

## Sudan`s Relations with the West (1989-2014)

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تناولت هذه الورقة مسار العلاقات السودانية-الغربية في عهد حكومة الإنقاذ، تحديداً الفترة من 1989-2014. وهي الفترة التي شهدت انتهاء الحرب الباردة بين المعسكر الشرقي والغربي، وصعود الولايات المتحدة كقوة أحادية في النظام العالمي الجديد. الحجة الرئيسية لهذه الورقة تتمثل في أن الابدولوجيا الإسلامية التي تبناها نظام الإنقاذ، تعارضت وطبيعة النظام الدولي الجديد، الأمر الذي جعل العلاقة بين السودان و الدول الغربية تتسم بالتعاون والصراع في أن واحد حسب المصلحة والفوائد السياسية لكلا الطرفين. ركزت الورقة بشكل رئيس على موقف الدول الغربية من السودان في قضايا عديدة مثل (حرب الخليج 1991م، وتأسيس المؤتمر الشعبي العربي والإسلامي، اتفاق السلام الشامل 2005، انفصال جنوب السودان، وأزمة دارفور وإدانة السودان من قبل المحكمة الجنائية ثم انتخابات 2010 الرئاسية، وأخيراً البحث عن طريق للحوار الداخلي في السودان. لتحقيق نتائجها المتعلقة بطبيعة العلاقات السودانية-الغربية في الفترة قيد الدراسة، استندت الورقة على الفرضيات الآتية: أولاً: أن الغرب يتخوف من الإسلام السياسي، ثانياً: أن مشكلة الدول الغربية مع السودان هو وجود حكومة الإنقاذ في السلطة. أخيراً: أن الهدف الأولي للغرب في التعامل مع الحكومة السودانية هو إسقاطها. خلصت الورقة إلى أن الهدف الرئيسي للدول الغربية هو إسقاط النظام باستخدام جميع الوسائل بما فيها الهبوط الناعم.

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**Abstract**

This paper challenges to trace the relationship between Sudan and western countries in era of Salvation (*Inghaz*) regime. Mostly, during the period of 1989 to 2014, following the end of cold war and rising of the US as a unilateral polar in new global system. It argues that, the Islamic - based ideology of *Inghaz* has long is inconsistent with nature of new global system, this in turn shapes a model of cooperative and conflicted relationship between Sudan and western countries at once, sparking political interests of both parties. Basically, the paper, centers on the Sudan' image in western thoughts in relating to some issues (e.g. Gulf war of 1991, founding of Arab -Islamic Congress, Comprehensive Peace Agreement of 2005, Secession for South Sudan 2011, Darfur Crisis, Condemn of Sudan by International Criminal Court, Sudan' Presidential Election of 2010, finally, current National Reconciliation Talk in Sudan. To achieve its goals, regarding to Sudan-Western countries relations, the paper proposes that: first of all, the West is fretful of political Islam regime in Sudan. Second: the gap in likely relation between Sudan and Western countries that is influence of *Inghaz* regime in Sudan. Finally: a primary objective of the Western countries in dealing with the current government in Sudan is to do for its overthrow. The paper, therefore, reaches that, the western countries altimetry, tends to oust the *Inghaz* regime at least via soft landing.

**Sudan and the New International Order:**

With the change in politics in Sudan after the June 30, 1989 coup d'état, and the change in the international situation as a result of the policies of Mikhail Gorbachev, the Inqhaz government adopted a foreign policy derived from the framework of the comprehensive National Strategy (1991/1992- 2000/2001). Sudan's foreign policy was based on the following:

1. The belief in existence of and oneness of God: from this arise the common bond among all humans as to creation and destiny.

Humans are bound by the values of equality, brotherhood, freedom and justice. All people have the right to self determination.

2. The principles of Islam's message and its universalism: foreign relations are based on this principle; and on the principle of interaction and cooperation to build the earth, along with a fairness in enjoyment of riches, support for the weak, the rejection of injustice and of aggression, and the protection of all humans from injustice or discrimination on the basis of race, color, creed, and a cultural of fortuitous interest.<sup>(1)</sup>

In implementing these principles, the Inghaz regime presented itself as a force opposed to the West with its secularism and imperialist tradition. In the early 1990s Sudan publicly announced the establishment of an Islamic government with a local, regional and international agenda. Hassan Turabi, the Ideologue of the regime, expressed the opinion that "the national state failed in post independence period. The alternative lies in the Islamic forces that will rearrange the form of the state globally"<sup>(2)</sup>. The Islamic state to which Turabi aspired included neighboring Muslim countries and necessitated the provision of support to these Muslims irrespective of the position and feelings of their governments. This policy eventually turned Western countries and some of the neighboring countries against the Sudan.

