materially bolster the SPLA and to encourage it to continue with its war. The Act spoke in terms of an “ongoing slave trade” (S.1453, 106th Congress, 1st Session, 19 November, 1999). A typical Senate resolution (S. Res. 109, 106th Congress, 1st Session, 1 July, 1999) spoke of “slave raids”, “slave markets”, “tens of thousands” of slaves, stated that Sudan was a “rogue state because of its support for international terrorism”, stated that Sudan was implicated in the “World Trade Center bombing in New York City in 1993” and that on August 20, 1998, American forces “struck a suspected chemical weapons facility in Khartoum” in retaliation for the bombings of the United States embassies in Kenya and Tanzania. The Senate resolution contained, therefore, as two major indictments, the al-Shifa “chemical weapons” factory and the World Trade Center allegations, which were simply untrue. Other, similarly flawed, resolutions, such as House of Representatives Resolution 75, also passed in 1999, spoke of genocide and an “extremist and politicized practice of Islam”. Resolution 75 also called for the provision of anti-aircraft missiles to the SPLA, and to provide the SRRA with funds and assistance.

It can be argued that the Clinton Administration’s questionable Sudan policies have come full circle. The US Congress has been the focus of pressure group politics, by organisations and individuals themselves at least in part reacting to the demonisation of Sudan by the Clinton Administration. The

Administration's own rhetoric and propaganda with regard to Sudan has painted it into a corner. Deeply questionable and unproven allegations about Sudan have been accepted at face value by a Congress led on this issue by a handful of anti-Sudanese legislators influenced by questionable and discredited groups such as Christian Solidarity International. These legislators have also aligned themselves with a rebel movement in southern Sudan that has been responsible for some of the most brutal and cold blooded war crimes of the Sudanese conflict.

Even a cursory examination of some of the sources from which the United States Congress draws its information on Sudan explains its poor judgement with regard to the Sudanese situation. The Congress, and the Washington establishment, appear to be content to form their opinions from congressional hearings limited time and time again to the same circle of discredited and partisan anti-Sudanese activists. These include people such as Roger Winter, director of the federally-funded United States Committee for Refugees. He has openly admitted that he was "not neutral in this situation", and that he "promotes" the "demise" of the Sudanese government. Winter also refers to SPLA-controlled areas as "liberated areas".²⁸⁸

Another frequent "witness" appearing before Congressional hearings has been Baroness Cox, an anti-Sudanese activist associated with Christian Solidarity Worldwide and Christian Solidarity International. Her claims with regard to Sudan have long been questioned.²⁸⁹ She has been described as "overeager or misinformed" by reputable human rights activist Alex de Waal, with regard to claims about slavery in Sudan.²⁹⁰ Her claims that Sudan was involved in chemical weapons have been denied by the British government and UNSCOM.²⁹¹ Cox's claims about genocide in Sudan were contradicted by the British government.²⁹² And her claims, as late as 1999, that Sudan was involved in the World Trade Center bombing have even been contradicted by the Clinton Administration itself. Even the very sympathetic biography of Cox

²⁸⁸ Speaking at the 'Meeting on Religion, Nationalism and Peace in Sudan', United States Institute of Peace, Washington-DC, 17 September 1997.

²⁸⁹ See, for example, **Baroness Cox and Sudan: How Reliable a Witness?**, The British-Sudanese Public Affairs Council, London, 1999.

²⁹⁰ De Waal was formerly a co-director of African Rights. Before that he had worked with Africa Watch. He is an acknowledged expert on Sudan.

²⁹¹ House of Lords **Official Report**, 19 March 1998, cols. 818-820.

²⁹² House of Lords **Official Report**, 10 December 1998, Written Answers, column 103.

records that full-time humanitarian aid workers in Sudan “feel she is not well-enough informed. She recognizes a bit of the picture, but not all that’s going on”.²⁹³ Nonetheless, Baroness Cox is presented to Congress as a key commentator on Sudan.

