

## **Sudan: 2001-2002**

# From war to the possibility of peace in the south and then to new conflict in Darfur

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Virtually all observers at the beginning of 2001 were pessimistic regarding the likelihood of an end to the protracted civil war afflicting the Sudan since 1955. The pessimism changed to cautious optimism when serious dialogue resumed in late 2001 between the military regime in Khartoum, hereafter the government of Sudan, or GOS, and the Sudan People's Liberation Movement/Army (SPLM/A). The dialogue, mediated by Kenya and under the auspices of the regional body known as the Intergovernmental Authority on Development (IGAD), led to the Machakos Protocol of July 20, 2002. The protocol laid the groundwork for a peace agreement that was to be negotiated in the following years, and most specifically called for a six-year interim period ending with a referendum in southern Sudan where secession of the South would be an option.

The end of 2002, unfortunately, saw the opening of a new and different conflict in Darfur, between irregular but government-trained and backed militias, who were to become known as *janjawid*, and two new armed

movements opposed to the government, the Justice and Equality Movement and the Sudan Liberation Army.

Human rights violations were routine in northern Sudan, and in the war zones. Official censorship of the press in northern Sudan was relaxed but quickly replaced by less-transparent unofficial harassment resulting in self-censorship.

Foreign relations remained in flux throughout the period. Eritrea and GOS saw closed border crossings after a war of words regarding support for rebel groups. Uganda and GOS likewise traded accusations over support for rebel groups. The Egyptian government's peace initiative faded in prominence as the Kenyan-mediated IGAD talks resulting in the Machakos Protocol. Egypt was very pleased, on the other hand, with the continued marginalization of the more ideological Islamists who had previously held considerable power in Khartoum. The United States assumed a leading role in negotiating the Machakos Protocol, and relations between Washington and Khartoum were characterized by engagement rather than confrontation. The United States Congress, however, passed the Sudan Peace Act that expressed considerable pessimism regarding the good will of the northern regime.

The GOS continued its program of economic reform, hewing closely to standard macro-economic policies. Throughout the period 2001-2002 the increasing importance of oil revenues in shaping economic policy became apparent. By the end of 2002 Sudan was exporting about 250,000 barrels per day, domestic petroleum needs were being met entirely by local refineries, and government revenue from oil exports was estimated at approximately \$500 million on an annual basis. The oil revenue enabled the economy of northern Sudan, and especially government expenditure, to grow while inflation remained low. Foreign investment in the oil sector and services sector remained strong. Division of the oil wealth became a major negotiating hurdle in the peace talks that followed the signing of the Machakos Protocol.

## **POLITICAL AFFAIRS**

### **POLITICAL DEVELOPMENTS**

The two major political forces operating in Sudan during 2001-2002 were the GOS and the SPLM/A. The GOS had effective control over all of northern Sudan, but not the western area of Darfur and part of eastern Sudan along the border with Eritrea. The GOS also controlled many of the larger towns and cities as well as oil areas in southern Sudan. The SPLM/A had effective control of most non-urban areas and several large towns in southern Sudan. The National Democratic Alliance (NDA), an umbrella opposition force based in Asmara, Eritrea, controlled little territory during this period.

## *GOS*

The GOS continued to be led by the President, Lieutenant-General Omar Hassan al-Bashir, who took power in 1989 in a bloodless military coup, overthrowing the elected government of Prime Minister Sadiq al-Mahdi. The GOS was weakened in late 1999 by an internal split between Bashir and Dr. Hassan al-Turabi, the speaker of the National Assembly and widely believed to be the most powerful person in Sudan during the 1990s. Turabi had formed a new organization, the Popular National Congress (PNC), to confront Bashir's ruling National Congress Party (NC). Early in January 2001, Turabi sharply criticized his former ally in public interviews, and predicted violent popular revolts against the regime.[1] On 12 February 2001, President Bashir opened a new parliamentary session following December 2000 elections that had been boycotted by all major opposition parties. Not surprisingly, Bashir's allies had won virtually all positions open to election. The new assembly was the first to sit since Bashir dissolved the assembly the previous year. The President was sworn in for a second five-year term, wearing full military regalia.[2] Bashir's key ally, Ali Osman Taha, was reappointed as first vice president, and Moses Machar, a southerner, was appointed as vice president. Gatluak Deng Garang, a former minister of survey and urban development, was appointed chairman of the Coordinating Council for the Southern States (SSCC), established by the peace agreement in 1997 between Riek Machar and GOS, filling the post left vacant by Riek Machar's defection back to the SPLM/A side in 2000.