#### **The Gulf War of 1991:**

Sudan's new political values were reflected in the calling for the withdrawal of Iraqi troops from Kuwait while at the same time condemning the presence of foreign troops in the region and demanding their withdrawal. The policies second dimension took the form of an institutionalized popular movement, which was influenced by the same values and ideas of the regime. The popular movement was inclined more towards demanding the withdrawal of foreign troops rather than condemnation of Iraq invasion of Kuwait<sup>(3)</sup>.

This made the 39 country alliance that was opposed to the invasion led by the US classify Sudan as being opposed to the policies of the new international order and in turn consider Sudan one of the last remaining focal points of the Cold War that had to be changed. The orientation of Sudan, its media and its diplomatic war against the US, led the US and

the West to adopt a hostile policy towards Sudan and put Sudan on the list of countries sponsoring terrorism.

**The establishing of the Popular Arab and Islamic Congress:**

The Popular Arab and Islamic Congress was formed in 1991 with Turabi as Secretary General, invited and hosted different Islamic groups (some radical) after the conclusion of the first Gulf War. The Conference was considered a body that included Islamic and nationalist groups opposed to the presence of Western troops in the Gulf region, among other platforms. The Congress was considered by the US and its allies in the new international order as a blatant ideological organization that did not fit the West's vision for the post Cold War era.

**The United States policy towards Sudan:**

As the US hegemony in the new international order which replaced the bilateral polarization of the Cold War, new reference points developed as to what were the acceptable rules of international behavior. Anyone who violated these rules was considered the enemy. The US employed a number of tools beside military mechanisms to maintain its hegemony. It used the UN Security Council and international organizations like the IMF, the World Bank, human rights organizations, and regional organizations like the Intergovernmental Authority on Development (IGAD) and the African Union.

There are many factors that appeared to have influenced the US policy towards Sudan. These factors can be divided into fixed and changing variables. The fixed factors are the geopolitical and strategic importance of Sudan, its impact on the security of the Red Sea, Nile basin countries, its population diversity, and Afro-Arab culture. These factors have all made Sudan a country with significant influence on the course of Afro-Arab relations.

Another fixed factor that also affects the position of Sudan is Sudan's control of the Nile. Sudan is the main country through which the Nile flows; this adds another dimension to its weight in international politics particularly with regard to Egypt<sup>(4)</sup>.

The changing variables for the US are the nature of the political system and whether it is supportive or opposed to US policy in the Arab and East African region and Nile basin countries<sup>(5)</sup>. The impact of the

nature of the Inq haz regime on US government policy was expressed by the then US Ambassador Mr. Donald Peterson, in a lecture, at the Centre of Strategic Studies in Khartoum on the 7<sup>th</sup> of June 1993, he said: "our self interests in Sudan are geopolitical and not geo-strategic and in all cases are not immediate interests but are long term interests. What matters to us in the long run is that Sudan, as part of the Arab and African regions should be stable because with global stability, international trade thrives. This is a matter of fundamental importance to the US. In order to have a stable Sudan we must have democracy, end wars, respect, human rights and ensure basic freedoms"<sup>(6)</sup>.

From this statement it is evident that the US interests were geopolitical or geo-strategic. US concerns had a sense of urgency and its priority was to deal with the existence of the Inq haz regime. What the US aspired to was establishing a stable and moderate government whose policies were not opposed to US interests in the region, among which was the maintenance of friendly, moderate regimes and the continuation of the flow of oil to the West via the Red Sea<sup>(7)</sup>.

The assassination attempt of Egyptian President Hosni Mubarak in June 1995 inaugurated a new phase in the use of international and regional organizations as forums to increase pressure on the Sudanese government. The charges that Sudan organized the attempted assassination were eventually taken to the AU and particularly to the Dispute Resolution Mechanism of the African Union. This was followed by a hostile campaign against Sudan, led in the Security Council by the US, Britain, Egypt and Ethiopia. As a result Security Council Resolutions 1044, 1054, and 1070 were all passed in 1996, which either condemned or imposed sanctions against Sudan<sup>(8)</sup>.