One particularly partisan vehicle for anti-Sudanese activity has been the U.S. Commission on International Religious Freedom, a body created by the 1998 International Religious Freedom Act, passed by Congress. This Act requires an annual report on religious freedom. It comes perhaps as no surprise that Sudan features among the five countries cited as “countries of particular concern”. The others are China, Iran, Iraq, and Myanmar.²⁹⁴ Indeed, at the March 2000 United Nations Commission on Human Rights meeting in Geneva, Rabbi David Saperstein, the chairman of the U.S. Commission on International Religious Freedom, and Ambassador Robert Seiple, U.S. Ambassador-at-large for international religious freedom, chose to focus on Sudan during their discussions with non-governmental organisations and the press. It also perhaps comes as no surprise that Saudi Arabia was not singled out in the Congressionally-funded Commission’s first annual report on religious freedom. nor was Saudi Arabia, or any other countries apart from Sudan and China, mentioned in the comments of Rabbi Saperstein and Ambassador Seiple during their presentation at the Commission on Human Rights.²⁹⁵

The blatant double standards of the U.S. Commission on International Religious Freedom are central to its usefulness to the Clinton Administration. These double standards are highlighted by the fact that the Commission has also taken a stance, on grounds of “religious freedom” against investment in Sudanese oil projects, while it remains mute with regard to the Saudi Arabian oil industry.²⁹⁶ It is a matter of record that the Sudanese government had on several occasions invited the U.S. State Department’s Committee on Religious Freedom, the Commission’s forerunner, to visit Sudan to assess at first hand the religious situation in Sudan. They never visited.

²⁹³ Andrew Boyd, **Baroness Cox: A Voice for the Voiceless**, Lion Publishing, Oxford, 1998, p.324.

²⁹⁴ ‘U.S. Adds Religious Freedom to Old Sanctions’, News Article by Reuters on 23 December 1999.

²⁹⁵ ‘Transcript: Amb. Seiple/Rabbi Saperstein on Religious Freedom’, The Office of International Information Programs, U.S. Department of State, 31 March 2000, Web site: usinfo.state.gov

²⁹⁶ ‘U.S. Religion Task Force to Scrutinize CNPC’s Stock Offer for Sudanese Ties’, **The Wall Street Journal**, 22 December 1999.

Even Congressional research organisations such as the House Republican Task Force on Terrorism and Unconventional Warfare have produced patently false claims with regard to Sudan. In February 1998, this organisation claimed, amongst other things, that in the wake of the Gulf War, Iraq had secretly transferred 400 Scud missile systems, some twelve hundred vehicles, to Sudan. This was supposedly accomplished in the face of the unprecedented satellite, electronic and physical surveillance of that country by the United States, the United Nations and other concerned members of the international community. Even the Clinton Administration felt it necessary to contradict these wild claims:

We have no credible evidence that Iraq has exported weapons of mass destruction technology to other countries since the (1991) Gulf War.²⁹⁷

Claims made in the House Task Force report were also contradicted by the British government, the British Defence Intelligence Staff, and UNSCOM, the United Nations body tasked with disarming Iraq of its weapons of mass destruction. On 19 March 1998, the British government stated:

We are monitoring the evidence closely, but to date we have no evidence to substantiate these claims...Moreover, we know that some of the claims are untrue...The defence intelligence staff in the [Ministry of Defence] have similarly written a critique which does not support the report's findings...Nor has the United Nations Special Commission reported any evidence of such transfers since the Gulf War conflict and the imposition of sanctions in 1991.²⁹⁸

The Federation of American Scientists also stated with regard to this report that "material produced by this Task Force has historically consisted of an uneven admixture of unusually detailed information and blatantly incredible fabrications".²⁹⁹

²⁹⁷ 'White House Says No Sign Iraq Exported Arms', News Article by Reuters on 17 February 1998 at 10:20:45.