On 21 and 22 February 2001, Turabi and over 30 representatives of the PNC were arrested after PNC officials signed an agreement with the SPLM/A in Switzerland.[3] The PNC was declared a proscribed political organization and Turabi imprisoned in Kober prison and then held under house arrest.

President Bashir thus proved to have stronger allies in the military and state security apparatus, and emerged victorious from the power struggle with Turabi. Bashir's power remained contestable, however, and he governed under declared state of emergency for the entire period of 2001 and 2002.

Bashir's strategy throughout the period was to employ a page from the playbook of a previous Sudanese dictator, General Gaafar al-Nimeiri. This was to abandon the regime's previous ideological pretension of international Islamic revolution and play instead a 'revolving divide and rule' strategy. Internationally, this implied spreading oil contracts among numerous countries, such as Malaysia, China, India and Europe. Domestically, the strategy involved including and excluding political forces in and from coalition-style governments, and using this power to foster divisions among opposition forces. For example, the regime was able to convince Ahmed al-Mirghani, deputy leader of the opposition Democratic Unionist Party (DUP), to return to Sudan from exile in Egypt in November 2001.[4] His older brother, Mohammed Osman al-Mirghani, leader of the DUP, remained in exile. Bashir also severely weakened the cohesion of the opposition Umma Party. The previously

overthrown prime minister, Sadiq al-Mahdi, had been enticed earlier to return from exile, but he and his Umma Party boycotted the December 2000 elections. They secured no foothold in the government as intended by their strategy of returning and resuming peaceful domestic opposition to the regime. Frustrated by Sadiq al-Mahdi's seeming ineffectiveness, the head of the Umma Party's political affair committee, Mubarak al-Fadil al-Mahdi, and several other high-ranking Umma officials defected from the Umma and joined the government. Mubarak al-Mahdi was named special assistant to the President in August 2002.

In other significant personnel events affecting the GOS, one of the top regime officials, Deputy Defense Minister Ibrahim Shams al-Din, along with fourteen other high-ranking officers, died in a plane crash in April 2001.[5] A major southern figure in the GOS and Minister of Transportation, Dr Lam Akol, resigned in June 2002. Akol had led a significant faction of fighters from the Shilluk region. In December 2002 Bashir brought in as minister a member of the opposition Democratic Union Party, and renewed the state of emergency.

The main figures in GOS over the period were:[6]

President & Prime Minister: Lt. Gen. Omar Hassan Ahmad al-Bashir  
 First Vice-President: Ali Osman Muhammad Taha  
 Second Vice-President: Moses Machar Kacoul  
 Assistant President: Mubarak al-Fadil al-Mahdi  
 Min. of Agriculture & Forests: Abdul Hameed Musa Kash; then Majzoub al-Khalifa  
 Min. of Cabinet Affairs: Abdul Rahman Sirr al-Khatim ; then Al-Hadi Abdalla  
 Min. of Defense: Maj. Gen. Bakri Hassan Salih  
 Min. of Education: Abdul Basit Abdulmajid; then Ali Tamim Fartak  
 Min. of Energy & Mining: Awad Ahmed al-Jaz  
 Min. of Federal Relations: Gen. Ibrahim Suleiman; then Nafie Ali Nafie  
 Min. of Finance & Planning: Mohammed Khair al-Zubair; then Abdel Rahim Hamdi; then Zubeir Ahmed al-Hassan  
 Min. of Foreign Affairs: Mustafa Osman Ismail  
 Min. of Health: Abdulgasim Mohammed Ibrahim; the Ahmed Ballal Osman  
 Min. of Industry: Abdulhalim Ismail el Muta'afi , Jalal Yousif al-Dagir  
 Min. of Interior: Hadi Abdallah, Abdel-Rahim Mohammed Hussein  
 Min. of Justice & Prosecutor General: Ali Mohammed Osman Yassin  
 Min. of Labour: Maj. Gen. (ret.) Alison Manani Magaya  
 Min. of Social Planning: Gutbi Mahdi then Samia Ahmed Mohamed  
 Min. of Transportation: Lam Akol Ajawin

The GOS operated in southern Sudan largely through locally recruited militias. Some of these militias were drawn from northern-based ethnic groups; those they attacked would often label them as 'Arabs' or as *murahaleen*.