#### **Change in the Sudanese Foreign Policy:**

With the increase in pressure by the New International Order, and also because of some internal factors, Sudan began to change its foreign policy. The Diplomatic Sector Conference of the National Congress Party (NCP), held 22-23 November 1995, made this clear. The diplomatic sector recommended the revision of the directives of Sudan's foreign policy strategies as formulated in the Comprehensive National Strategy so as to cope with current and expected developments. It also recommended the creation of a body for

coordinating between formal diplomatic institutions and a popular diplomacy at the planning and implementation levels.

In practice these changes brought about Osama bin Ladin's departure from Sudan in May 1996, an imposition of entry visa requirements on all Arab nationals, and all other foreign nationals were registered or asked to leave the country. The government thus began to abandon two of the main foundations of the first phase of its foreign policy, which was to make Sudan a centre for liberation movements and for the oppressed and downtrodden<sup>(9)</sup>.

The 1996 strategic report explained that the Hosni Mubarak assassination attempt called for a new foreign policy perspective and made it important that the Ministry of Foreign Affairs respond to these changes. There was need to control and restrict the role of other institutions particularly popular diplomacy represented by the Arab-African People's Congress, and the International Friendship Council. The government made significant effort to improve relations with the US and EU countries because of the influence they had in the UN Security Council and on relations with neighboring African countries. Although Sudan responded to many of the US demands, US pressure has not ceased from 1996 until today. One probable explanation for this continued pressure is that the policy objectives that the US sought to wrest from the Sudanese government were not fully realized. One example of initial US pressure was providing \$20 million US in non-lethal military support equipment to Eritrea, Ethiopia and Uganda, for defensive purposes (that countered the government of Sudan's purported support for rebel forces in each of these countries)<sup>(10)</sup>.

In January 1998, the then Secretary of State, Madeline Albright explained the objectives of this policy: "this area (east Africa) should not be left without an American strategy as this could have (adverse) impact of which is the establishing of an Islamic state in East Africa"<sup>(11)</sup>.

On August 7, 1998 nearly simultaneously terrorist planted bombs blew up in front of the US embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania. Two hundred and twenty-four innocent people died in the blasts, including 12 Americans, and more than 4,500 people were wounded<sup>(12)</sup>. Shortly thereafter, in September 1998, Sudan was

suddenly attacked in response by the US. This led to the total destruction of the Shifa pharmaceutical factory, which faulty intelligence led the US to allege that it produced chemical weapons. The direction of the US policy towards Sudan was explained by a US state department official to the Washington Post as combining the policy of the 'carrot and stick' via constructive dialogue together with constant pressure to achieve the objectives sought by US policy makers<sup>(13)</sup>.

A Sudan Strategic Report from 1998 pointed out important changes that had taken place in foreign policy, which it stated were the result of international conspiracies and crises to which Sudan was subjected. These changes had the effect of strengthening the position of the pragmatic wing within the regime. As a result, foreign policy began to be characterized more by a predominance of national interests over ideological slogans and Sudan's foreign policy became more moderate. The ascendance of moderate elements marked the beginning of the return of Sudan's foreign policy to the moderation that had distinguished it from independence up until the Inq haz came to power in 1989<sup>(14)</sup>.

The 2009 decision by the Security Council to transfer the Darfur file to the ICC could be considered part of this 'carrot and stick' policy by the US. Similarly the decision by the ICC to close the case against President Bashir in December 2014 - when the prosecutor Fatou Bensouda warned that the Security Council's inaction would only "embolden perpetrators to continue their brutality" she continued "Given this council's lack of foresight on what should happen in Darfur, I am left with no choice but to hibernate investigative activities in Darfur as I shift resources to other cases... what is needed is a dramatic shift in this council's approach to arresting Darfur suspects"<sup>(15)</sup>- which many looked at as a continuation of the 'carrot and stick' policies. While others thought that Mr. Bashir got the wrong message from the decision to suspend the case. Human rights spokesman Richard Dicker told the BBC, "Rather than the prosecutor holding up her hands in defeat, I think she threw the challenge down to the Security Council itself, that they, the council, need to step up to the

plate and assist her in the arrest and surrender of Omar al-Bashir and others accused, for fair trial at ICC"<sup>(16)</sup>.