²⁹⁸ House of Lords **Official Report**, Westminster, 19 March 1998, cols. 818-820.

²⁹⁹ See, 'Missiles - Sudan', Federation of American Scientists, Washington, at <http://www.fas.org/nuke/guide/sudan/missile/>

“Opinion” on Sudan has also in part been led by other Congressionally-funded bodies such as the United States Institute of Peace (USIP). While claiming, despite its federal funding, to be “independent” and “nonpartisan”, USIP has merely echoed the Administration line on Sudan. It has held “consultations” on Sudan during which the Sudanese government perspective was noticeably absent. Present were several Sudanese opposition groups, Sudan “experts” such as John Prendergast and Roger Winter as well as Congressional aides and government departments hostile to Sudan.³⁰⁰ Since the board of directors of the United States Institute of Peace includes senior Administration officials, including intelligence and defence chiefs, USIP’s anti-Sudanese stance is unsurprising.

Given that the United States Congress derives at least some of its information regarding Sudan from the above selective, partisan and questionable sources, it is not surprising that the United States Congress is as ill-informed as it so clearly is regarding the reality of Sudan. In passing, it should be mentioned that there is also considerable hypocrisy with regard to Congressional positions on Sudan. In April 1998, for example, the Clinton Administration, in response to lobbying from its grain producers, lifted sanctions with regard to Sudanese imports of grain. An Administration official stated that: “I believe the change came from a lot of pressure from [Congress], from agricultural senators who want to sell their wheat”.³⁰¹

³⁰⁰ See, for example, **A New Approach to Peace in Sudan**, United States Institute of Peace, Washington-DC, 1999.

³⁰¹ See, for example, ‘US to Lift Sanctions on Iran, Libya and Sudan’, News Article by Reuters on 28 April 1998 at 10:58:28; ‘Sudan Says US Easing Sanctions in Own Interest’, News Article by Reuters on 29 April 1998 at 10:03:54; and ‘Sudan Shrugs Off US Easing of Sanctions’, News Article by Reuters on 29 April 1998 at 12:13:03.

Chapter Thirteen

REPEATED SUDANESE CALLS FOR DIALOGUE IGNORED

Sudan has long sought a constructive dialogue with the US, a dialogue based on mutual understanding, respect, non-interference in internal affairs and observance of constructive criticism.

Sudanese President Omer al-Bashir³⁰²

Toward March [1997], I delivered to the State Department a message from the president of Sudan to the president of the United States. The president, our president, requested in that letter that the two nations engage in open and cooperative dialogue aimed at resolving any differences that might have existed between our two governments...President Clinton never afforded President Bashir with the courtesy of a response to that important letter.

Ambassador Mahdi Ibrahim Mohamed, Sudanese
Ambassador to the United States³⁰³

In parallel with the Clinton Administration's hostile policy, have been the Sudanese government's repeated public and private efforts to enter into a more constructive dialogue with Washington. Not only has Khartoum refused to respond to what can be described as systematic provocation by Washington - Sudan's listing as a terrorist state, sanctions, support for Sudanese insurgents, etc - it has actively sought dialogue. There have been several requests for American intelligence and counter-terrorism teams to come down and work in Sudan. Even after the al-Shifa bombing, the Sudanese government continued to call for dialogue rather than confrontation, making it clear that any argument Sudan had was with the Administration, and not the American people. These calls for dialogue continue to this day.

³⁰² 'Sudan Wants Dialogue With US, Bashir Tells Envoy', News Article by Reuters on 7 March 2000 on 06:40:53.

³⁰³ 'Remarks to the Media', by H.E. Mahdi Ibrahim Mohamed, Sudanese Ambassador to the United States of America, 2 September 1998.