Other militia groups were from southern tribes, very often consisting of groups that had defected from the SPLA or that had long-standing grievances against the Dinka ethnic group of southern Sudan that formed the bulk of the SPLA forces. A number of these pro-government militias met in Juba in April 2001 under the guidance of the SSC. The Juba conference concluded with an agreement to unify the militias under the command of Paulino Matiep and to be

called South Sudan Defense Force (SSDF), continuing the previous name of the militia started when Riek Machar defected from the SPLA in 1997. The leadership and ethnic affiliations of this force was announced to be as follows, according to a Human Rights Watch report [7, p.276 fn. 786]:

Cmdr., Paulino Matiep (Bul Nuer); Deputy Commander and Cmdr. For Operations Gordon Kong Chol (Eastern Jikany Nuer); D/C for administration Emmanuel A. Ocholimoi (Latuka); D/C for logistics and supplies Ismail Konyi (Murle); D/C for security and intelligence Elio Benson Otome (Acholi); D/C for training Ater Benjamin Bil (Dinka Agar); D/C for political mobilization John Macham (Dinka Bor/Twic); D/C for mobile force Simon Gatwich Dual (Lou Nuer, Waat); Cmdr. Equatoria military area Martin Terensio Kenyi (Bari); Cmdr. Upper Nile military area Gabriel Tanginya (Lak Nuer); Cmdr. Bahr al-Ghazal military area Tom El Nur (Kreish, the largest of the Fertit groups in western Bahr al-Ghazal).

In November 2002 Riek Gai Kok, the former governor of Jonglei State, succeeded Gatluak Deng Garang as chairman of the SSCC.

#### *SPLA/M*

The SPLM/A continued to be headed by its founder Dr. John Garang, who led the initial garrison mutiny in 1983 that re-ignited the civil war in the south. The official ideology of the SPLM/A remained that of fighting for a 'New Sudan' that would represent all marginalized peoples in the country. The movement remained opposed to the imposition of Islamic *shari'a* law on non-Muslims regardless of where they lived (whether northern Sudan or southern Sudan) and favored a secular state more generally. The movement continued to claim that previous Sudanese governments had systematically deprived southern Sudan of development resources, leaving the region as an economic backwater. While the SPLM/A controlled significant territory in southern Sudan, it remained unable to establish a headquarters in the south, due to its lack of air defense and consequent vulnerability to aerial bombardment. The movement's leaders remained headquartered in Nairobi, Kenya, and in Asmara, Eritrea.

The period 2001 and 2002 saw a few significant reversals and losses for the SPLA, but was overall a period of gaining strength. One loss was the death, on 31 March 2001 in London, of Yousif Kuwa Mekki, reportedly from bone cancer. Yousif Kuwa had been an important and inspirational leader in the Nuba Mountains. He was a Muslim and a schoolteacher, and thus brought a considerable respectability to SPLA efforts to organize the Nuba Mountains as a major site of resistance against the GOS.[5] Kuwa was succeeded by Abdel Aziz Adam al-Hilo as SPLM/A commander in the Nuba Mountains. Two other losses came when SPLM/A commanders Tito Biel and Peter Gatdet switched to the GOS side, the first in January 2002 and the second in December 2002.

These losses were outweighed by a major reconciliation with Riek Machar. Machar had left the SPLA in 1991, along with Lam Akol and Gordon Kong. The split led to an ugly period of Dinka-Nuer warfare, among the bloodiest of the conflict. Machar signed a peace agreement with GOS in 1997, but over the years grew dissatisfied with the lack of implementation of the agreement. During much of 2001, negotiations proceeded in Nairobi between representatives of the SPLM/A and those of Machar and his Sudan People's Democratic Front (SPDF). [8, 9] A preliminary agreement was announced in May 2001, signed by Dr. Justin Yac Arop and George Bureng Nyombe for the SPLM/A, and by Cmdr. Taban Deng Gai and Cmdr. James Kok for the SPDF. Some members of the SPDF subsequently repudiated this agreement. On the ground, however, cooperation among factions persisted, and in August 2001 the commanders Peter Paar of the GOS side and Peter Gatdet of the SPLM/A side agreed to a cease-fire and eventually in January completed a peace agreement. On 6 January 2002, Garang and Machar signed a declaration of unity in Nairobi.

In March 2002 the SPLM/A absorbed the small but important, because predominantly northern, Sudan Alliance Forces (SAF).