The decision came barely a month after Sudan agreed to join the peace efforts in Libya and to mend fences with Saudi Arabia and Egypt - a move widely interpreted as a decision to join the War on Terror, as the West and its Arab allies have portrayed the ongoing wars against the global terrorist organisations. This shift in policy came as a result of the intensive pressure to which Sudan was subjected to in 2014. The US government had imposed sanctions on French bank BNP Paribas and fined it \$9 billion US for its dealing with Sudan. Shortly after these sanctions, Saudi Arabia expressed the intention of imposing similar sanctions on Sudan in compliance with international sanctions. As a result banking transfers were banned. In particular pilgrim's transfers for the 1436 Haj were impacted. Saudi Arabia responded by stating that it would feed Sudan's pilgrims who were affected by the Saudi sanctions.<sup>(17)</sup> On its part the Inq haz government sent an envoy to Washington on 31<sup>st</sup> headed by Minister of finance and national economy Bader Eldin Mahmoud<sup>(18)</sup>. Although nothing is known about these negotiations, *speculations* on possible lines of the deal could include US demands such as the following:

1. That Sudan joins the War on Terror. This could include opening an interrogation center for the CIA, to help in fighting against Islamic movements in Libya (which constituted a threat to European oil supply), Egypt, and the Levant, all with the aim of defeating terrorists. The 30-country alliance against terrorists formed after the November 2014 NATO summit held in Britain to discuss ISIS threat, has not been successful in the battle against terrorists. It has so far proved difficult to win the war against the radical political Islamic movement without an active role from Sudan.
2. Freeze all forms of support to political Islamic movements in the Middle East and North Africa, including the arrest of would- be Jihadist going to Syria or other countries.
3. Combat arms smuggling to Hamas.

The possible/speculative deal would have been dictated by international realities. For example, it had proved difficult to defeat Hamas in two siege wars waged by Israel on Gaza and has made arms smuggling difficult if not impossible. Although, Egypt is now creating a mile wide no-man's land between itself and Gaza to stem arms smuggling, in the process blowing up hundreds of homes (with reports that this border strip could be widened to 13 miles), this may not be sufficient to ensure the defeat of the Palestinians in any future war with Israel. For this to happen all supplies, whether food- stuffs or war materials have to dry out. This may appear like a re-enactment of the first Gulf War in 1991 as a long siege was imposed from the end of the First Gulf War in 1991 until the invasion and occupation of Baghdad in 2003. For such a long siege to succeed in Gaza, the US needed Sudan and a deal with Sudanese Islamists. Sudan's main demand from Washington was the closing of ICC case against President Bashir, and either the reduction or lifting of sanctions.

In December 2014, Sudan held a conference on Libya for the warring parties in Khartoum. This was a clear indication that the Sudanese government supported peace and stability in Libya and possibly government under military rule. With the retreat of Islamic forces and of revolutionaries in the face of the Haftar army, by some coincidence the ICC moved to close the case against Bashir, as explained above. It must be noted that this does not bring the ICC case to an end but temporarily closes it for now. It also does not include the charges against the Minister of Defense for war atrocities in the Nuba Mountains which could remain a trump card to be used against Sudan when and if necessary.

Whether Sudan and Bashir will help in defeating the political Islamic tide in the Middle East and North Africa and contribute to the final victory of the war against terrorism remains to be seen. However, such a strategy would constitute a short term victory for the regime and a historic mistake as it will eventually strangle the Inqaz regime. When all of Sudan's international political Islamic supporters are extinguished, it will become far easier for the US/West to move against Sudan either through a direct invasion, as in Iraq 2003, or a National Front style of invasion, like against Nimairi in 1976. Such an invasion,

modeled after the infamous 1954 CIA overthrow of Jacobo Arbenz Guzman in Guatemala(\*), could this time be orchestrated by a future Libya military government but supported by the West and neighboring Arab countries now leading the anti- Sudan and anti Islamist axis.