The Sudanese ambassador to the United States, Mahdi Ibrahim Mohamed, has placed on record the Clinton Administration's indifference with regard to Sudan. Speaking in September 1998, he stated that:

Since becoming ambassador to the United States from Africa's largest nation, I have attempted on numbers of occasions to arrange meetings with the assistant secretary of state for Africa, in her two capacities, when she was the senior adviser of the president for Africa in the National Security Council and later when she became the assistant secretary for Africa. Never had the assistant secretary taken the time to meet with me - not as a matter of diplomatic courtesy and not even as an attempt to refute - an opportunity for me to refute the highly defamatory analyses that were being published and perpetrated by the State Department regarding my country and my people.³⁰⁴

Ambassador Mahdi also placed on record the Clinton Administration's unwillingness to even answer Sudanese requests for contact:

Toward March [1997], I delivered to the State Department a message from the president of Sudan to the president of the United States. The president, our president, requested in that letter that the two nations engage in open and cooperative dialogue aimed at resolving any differences that might have existed between our two governments. And namely, the message addressed the issue of peace, establishing peace in the Sudan; addressing the problems of neighborly relations and destabilization in the subregion, the issue of terrorism and the general issue of human rights...It was communicated with the most sincere of intentions and meant to end an era of misinformation, disinformation, and open a time for cooperation and goodwill. President Clinton never afforded President Bashir with the courtesy of a response to that important letter.³⁰⁵

³⁰⁴ 'Remarks to the Media', by H.E. Mahdi Ibrahim Mohamed, Sudanese Ambassador to the United States of America, 2 September 1998.

³⁰⁵ Ibid.

In March 1999, as one example of many similar statements, the Sudanese foreign minister called for a “serious and frank dialogue” with Washington, which would lead to the “removal of the causes of strain in the bilateral relations and for restructuring good ties that serve the interests of the two countries”.³⁰⁶ In May 1999, the foreign minister once again stated that it was time to mend ties with the United States: “We are not for confrontation with the United States, but for dialogue...We hope this dialogue will lead us to a new page with full transparency”.³⁰⁷ Later that month, the Sudanese government signed the chemical weapons convention, an international instrument outlawing chemical weapons. The foreign minister stated that the signing was an explicit “overture” to the Clinton Administration.³⁰⁸ On 10 June, Sudanese President al-Bashir stated that Sudan is ready to co-operate with the United States to “make sure that Sudan is not committed to any practice that could be taken as supporting terrorism”.³⁰⁹ Fatih Erwa, Sudanese Ambassador to the United Nations has also summed up the Sudanese position: “We are not against the United States, we are not against the American people. We just want a normal relationship with the United States.”³¹⁰

In March, 2000 President al-Bashir reiterated that: “Sudan has long sought a constructive dialogue with the US, a dialogue based on mutual understanding, respect, non-interference in internal affairs and observance of constructive criticism”.³¹¹

³⁰⁶ ‘Sudan Ready for Dialogue With US’, News Article by Agence France Presse on 17 March, 1999 at 16:16:43.

³⁰⁷ ‘Interview - Sudan Wants to Bury Hatchet With US’, News Article by Reuters on 20 May 1999 at 09:19:23.

³⁰⁸ ‘Foreign Minister Says Chemical Weapons Ban “Overture” to USA’, **La Stampa**, Rome, 1 June 1999.

³⁰⁹ ‘Sudan Ready to Cooperate With US’, News Article by Associated Press on 10 June 1999 at 17:12:19.

³¹⁰ ‘Sudan Working for Better Ties With US’, **The Boston Globe**, 7 October 1998.

³¹¹ ‘Sudan Wants Dialogue With US, Bashir Tells Envoy’, News Article by Reuters on 7 March 2000 on 06:40:53.

Chapter Fourteen

THE CLINTON ADMINISTRATION: OBSTRUCTING PEACE IN SUDAN

Instead of working for peace in Sudan, the US government has basically promoted a continuation of the war.