Major figures in the SPLM/A during the 2001-2002 period included the following persons.[10] Salva Kiir Mayardit continued to serve as Deputy chairman of the SPLM/A high command since 1997, second to John Garang, and was also a leader of the SPLM/A delegation at the IGAD talks. Nhial Deng Nhial was another key negotiator at peace talks in Kenya. He served as Chairman of the SPLM/A external relations, information and humanitarian affairs commission. Dr. Samson Kwaje continued as the SPLM/A's spokesman in Nairobi and information and cultural affairs commissioner. Pagan Amom Okech was SPLM/A governor of eastern Sudan and NDA secretary-general. Malik Agar Eyre served as SPLM/A secretary in southern Blue Nile. Both were part of the negotiating team at the Machakos talks. Justin Yac Arop was SPLM/A representative to Kenya. More governmental-type figures in the nascent administrative branches of the SPLM/A included: Abu John Samuel Kabbashi, the SPLM/A governor of Equatoria; George Lungwoko Kinga, the commissioner for industry and mining; Benjamin Majak, the commissioner for rural development and cooperatives; Taban Deng Gai, secretary for commerce; and Kezia Layinwa Nicodemus, the SPLM/A commissioner for women, gender and child welfare.

## **THE WAR**

The second phase of the decades-long civil war in Sudan neared a possible end in 2002. The first phase began in 1955, just before independence, when garrisons in southern Sudan mutinied against a perceived domination by northern elites in the run-up to independence and predicted future marginalization after independence. The southern rebels in the first phase went under the name of Anyanya, but there was no unified command and control until

the late-1960s when Joseph Lagu emerged as uncontested leader. Lagu negotiated the Addis Ababa accords in 1973 with the military dictator in Khartoum, President Gaafar al-Nimeiri, which gave considerable autonomy to the southern region. The war abated for almost ten years. Then Nimeiri began unilaterally abrogating the spirit of the accords, and in 1983 remnants of Anyanya and new disaffected southern troops re-ignited the civil war.

Independent and comprehensive reporting on the civil war (and the new theater of conflict in Darfur) continued to be minimal, and so it is difficult to determine the exact nature of the battlefield, the maneuvers of the various armed forces, and the outcomes of reported clashes. Human Rights Watch produced a massive volume on Sudan's conflict in 2004, a report useful in establishing a timeline of military action in the southern conflict. A number of other reputable reports exist. The Sudan Catholic Information Office, for example, produced a regular monthly newsletter chronicling events in Sudan that it mostly obtained from monitoring of newspapers and its own information network.

The first reports of fighting in 2001 came from the Aweil area, where the SPLA suffered defeats and lost territory that it had gained in 2000. In February 2001 the Sudan Monthly Report newsletter reported: "Hundreds of horseback militia have looted a Red Cross clinic in an attack on a village in southern Sudan, a spokesman for the International Committee of the Red Cross (ICRC) said. The Arab militia known as *murahaleen*, loyal to the government, attacked the village of Chelkou in the far north of Bahr al-Ghazal province on January 12, the ICRC's Nairobi-based spokesman Michael Kleiner said." [11]

In the period May-June 2001, the SPLA launched a significant offensive in western Bahr al-Ghazal and captured the town of Raga. The offensive generated tens of thousands of internally displaced persons. During this time there were also reports of intense fighting in Unity State and Bah al-Ghazal, including the strategic town of Gogrial. The SPLA abandoned their positions in Raga in October 2001, presumably as a result of GOS aerial bombardment that intensified in anticipation of a GOS offensive. During this campaign, the World Food Programme (WFP) and UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator Kenzo Oshima expressed concern regarding GOS bombing of the village of Mangayath, southeast of Raga. [12]

In August 2001 the SPLA captured Heglig, and seriously threatened the oilfields in the south. In November there were reports that the SPLA had again attacked oil installations, ambushed an oil-related supply barge on the Nile, and captured, possibly for ransom, Sudanese working as oil workers.

During the period January through October 2002 the Sudanese government bombed targets at least 100 times, according to one source, dropping a total of 400 bombs on towns and villages. The source for these aggregate data are from a USAID report, which relies in turn on data provided to it by Sudan Focal Point, a Catholic-oriented advocacy organization sponsored

by various church groups in Europe and Africa, in particular by the Southern African Catholic Bishops' Conference, and coordinated by a South African based activist named John Ashworth.[13] According to the source, heavy bombing was carried out in June and September of 2002. At least 200 civilians were killed and another 200 wounded in these bombings. Kapoeta, Mading, and Ikotos were the government's main targets. Data are poor but at least 150 casualties resulted from these three towns. Several bombings resulted in very heavy casualties: 5 bombs in Gogrial on 20 February 2002 killed 24 people, 16 bombs in Ikotos on 22 May 2002 killed 18 and wounded 100, and bombing in Tirrangore killed 17 and wounded many.