**The US and Western role in the CPA:**

It is clear that all US administrations, since the coming of the Inqaz to power, have been committed to isolating and containing the regime. With the coming of President George W. Bush to power in 2001, the new US administration adopted a step by step policy. The new policy combined dialogue, and negotiations, while not threatening sanctions with the aim at ensuring US influence over the Sudan. The new policy began to crystallize in July 2000 when the Washington based Centre for Strategic and International (CSIS) Affairs began to study the civil war in the Sudan. In February 2001 it published a monthly report which favored a new policy aimed at achieving peace within a new political equation<sup>(19)</sup>. President Bush Jr. adopted the recommendation of the report, among which was the appointment of a special envoy to Sudan – Senator John Dan forth.

In September 2001 Dan forth pointed out that the division of Sudan into two states was not a realistic or fruitful option for the region, and that the Khartoum government would fiercely resist any attempt to divide the country. Dan forth argued that the Sudanese people would be in a better position if they got political, religious guarantees and human rights within a united country. The Sudanese government welcomed the report<sup>(20)</sup>. On the basis of this perspective of a united Sudan, the negotiations began in Kenya between the Sudanese government and the SPLM delegation. The IGAD partners, i.e. Norway, Holland, Britain and Italy in addition to the US, took part in the negotiations.

A notable feature of US policy during this period was the signing into law of the "Sudan Peace Act" by President Bush on the 21<sup>st</sup> of October 2002. The law could impose sanctions on Khartoum after 6 month of coming into effect, if Sudan was not considered to be negotiating in good faith. The US government was putting pressure on the Sudanese government. However, this led to confusion, as it appeared to counter US efforts to reach a peace settlement.

The Sudan Peace Act was a disappointment to the Sudanese government and squashed all hopes of improving relations with the US, which was one of the most important objectives of Sudanese foreign policy. After September 11, 2001 there was a temporary agreement on some common interests as to the Sudanese role in combating terrorism and the provision of intelligence. The Sudanese government entertained hopes of lifting its name from the list of countries sponsoring terrorism and improving bilateral relations with Washington<sup>(21)</sup>.

With the signing of the Machakos protocol in June 2002, on the basis of the vision expressed in Dan forth's report, the crisis in Sudan entered a new phase. The Sudan crisis was no longer an internal or regional affair, but became one of the priorities of the US government and its Western allies. Another round of negotiations was held from August until November 2002 followed by the announcement of an agreement on some fundamental issues and the signing of a memorandum of understanding. Another round was to be held in January 2003, but there were some differences over the inclusion of the issue of marginalized areas (Blue Nile and South Kordofan) in the agenda. The mediators sided with the SPLM on this issue.

The US intervened to hold another round of negotiations. On the 25<sup>th</sup> of September 2003 a deal was signed on security arrangements during the transitional phase. This was followed by three framework agreements on division of power and wealth, the status of the national capital, the status of marginalized areas and the Abyei protocol, all of which made the Comprehensive Peace Agreement (CPA)<sup>(22)</sup>.

The US played a dominant role in the CPA despite the presence of other countries. Although Britain had appointed an envoy, Ambassador Allan Goulty, its role was supportive to the US and shared the US's vision.

**International community engagement for implementing the CPA:**

Some thought the implementation of the CPA faced several major obstacles, and unfortunately the outlook was bleak. There are three main reasons for this: the lack of will within the NCP to implement the agreement, the SPLM's lack of capacity to implement the CPA and the widespread problems on the ground. In addition to this the lack of

engagement by the international community reduces the possibilities for the successful implementation of the CPA. Therefore the international engagement for implementing the CPA must increase. Especially the third party signatories to the CPA should feel a responsibility to this end. These signatories include the states of Kenya, Uganda, Egypt, Italy, the Netherlands, Norway, the UK, the US, and the organizations of Intergovernmental Authority on Development (IGAD), Arab League, UN, AU, and the EU<sup>(23)</sup>.

The problems that the implementation of the CPA faced must be dealt with in a parallel and comprehensive approach had to be applied. At the beginning of the implementation process was caught in a bind where the NCP does not want to implement the agreement, in part because they believed that the South would vote for secession anyway. At the same time the South will probably become more likely to vote for secession, since the agreement was not being fully implemented. A situation had to be created where NCP saw a commitment to the implementation of less costly than continued unwillingness to do so. This could be done with both carrots and sticks. The carrots could for example be a secured part of oil- revenues in the South even after the referendum, and an example of sticks could be international sanctions<sup>(24)</sup>.