Former US President Jimmy Carter ³¹²

There is no doubt that the United States is pivotal to a peaceful resolution of the Sudanese conflict. And there is also no doubt that the conditions for just such a resolution are better now than they have been for some time. The offer of an internationally-monitored referendum whereby the people of southern Sudanese can decide their own destiny is on the table. The former Prime Minister, Sadiq al-Mahdi, himself ousted in 1989 by the present government, and a pivotal opposition leader, has declared that:

There are now circumstances and developments which could favour an agreement on a comprehensive political solution.³¹³

The Egyptian-Libyan peace initiative has reenergised the search for peace in Sudan. The Sudanese Government has stated that “IGAD is for the problem of the south, while the Egyptian-Libyan initiative offers a comprehensive settlement for the whole problem of Sudan.”³¹⁴ The Clinton Administration, however, remains the single biggest obstacle to peace in Sudan. Former President Carter has been very candid about the Administration’s Sudan policy as he made clear in 1999:

The people in Sudan want to resolve the conflict. The biggest obstacle is US government policy. The US is committed to overthrowing the government in Khartoum. Any sort of peace effort is aborted, basically by policies of the United

³¹² ‘Carter, Others Say US Has Faltered in Africa’, **The Boston Globe**, 8 December 1999.

³¹³ ‘Developments in Sudan Favour National Reconciliation: Mahdi’, News Article by Agence France Presse on 25 December 1999 at 12:38:20.

³¹⁴ ‘Interview - Sudan Says US Harming Peace Prospects’, News Article by Reuters on 25 October 1999 at 14:58:29.

States...Instead of working for peace in Sudan, the US government has basically promoted a continuation of the war.³¹⁵

This is not the Sudanese government speaking. It is a man respected the world over for his work towards peace in various conflicts. Former President Carter is also a man who knows Sudan, and the Sudanese situation well, having followed the issue for two decades or more.

If the United States would be reasonably objective in Sudan, I think that we at the Carter Center and the Africans who live in the area could bring peace to Sudan. But the United States government has a policy of trying to overthrow the government in Sudan. So whenever there's a peace initiative, unfortunately our government puts up whatever obstruction it can.³¹⁶

Carter bluntly stated that the Clinton Administration's US\$20 million grant in military aid to Eritrea, Ethiopia and Uganda was "a tacit demonstration of support for the overthrow of the Khartoum government". He also believed that this behaviour by Washington had a negative effect on the SPLA's interest in negotiating a political settlement: "I think Garang now feels he doesn't need to negotiate because he anticipates a victory brought about by increasing support from his immediate neighbors, and also from the United States and indirectly from other countries".³¹⁷

While encouraging war, the American government's then regional allies also impeded Sudanese attempts to secure peace. The American government has repeatedly declared that the IGAD peace process is the only one they recognise. Given that three of the IGAD countries, with seats on the IGAD peace committee, are Eritrea, Ethiopia and Uganda, it is unsurprising that the IGAD process spent much of the mid-to-late 1990s in what might be seen as deliberate stalemate. And, as we have seen, the Clinton Administration has publicly opposed any new initiatives to resolve the Sudanese civil war, including the Egyptian peace plan. U.S. opposition to this plan has also gone

³¹⁵ 'Carter, Others Say US Has Faltered in Africa', **The Boston Globe**, 8 December 1999.

³¹⁶ 'CARE Seeks Political Fix in Sudan', **Atlanta Journal-Constitution**, 7 October 1999.

³¹⁷ 'Ex-President Opposes Policy of Aiding Khartoum's Foes', **The Washington Times**, 25 September 1997.

hand-in-hand with public attempts to assist the SPLA logistically by, for example, direct food aid to combatants.

Chapter Fifteen

CONCLUSION

The government in Sudan has made some effort to open up. We Europeans think there is hope for improvement, but as the situation seems to be moving in the Sudan, it does not seem to be moving in Washington.