Other reports confirmed heavy fighting in western Upper Nile area during February 2002. Helicopter gunships, Antonov bombings, and armored vehicles were used extensively by the GOS, apparently to secure the road between the oil center of Bentiu and a new exploration area known as Block 5a.[14]

In June 2002 the SPLA claimed that it had taken the town of Kapoeta. Shortly after that the GOS and SPLA signed the Machakos protocol (details below). Included in the protocol were provisions for a cease-fire, but in September 2002 there was a resurgence of fighting, and GOS imposed a ban on relief flights into Western Equatoria and Eastern Equatoria.[15]. The SPLA captured Torit, a major border town in the South, and the second round of peace talks in Machakos were suspended.[16] The government promised retaliation. October 2002 saw heavy fighting, with the GOS recapturing of Torit and the SPLA/SAF launching an offensive in eastern Sudan, allegedly backed by Eritrea. About this offensive one commentator observed:

Early October 2002 witnessed a significant offensive by the SPLA/NDA in Eastern Sudan, which captured Hamush Koreb and other adjoining areas. Sudan Alliance Forces commanders including Abdel Aziz Khalid played a prominent role. SAF's status vis-à-vis the SPLA remains ambiguous: it is unclear whether it has been absorbed into the SPLA or remains an independent entity. According to the GOS, Eritrean troops and armour participated, and the Eritrean government played the critical role in the planning of the attack. The attack was condemned by the NDA Chairman Mohamed Osman al Mirghani.

In the midst of these military operations, on 15 October 2002, the GOS and SPLM/A parties signed a cease-fire.[17] While over time the cease-fire proved an important success, at first it seemed unpromising. The year ended with more reported fighting. According to USAID, "a military offensive by GOS-supported militia ... began on December 31, 2002, in violation of the MOU for a cessation of hostilities... A report by the independent Civilian Protection Monitoring Team (CPMT), issued on February 6, 2003, confirmed that militia

forces supported by the GOS had attacked villages around Mayom, Mankien, Tam, and Leal, western Upper Nile.”[18]

For much of 2002 fighting also continued in the Equatoria region among the complex foursome of the SPLA, Sudan Armed Forces, Ugandan Army and the Lords Resistance Army (LRA). The LRA, a cult-like militia ground founded by a prophet named Alice Lakwena, had continued after her death. Lakwena’s successor, Joseph Kony, relied extensively on kidnapped child soldiers. The LRA crossed the border between Sudan and Uganda with seeming impunity, and there were numerous charges of complicity among the more official actors in acts of atrocity committed while aiding or pursuing the LRA.

### **PEACE TALKS**

For much of 2001 the peace process was stagnant. A New York Times editorial noted in early 2001 that no credible peace process was underway.[19] The Economist Intelligence Unit in mid-2001 observed that the East African Inter-Governmental Authority for Development (IGAD) summit of heads of state in June 2001 ended without agreements on Sudan. IGAD was the main office hosting peace talks between the GOS and the SPLM/A. Military victories by the SPLA in mid-2001 further clouded the likelihood of a peace agreement.

In June 2001 Egypt and Libya released a memorandum of eight points to be considered negotiating principles between the GOS and the SPLM/A. These principles, according to unofficial reports, included maintaining territorial unity, commitment to democracy and human rights, government decentralization and formation of an interim government to write a new constitution and organize elections.[6, p. 13] The principles left out a clear declaration on separation of religion and state and self-determination for the south. In July 2001 the GOS announced that it was accepting the joint Egyptian-Libyan initiative calling for an interim government.[20-22] All parties knew that this peace initiative was a distraction from the IGAD process that likely would be the eventual forum for a deal, but there was always a small possibility that the new initiative would play out. It was also clear that Egypt was very reluctant to allow the IGAD peace process to end in a settlement that would explicitly permit secession. A new state in southern Sudan could jeopardize Nile water-sharing agreements that were widely believed to be quite favorable to Egypt. [23] The National Democratic Alliance (NDA) announced it would join the new peace process.[24]

The 11 September 2001 hijackings completely changed U.S. foreign policy, and by January 2002, following diplomatic activity by United States Special Envoy John Danforth, the GOS and SPLM/A reached agreement on Danforth’s four tests for the parties to demonstrate their commitment to the peace process.[25] These four tests were: (1) an internationally-monitored ceasefire agreement in the Nuba Mountains to enable humanitarian relief; (2)

commitment to an international verification mechanism to monitor an agreement not to target civilians in the south; (3) an international eminent persons commission to investigate the problem of slavery in the Sudan; and (4) establishment of zones and days of “tranquility” in the conflict areas where health agencies could carry out polio, guinea worm and bovine rinderpest campaigns.