#### **The position of the West after the secession of South Sudan:**

The degree to which an independent South Sudan had changed regional dynamics was reflected in how external actors approach the two Sudans and their changing roles in the negotiations. Countries involved in the negotiations and in the Sudan in general had significantly changed their approach following South Sudan`s secession with a general downscaling of involvement.

Compared to the CPA process, the Troika countries had taken a more backseat approach to the African Union High- Level Implementation Panel (AUHIP) talks. The US, Britain and Norway have vested interests in the legacy of CPA and ensuring that the two Sudans remain at Peace and avoid state collapse, as indicated by the continued appointment of special envoy`s focusing just on these issues - However, it is unclear how much political capital and resources they were willing to invest in long lasting negotiations. The US had been

seen as favoring South Sudan at least since mid- 1990s and before, but had also cooperated with Khartoum on counter- terrorism issues since before the attacks in the US of September 11<sup>th</sup> 2001. After South Sudan`s secession the US remained focused on the South with development aid and attention. Britain has historically had closer relationship with whatever regime was in power in Khartoum, but seemed practically shut out after 2001. It was then assisting the US in training and building up South Sudan`s military and border control capacity. Norway, also regard as biased towards the South, but struggles with maintaining domestic interest and the necessary level of diplomatic and economic engagement<sup>(25)</sup>.

#### **The international community and the crisis in Darfur:**

After the signing of the Machakos protocol between the government of Sudan and the SPLM, and before a final agreement was reached, a violent war broke out in Darfur that led to the killing and displacement of thousands of people. The war dragged on, and suffering reached a point that the situation in Darfur was described as being a humanitarian disaster. At the beginning of 2004 the international community began to be concerned with what was going on in Darfur to the extent that some countries asked the Sudanese government to protect those working in humanitarian organizations. Criticism of the government began to be heard particularly after the UNHCR Commissioner announced in March 2004 that atrocities were committed in Darfur. The commissioner called on the government to start negotiations with the rebels and to curb pro-government armed militias which terrorized the countryside. On the 20<sup>th</sup> of March 2004, Mukesh Kapila, UN Special Coordinator for Sudan stated that Darfur was passing through the worst type of humanitarian crisis, that more than one million were facing ethnic cleansing, and that NGOs were finding it difficult to reach the victims.

On 23 June 2004, the US House of Representatives held a press conference in Washington about the Darfur crisis in which House minority leader Nancy Pelosi, the head of the Congressional Black Caucus Donald Payne and Member of Congress Barbara Lee all spoke. The press conference, which was organized by the Black Caucus, called on Secretary of State Colin Powell, the then secretary of state, to

intervene immediately in Sudan and to use the term 'genocide' to describe what was happening in Darfur. They called for the accountability of Sudan for crimes perpetrated as they claimed by the regime<sup>(26)</sup>. After the conference, the US Congress unanimously adopted a resolution to intervene alone or multilaterally to stop the violence there. At the same time, Secretary of State, Colin Powell, rejected the compliant by the Sudanese government that the US was intervening in its affairs. The situation became tenser, when Britain announced that there were 5000 British soldiers ready to proceed to Darfur to stop the violations.

Because of the extensive media coverage of the crisis in Darfur and in response to international pressure, the UN Secretary General visited internally displaced people camps in Darfur. An agreement was signed between Sudan and the UN to be implemented within 90 days.

#### **Sudan and International Resolutions:**

During its entire modern history, Sudan had never been in direct confrontation with any existing world order. In the post Cold War international order dominated by the US, 23 Security Council resolutions were passed about Sudan and its dealing with human rights violations, political and security issues and wars in the South, East and West of the country.

The UN resolutions on Sudan are the largest in the history of any country with similar conflicts and tensions. The Sudanese government's position was that these resolutions were the result of an extreme stance taken by the US and some Western countries in the Security Council targeting the unity of Sudan, its resources and that all measures taken towards Sudan were part of an international conspiracy against Arab and Islamic countries.

#### **The International Criminal Court (ICC):**

UN Security Council resolution 1593 introduced a new variable into international politics. The double standards that characterize politics were transferred to the international legal system because it contained a clause that exempted any American from prosecution under the ICC for crimes in Darfur<sup>(27)</sup>.