**Bujon de L'Estang, French Ambassador to the
United States**³¹⁸

The Clinton Administration's Sudan policy has been characterised by failure. It has also been characterised by farce. Perhaps the most farcical aspect has been the Administration's repeated claim that Sudan, one of the poorest countries in the world, a country that has not harmed a single United States citizen, a country that has repeatedly sought a dialogue with the United States, somehow constitutes "an extraordinary and unusual threat" to the United States. Exactly who posed a threat to whom was perhaps best highlighted by the American Cruise missile attack on the al-Shifa medicines factory. The Administration's attempts to dress up its hostility to Sudan by invoking concerns about human rights, democratic pluralism and religious freedom are fatally undermined by, amongst other things, Washington's unconditional support for Saudi Arabia. The double standard is self-evident.

The Administration's seven year policy of seeking to isolate Sudan politically and diplomatically has failed. Sudan's political relations with the key groupings such as the European Union, Egypt and the rest of the Arab world and especially the Gulf States - key components in Washington's attempts to isolate Sudan - have never been better. The attack on the al-Shifa medicine factory provoked calls of solidarity with Sudan from the Non-Aligned Movement, the Organisation of African Unity, the Arab League, the Organisation of the Islamic Conference, groupings bringing together well over one hundred countries. It is the United States which stands isolated and alone.

³¹⁸ 'Reassessing the Stance Toward Sudan', **The Washington Post**, 1 February 2000, p.A13.

The Clinton Administration's policy and actions with regard to Sudan have been characterised by repeated intelligence failures. These have included failures with regard to evaluating the nature of the Sudanese government and the Islamic model it presents. There has also been a failure to substantiate any allegations of Sudanese involvement in terrorism, despite Washington's listing of Sudan as a state sponsor of terrorism. The Clinton Administration partially evacuated its embassy in 1993, and actually withdrew all its diplomats and their dependants in 1996, on the basis of intelligence reports subsequently revealed to have been based on fabricated claims by unreliable sources. The Administration then used the fact that the Sudanese government had been unable to respond to these fabricated "terrorist threats" as yet more evidence of Khartoum's complicity with terrorist elements. And all the way through, Washington refused to provide evidence for any of its claims, invoking the need to protect "intelligence" sources. On the only occasion when the Administration reluctantly attempted to justify its allegations that the al-Shifa medicines factory was owned by terrorists and manufacturing chemical weapons, its "intelligence" crumbled in the face of media reporting.

In 1997 the **Washington Post** remarked, with regard to the Clinton Administration's abuse of American anti-terrorism legislation, that the "elasticity of the law as it comes to US interests...will not go unnoticed" in Washington's attempts in 1996 to grant exemptions to American oil companies that had contributed to the Democratic party, to engage in the Sudanese oil project. There has been a similar elasticity when it came to propaganda considerations. The Administration's listing of Sudan as a "state sponsor of terrorism" has even further devalued and abused American anti-terrorism legislation.

The Clinton Administration's refusal to accept responsibility for the mistaken bombing of the al-Shifa medicines factory continues to weaken its credibility within the international community. This has been confirmed by Human Rights Watch who have stated: "The misguided U.S. bombing of al Shifa factory in Khartoum in August 1998 severely hampered the U.S. government's ability to lead its allies on Sudan issues".³¹⁹

³¹⁹ 'Food Aid to Sudanese Rebels Opposed', Human Rights Watch Press Statement, New York, 13 December 1999.

The Administration's attempts to militarily overthrow the Sudanese government by logistically and politically assisting southern Sudanese rebels and encouraging three of Sudan's neighbours to intervene militarily in Sudan have also failed. Despite considerable American assistance to the SPLA, the civil war is clearly a no-win war. Uganda, Ethiopia and Eritrea, formerly the handmaidens of regional attempts to overthrow the Sudanese government, are now at war either with each other or other neighbouring states. In its clumsy attempts to destabilise Sudan, the Clinton Administration appears to have helped sparked off the most serious inter-African war, that in the Congo, yet seen in Africa.