Under the auspices of the IGAD, peace talks continued between GOS and SPLM/A in Nairobi. Lieutenant General Lazarus Sumbeiywo, the Kenyan government’s Special Envoy for the IGAD Sudan peace process, mediated the talks, and observers from the United Kingdom, Norway and the United States formed a “troika” of observers, promising significant reconstruction aid upon agreement. The peace talks resulted in the Machakos Protocol, signed on July 20, 2002 by Ghazi Salahuddin Atabani for the GOS and Salva Kiir Mayardit for SPLM/A and witnessed by Lt. Gen. Sumbeiywo. This agreement’s most important sentence was contained in Part A section 1.3: “That the people of South Sudan have the right to self-determination, inter alia, through a referendum to determine their future status.” With that joint declaration, the Islamist movement in Sudan fully committed itself to allowing separation of the south. Many hailed the commitment as a major breakthrough, while critics noted that the GOS had already committed publicly to the right of self-determination in the April 1997 agreement signed between EL Zubeir Mohammed Saleh for the GOS and Riek Machar for the South Sudan Independence Movement/Army (the breakaway faction of the SPLM representing a mostly Nuer constituency). Moreover, the earlier 1994 IGAD declaration of principles contained the following language agreed to by both parties: “The right of self-determination of the people of south Sudan to determine their future status through a referendum must be affirmed.”

Under the Machakos protocol, the parties agreed that an internationally monitored referendum would be held at the end of a six-year interim period. During that period, an Assessment and Evaluation Commission consisting of equal representation from the GOS and the SPLM/A (the total number was left unspecified), and representatives from member states of the IGAD Sub-Committee on Sudan (Djibouti, Eritrea, Ethiopia, Kenya, and Uganda), observer states (Italy, Norway, UK, and US), and countries or regional or international bodies that the parties would agree upon (each of the latter three categories was to have not more than two representatives on the commission). The powers of the commission were left unspecified.

The Machakos Protocol also incorporated fuzzy language about Islamic *shari’a* law as a source of legislation. This was important because *shari’a* law was one of the major issues in the conflict. The Protocol stated that national legislation affecting non-Southern states should have as source *shari’a* law and “the consensus of the people”, while national legislation for southern states should have as source “popular consensus.” If a state had a majority of persons

from religions or customs other than the religion or customary law upon which some piece of national legislation were based, that state could petition to be exempted from the law by the national legislature or by a two-thirds majority of a “Council of States” whose powers and composition were not specified in the Protocol.

The protocol established a momentum for peace that was reinforced in the second half of 2002 by the successful implementation of Danforth’s four tests of the willingness of both parties to commit to peace. The International Eminent Persons Commission called for in the third of Danforth’s tests released its report on 22 May 2002 (discussed below). The verification team called for in the second of Danforth’s tests began its work in September 2002. It was known as the Civilian Protection Monitoring Team (CPMT). The CPMT was an extremely odd entity, and the official website described the CPMT thusly: “The CPMT is a contract operation funded by United States Government; a private US professional services company provides the international monitors and supports the operation of the CPMT in Sudan. Although funded by the United States, the CPMT operates independently of the United States Government, the Government of Sudan and the Sudan People’s Liberation Movement.”[26] Late December 2002 saw the release of the first investigation conducted by the Civilian Protection Monitoring Team, established by agreement of the GOS and SPLA. A civilian cattle camp was alleged to have been bombed by two MiG fighters of the GOS. News accounts suggested there were no military targets in the vicinity. The CPMT unit found, to the contrary, that the civilian deaths were collateral damage from a poorly executed effort to destroy a Chinese artillery piece.

The growing momentum for peace and confidence of the two parties led the GOS and SPLM/A to sign on 15 October 2002 a memorandum of understanding concerning a cessation of hostilities.