Although no Americans were present in Darfur at the time, there was the likelihood of Americans being present there in the future. The

decision also clearly exempts any member of Bashir's government or security organs who happened to be an American citizen, from prosecution by the ICC.

Resolution 1593 indicates that the resolutions with the US were not always ones of conflict but there are periods of harmony. The drafting of resolution 1593 was one of these cases. It was France that drafted the resolution supported by the EU. An agreement was reached with the US to exempt its citizens from ICC so as to avoid a US veto of the resolution as the US was not a member of the ICC. European countries and France are strong supporters of the ICC. As a result of this resolution, the Security Council transferred the Darfur case to the ICC. An ICC spokesperson announced that the Prosecutor General Louis Moreno Ocampo would submit the prosecutor case to the ICC panel of judges and would press charges for crimes committed in Darfur. The charges include murder, torture, rape, oppression, and destruction of property and are based on actions perpetrated between 2003 and 2004<sup>(28)</sup>.

The ICC prosecutor first filed charges on the 27<sup>th</sup> of February 2007, against defendants Ahmed Haroun, then State Minister for Humanitarian Affairs, and the militia leader Ali Mohammed Abdelrahman, also known as Ali Koushaib, for committing crimes against humanity in Darfur between 2004-2005. Sudan's reaction was to adopt the position that it will not hand any person to the International Criminal Court. As a result the ICC Prosecutor General filed similar charges against President Bashir, subsequently adding genocide<sup>(29)</sup>, making Bashir the first sitting African President to be charged by the ICC.

**The April 2010 election and the West position:**

The 2010 elections were held as part of the CPA. It was one of the few Sudanese elections that saw an extensive international presence. The total numbers of international election observers were 130 and covered the whole of Sudan except Darfur. The Carter Center also had 70 election observers and followed the entire process from voter registration in November up until the final ballot and vote counting.

Many election observers shared the opinion that the first multi party election in Sudan held in over a quarter of century, and in which

Bashir's victory was certain, did not meet the international standards for elections. The EU observer's team leader Veronique De Keyser expressed this position. Former US President Carter also expressed a similar position stating that it was obvious that these elections fell short of the international community standard. The Carter Center stated that there were restrictions on many freedoms and political rights during the major part of the pre-election period creating mistrust among political parties. The Carter Center pointed to the lack of guarantees and transparency necessary for confidence in the electoral process. De-Keyser stated that the election did not meet all the international electoral standards, pointing out at the same time that the 2010 elections were a decisive step in the implementation of the CPA<sup>(30)</sup>.

**Pathway to national dialogue in Sudan:**

A new vision was brought by Princeton Lyman special envoy to Sudan, he wrote: two years after losing a quarter of its people and territory, Sudan remains in turmoil. The secession of South Sudan in 2011 did nothing to resolve internal conflicts. So Sudan urgently needs to embark on a national dialogue and reform process that was led by Sudanese and supported by international community. Without such process, Sudan had little chance of breaking its destructive cycle of instability. And he concluded in:

- The process should be broadly inclusive, involving elements of the current regime, Islamists, and all armed and unarmed opposition groups.
- Any meaningful process will be lengthy, likely requiring years to complete. If a genuine, inclusive process was underway, elections in 2015 may need to be delayed<sup>(31)</sup>.

**Conclusion:**

The study of the relations between the West and Sudan under the al-Inqaz, in its ups and down, point to the conflicted nature of the West`s relations with Sudan. The main objective of the Western powers was the overthrow of the Inqaz regime. Any cooperation that took place had the objective of wrestling concessions from the Inqaz regime, or was the product of some circumstances that made such

cooperation necessary for Sudan, as was the case of the CPA and September 11, 2001 attacks. The secession of South Sudan, through the full implementation of the CPA, became an important objective for the West and the southerners to reach at all costs. This objective was reached on the 9<sup>th</sup> of July 2011 with the declaration of the new state of South Sudan. In light of this we can understand, the statement made by the US Secretary of State Hillary Clinton that the US will not allow an Arab Spring to occur in Sudan as an expression of their intent to reach the 9<sup>th</sup> of July 2011. Following the secession of South Sudan, the US and its allies appear to have gone back to their old, beloved and primary foreign policy objective of getting rid the Inqaz regime using all methods including soft landing.

**Endnotes:**

- University of Khartoum, Faculty of Economics and Social Science, Department of Political Science
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