The Clinton Administration's increasingly desperate attempts to unify the Sudanese opposition have also failed. The biggest Sudanese opposition party, the Umma party, led by former Prime Minister Sadiq al-Mahdi, the mainstay of the National Democratic Alliance, has left the opposition alliance, and entered into domestic constitutional politics within Sudan. It has stated that conditions are right for a political solution to the Sudanese conflict.³²⁰

The Administration's attempts to economically isolate Sudan by impeding Sudan's access to international investment and lending has been off-set by the Sudanese oil project, brokered by the Khartoum government. Oil revenues are set to transform the economic development of the country.

The **Washington Post** has documented the "near-collapse of the isolation strategy";

European nations have entered a dialogue with the Sudanese government. The "front-line states" bordering southern and eastern Sudan - Uganda, Ethiopia and Eritrea - have made pacts with Khartoum to refrain from supporting rebels on each other's territories. And Egypt has joined with Libya in seeking a solution to Sudan's civil war.³²¹

³²⁰ See, for example, 'Opposition Leader Predicts Solution to Sudan's Conflict', News Article by PANA on 27 March 2000; 'Sudanese Rebel Group to Enter Khartoum Politics', News Article by Agence France Presse on 20 March 2000 at 15:03:57 EST; and 'Mahdi's Withdrawal Dents Opposition Alliance', News Article by PANA on 25 March, 2000 at 00:40:27 EST.

³²¹ 'Reassessing the Stance Toward Sudan', **The Washington Post**, 1 February 2000, p.A13.

The **Washington Post** has also quoted one Washington-based Africa expert as saying: “The Sudanese government has come out of its isolation. We’re the ones isolated now”. This feeling was echoed by Bujon de L’Estang, the French ambassador to the United States, who has also publicly stated that the Clinton Administration’s policy towards Sudan “pitches the United States against the rest of the world”. And, as has become very evident, the Administration’s Sudan policy has also antagonised Washington’s key Middle East ally, Egypt.

Where the Clinton Administration’s policies have succeeded, however, is in preventing a peaceful resolution of the Sudanese conflict. As former President Carter pointed out, Washington is the obstacle to a negotiated settlement. The Administration’s continued encouragement of southern rebels to pay only lip service to peace talks while continuing with their ultimately futile war against Khartoum is virtually all that keeps the war going. The Clinton Administration makes much of human rights abuses within Sudan. It is widely acknowledged that the great majority of human rights abuses in Sudan are a direct consequence of the vicious civil war that is being fought in that country. Human rights always suffer grievously in war, and particularly civil war - as the United States should be only too aware of from its own history. It is an inescapable fact, as former President Carter has stated, that the Clinton Administration is artificially sustaining the Sudanese civil war. It is itself at least partly responsible for any human rights abuses that take place.

Perhaps the Clinton Administration has simply been captivated by the arrogance of power. In this respect, Washington’s policy towards Sudan is but one example of a general shortcoming on the part of the Clinton Administration. In 1997, even **Time** magazine dedicated a cover page and story to the question “Power Trip. Even its Best Friends are Asking: Is America in Danger of Becoming a Global Bully?”.³²² The **Economist** has also stated: “The United States is unpredictable; unreliable; too easily excited; too easily distracted; too fond of throwing its weight around.”³²³ It is always bad when a superpower, and especially *the* superpower, behaves like a bully. It is even worse for its reputation when its policy has been as transparently questionable as American policy has been towards Sudan.

³²² **Time** magazine (Canadian Edition), August 4, 1997.

³²³ **The Economist**, 21 September 1996.

