

Understanding Sudan

A Teaching and Learning Resource



Fact Sheet Four: The Sanctions Regime

One of the other economic elements of the Sudanese contemporary situation we have to appreciate before we understand the predominance of Petronas and CNCP is the current raft of sanctions against Sudan.

The US prohibits American countries trading with Sudan, though this has a few exceptions, notably the gum Arabic used to make Coca-cola. While it does not prevent investment in companies that do business in Sudan, a series of campaigns puts pressure on such investments, and asks the companies making them to divest.

What are the sanctions?

The US government first imposed sanctions in 1997, after they found that “the policies and actions of the Government of Sudan, including continued support for international terrorism, ongoing efforts to destabilize neighboring Governments, and the prevalence of human rights violations, including slavery and the denial of religious freedom, constituted an unusual and extraordinary threat to the national security and foreign policy of the United States”. These sanctions were designed to restrict foreign investment, ban defense exports and sales, and terminate commercial activities between the two countries.

These sanctions were then toughened in 2006, in relation to the conflict in Darfur. These new sanctions were designed to block the property and interests of those involved in the conflict in Darfur. There were further sanctions imposed in relationship to Darfur in 2006. These were designed to maintain economic sanctions against the government of Sudan while allowing relationship with the Southern regional government established after the Comprehensive Peace Agreement was signed. These sanctions, US EO 13412, were also designed to especially hit Sudan’s petroleum industry. The current number of Sudanese companies blacklisted by the American government now comes to 160. One of these companies is GNOPC, the consortium responsible for most of the oil production in Sudan. Equally, these sanctions singled out members of al Bashir’s government – Ahmed Haroun, the state minister for humanitarian affairs, and Awad ibn Auf, the country’s director of military intelligence – for directed personal sanctions.

The United Nations (UN) also imposed sanctions on Sudan. In 2004, resolution 1556 imposed an arms embargo on all non-government entities operating in Darfur. Resolution 1591, imposed in 2005, strengthened this embargo, and included an asset ban and travel freeze on all those individuals involved in the conflict.

What effects do the sanctions have?

Typically, sanctions are enacted to force a country to change its behavior, or, at the very least, punish it for behavior that it refuses to change. In April 2008, for instance, Human Rights Watch called for sanctions against Sudan to punish it for its role in the humanitarian disaster in Darfur, and as part of a regime of concerted international pressure to let the Sudanese government know the international community will not sit back.

There are a number of arguments in favor of sanctions. There is a moral argument: that one should not trade with countries who are committing human right abuses at all, and merely the fact of trading with them is a moral evil. Those who criticize this position claim this is an unrealistic standpoint, which would prevent America trading with many important countries around the world, and that it helps less to change policy in those countries than an active position which works in those countries to change things for the better. Such critics also note that while America has a sanctions regime in place against Sudan, against Saudi Arabia, a country with, according to Amnesty International, a deplorable human rights record, there are no sanctions. What do you think: is a moral argument on its own sufficient to justify a sanctions regime?

More vocal however, are those, like Human Rights Watch, who adopt a consequentialist position, and argue that sanctions will make Sudan changes it behavior by imposing conditions on the government that make it prohibitive to carry out the behavior that is intended to be changed.

The most common argument against this, which we heard in relation to the sanctions on Iraq, is that the sanctions only hurt the population and not the government. To evaluate the consequentialist position

The US sanctions against Sudan are not as total as they may seem. From September to December 2007, for instance, 100 licenses were issues to companies exporting commodities and medicine to Iran and Sudan. For instance, both Coca-Cola and Pepsi have export licenses to the Sudan, and their advertising signs adorn bill boards all over Khartoum.

It might be argued that companies such as Coca-Cola are not the real target of the sanctions: which is the oil industry. But as we have seen, the oil industry, with its partners in Asia uninterested in imposing sanctions, is largely unaffected by the sanctions, insofar as it has found other trading partners instead of America, and, critics claim, partners even less interested in human rights than American companies would be.

A more generalized set of international sanctions against Sudan might be more effective. However, China is on the Security Council, and for obvious reasons, would block any new UN resolutions suggesting sanctions on the petroleum industry in Sudan. Furthermore, while Europe declares its readiness to consider a new set of sanctions, the German government has sponsored a German presence at trade fairs in Khartoum in 2005 and 2006.

Further Questions

Do you think sanctions are appropriate? Do you think they are effective? What steps should be taken to make sanctions more effective if you think they are appropriate? Is there an argument for engaging with Sudan economically even if you agree its government commits Human Rights violations?

Further Reading

U.S Treasury Sanctions Programs Sudan Summary:

<http://www.treas.gov/offices/enforcement/ofac/programs/sudan/sudan.shtml>

Ahmed, Waleed. 2008: USA Sanctions Have Little Effect on Sudan:

<http://www.sudan.net/news/posted/16178.html>