But resolution on the many issues that would constitute a final peace agreement proved elusive. These included the proportionate representation of the SPLA in a government of national unity, the exact status of the two leaders within a kind of shared presidency, the precise terms of autonomous administration in the south by the SPLA, the status of border areas such as Abyei, Blue Nile and the Nuba Mountains, the demobilization of armies and possible integration into a single army, the division of oil revenues, and the application of Islamic law especially in the Khartoum area where there were several million displaced persons from the south. By the end of 2002 peace negotiations under the Machakos Protocol appeared to be advancing extremely slowly.

#### **THE NEW FRONT IN DARFUR**

The anonymous publication of the so-called ‘black book’ in early 2000, distributed throughout Khartoum and then disseminated via photocopy and word

of mouth, signaled the invigoration of a resistance movement in Darfur opposed to policies of the Khartoum regime.[27, 28] Two rebel groups emerged at the end of 2002. One came to be called the Sudan Liberation Army (SLA) and was led by Abdel Wahid Mohamed Nour. The other came to be called the Justice and Equality Movement (JEM) and was led by Khalil Ibrahim, a former National Islamic Front party leader. The SLA was thought to be fairly close to the SPLA. The JEM was thought to be aligned with Hassan al-Turabi. On the other side were the of the military regime in Khartoum and an unofficial militia known as the *janjawid*, consisting of fighters from various ethnic or tribal groups in Darfur, with a variety of leaders, including Musa Hilal of the Jalul. This *janjawid*, according to reliable accounts, was organized by the Khartoum regime in late 2002, and soon launched a campaign to raze villages and terrorize civilians. The goal, presumably, was to deny the rebel groups any support in the countryside. The Khartoum regime had used similar groups in fighting the war in southern Sudan. One eminent Sudanist historian described the operations of the *janjaweed* as follows:[29, pp. 12-13]

The *janjaweed* began their ethnic cleansing as early as October 2002 from their camps in Jabal Kargu, Boni, and Idalghanam in southern Darfur with some 5,000 *janjaweed* in each where they were equipped and trained by the Sudanese army. The Fur, whom Salah Ali Alghali, the governor of southern Darfur openly vowed to exterminate, were singled out as the mounted *janjaweed* commandoes, usually 100 warriors, would sweep down on a village just before dawn. The pattern of destruction was the same. The men were killed, often mutilated, the women raped, and the children sometimes abducted. The village was burnt, the livestock seized, and the fields torched, and the infrastructure—wells, irrigation works, schools, clinics—methodically destroyed in a systematic scheme to drive the African population from their ancestral holdings.

The rapid escalation of the conflict and displacement in Darfur did not come as a surprise to most observers of Sudan. Large-scale killing and displacement have been constant features of the southern Sudan theater of the civil war. Nevertheless, there was much confusion over how to frame the conflict in Darfur. Some experienced observers, searching for a new angle to the story, stressed relatively unimportant aspects of the conflict

Two ‘framing stories’ for the war were common. These two framing stories at root concerned the contextual factors within which a political struggle, using violence, was waged. The first of these framing stories was that the conflict and displacement arose out of deeply felt racial or ethnic animus. The key issue was not whether ethnic identities were present in Darfur. They were, and contrary to some accounts the identity-label of being an ‘Arab’ was indeed prevalent. It must be underscored that to be an ‘Arab’ in Darfur was different from what it meant to be an ‘Arab’ in Afghanistan. In Darfur and other

marginalized areas of Sudan, an 'Arab' was anyone tracing lineage to Nile Valley Sudan, identifying with the traditional power prerogatives of the Nile Valley elite, and placing alternative, local identities in second-order place underneath the 'Arab' rubric. The key identity issue was whether the 'Arab' identity ascribed to the leaders and troops of the *janjawid* motivated them to initiate conflict and continue organized warfare. There has been little evidence to suggest that the conflict and displacement that resulted was largely motivated by that kind of ethnic chauvinism. Abetted, perhaps, but not motivated.

A second framing story was that environment and geography were the real culprits. This story located Darfur in the context of a stressed ecosystem. Declining rainfall and a creeping Sahara desert were pushing herders onto the fields of the farmer neighbors.[30] Formerly cordial relations of mutual benefit (grazing on stubble, manuring, marketing milk, marketing straw) gave way to acrimony (fines for eating crops, closing off of traditional pathways). But the surest argument against this view was that the ecology and economy of Darfur was not special, but rather formed part of a continuum extending from Eritrea to Mauritania. Nowhere else did the conflict take on the form it did in Darfur beginning at the end of 2002 with large-scale violence.

The conflict and displacement in Darfur was, rather, the result of a struggle over political power at the capital, Khartoum, rather than over usage of local wells or local identities.