The Clinton Administration's failure with Sudan is in the first instance the fault of a handful of political appointees. Madeleine Albright, a Secretary of State perhaps more intellectually and mentally equipped for the Cold War than for the realities of post Cold-War Third World international politics, and, in Susan Rice, a clearly inexperienced and unquestioning appointee as assistant secretary of state for Africa. The United Kingdom's former ambassador to the United Nations, Sir John Weston, observed of Mrs Albright that "[she has a tendency] to create a fixed position and then look around for others to save her from the detailed consequences."³²⁴ One need only point to the Congolese civil war, which is the result, at least in part of Mrs Albright's courting of the Ugandan regime and of her encouragement of the regional destabilisation of Sudan, to illustrate Weston's point. The Clinton Administration's failed Sudan policy should also be seen in the context of the failure of the Administration's Africa policy in general, a failure sadly manifested in its attempts to project an "African Renaissance". The Administration must also accept direct responsibility for the disastrous events in Somalia, and for allowing events in Rwanda to reach their genocidal climax. It is upon the shoulders of Albright and Rice that the responsibility for a failed Sudan policy must rest, with all its tragic consequences.

In his choice of these appointees and his inability to change direction when his Administration's policy towards Africa, and particularly Sudan, was so obviously failing, however, President Clinton is himself ultimately accountable for Washington's deeply questionable policy towards Sudan. It is for that reason, perhaps, that the Clinton Administration will be remembered in posterity for the Monica Lewinsky scandal and the al-Shifa factory fiasco.

The final proof of the failure of the Clinton Administration Sudan policy is Sudan itself. Sudan has hardly reacted as its stereotyped image would have suggested. In the eight years of the Administration's onslaught, Sudan has been remarkably measured in its responses to a welter of American policy positions ranging from the deeply questionable to the murderous, as in the case of Washington's support of the SPLA and the al-Shifa factory bombing. Sudan has repeatedly turned the other cheek and has constantly called for dialogue and an end to confrontation.

Surely, it is now time for dialogue.

³²⁴ USA Today, 19 November 1998.

RECOMMENDATIONS

The American government is faced with two choices. It can continue its policy of destabilisation and conflict even though this has clearly failed, or it can enter into a constructive engagement with Sudan. To the latter end, there is a course that the United States could follow.

- The United States should as a matter of urgency re-open and expand its embassy in Sudan.
- The United States must radically overhaul its intelligence gathering and analysis procedures with regard to the situation within Sudan. This overhaul must reach from the National Security Council down to the various desk officers, and American embassy officials, charged with monitoring and evaluating Sudanese affairs.
- The United States government must end its support to Sudanese opposition groups engaged in seeking a military solution to a conflict that can only be settled by political means.
- The United States government should take a positive role in seeking a peaceful settlement of the Sudanese conflict. Rather than fuelling further conflict in Sudan, the American government should be a peace-maker within Sudan. Washington could bring all sides to the conflict towards a negotiated settlement of the conflict, based on the offers of an internationally-monitored referendum on the status of southern Sudan and multiparty elections that are already on the table.
- The United States government should lift the comprehensive economic sanctions that are currently in place against Sudan.
- The United States should provide humanitarian assistance to both northern and southern Sudan, rather than just to rebel-controlled areas in the south. It should also channel its humanitarian assistance through independent and neutral non-governmental organisations in order to ensure that American aid does not continue to be diverted by combatants and used to continue the conflict.

- The United States government should respond positively to repeated Sudanese requests that should Washington have any concerns about the presence of terrorists or support for terrorists in Sudan, American intelligence and counter-terrorist teams should travel to Sudan to investigate any information Washington may have to support its claims.
- The United States government should work with the United Nations to remove the limited diplomatic sanctions that were introduced against Sudan in 1996.
- The United States government should remove Sudan from its list of state sponsors of terrorism.
- The United States government should support repeated Sudanese requests for a detailed scientific examination of the al-Shifa medicines factory in Khartoum to establish whether chemical weapons were ever made there. If such an examination does not support the Clinton Administration's claims about the al-Shifa factory, the American government must unconditionally apologise to the Sudanese people and the factory owner, and offer full compensation for the destruction of the factory and the consequences of its destruction with regard to workers employed at the factory.