### **THE ARMED FORCES**

There are a variety of sources for detailed information on the size and equipment of the important armed forces in Sudan. In this section is reproduced, to a large degree, the assessment reported by the well-regarded *Defense & Foreign Affairs Handbook* of 2002, even though to the present author the information contained in the defense overview section is not inspiring of much confidence (terrible writing and organization). The numbers reported by the *Handbook* do largely coincide, in order of magnitude, with those reported in the 1999-2000 ACR article, and it is indeed possible that the *Handbook's* numbers come from the International Institute for Strategic Studies, the previous source.

The GOS army had approximately 94,000 active soldiers as well as 15,000 irregular forces under the command of the Popular Defense Forces. The regular armed forces were organized into one armored division, one reconnaissance brigade, six infantry divisions with regional commands, three artillery brigades (including air defense), one airborne division (including one special forces brigade), three artillery regiments, one mechanized infantry brigade, one engineer division, one border guard division and 24 infantry brigades.

The GOS army had 280 main battle tanks in service, mostly Soviet-built T-54/55 tanks, and 67 light T-62 tanks. The army also had a sizable number of various types of armored vehicle with mounted guns (about 125

reconnaissance vehicles, about 80 AFV, and about 230 APC). As far as artillery, the Handbook lists the following. For Guns: 344 Mk 3 FG 25-pounder (in store), 35 Type 59-1130mm towed, 38 M-46 130mm towed, 10 Type 60 122mm towed, 94 M1944 100mm towed (none in service), 46 D-44 85mm towed (in store). For Howitzers: 6 Mk F3 155mm SPH, 18 M114 155mm towed, 24 M1938 122mm towed (16 in service), 72 Type 54-1 122mm towed (70 in service), 24 D-30 122mm towed, 12 M56 105mm towed 24 M101105mm towed (9 in service). For Mortars: 20 Brandt 120mm (6 in service), 20 M43 82mm, 225 M37M 81mm. For MRL: 90 BM-21 122mm SP (33 in service), 577 Type 63 107mm towed. The army also maintained more than 160 anti-tank weapons, including 24 D-48 85mm towed, 35 Type 54 76mm towed, 96 M40A1 106mm, and approximately 4,000 RPG-2/7 variants. The *Handbook* further reported several hundred antiaircraft guns (22 ZPU-214.5mm, 5 ZPU-4 14.5mm towed, 8 M163 20mm Vulcan SPAAG, 30 M167 20mm *Vulcan* towed, 19 ZU-23 23mm, 107 M1939 37mm, 60 Bofors L/60, 9 KS-12 85mm towed, and 10 KS-19 100mm towed), but no operational surface-to-air missiles.

The GOS Navy was believed to have manpower of 900, but the small fleet of boats was largely non-operational according to the *Handbook*. In any case, the fleet consisted of 2 Kadir-dass coastal patrol craft, 4 Kurmuk-class inshore patrol craft, 2 Ashoora-class inshore patrol craft, 4 Maroud-class inshore patrol craft, and 7 Seta-class LCT used as supply ships.

The GOS Air Force had manpower of 3,000. It consisted of the following aircraft, according to the *Handbook*. Fixed-wing aircraft: 5 Antonov An-24RV Coke transports; approx.10 Chengdu F-7M Airguard Fishbed tactical fighters; approx. 2 CASA C-212-200 Aviocar transports; 1D assault Falcon 20 F VIP transport; 1 Dassault Falcon 50 VIP transport; 3 de Havilland Canada DHC-5D Buffalo transports; 1 de Havilland Canada DHC-6 Twin Otter 300 photogrammetric surveyor; 1 Fokker F.27 Mk 100 Friendship VIP transport; 3 Lockheed C-130H Hercules transports; 10-12 MiG-29 tactical fighters (ordered Dec. 2001); 3 Mikoyan MiG-23ENFlogger-H tactical fighters; approx.10 Shenyang F-6 Farmer tactical fighters; approx.10 Shenyang F-5/Chengdu FT-5 Fresco tactical fighters. Helicopters: Less than 10 Agusta-Bell AB 212 transports; less than 12 ICAIAR-330L (Aerospatiale Pwmfl) transports; less than 20 MBB BO 105 CB transports and anti-armor aircraft; approx.6 Mil Mi-8T Hip-C transports; approx. 6 Mil Mi-24B Hind-D gunships (ex-Belarus), an unspecified number of Mi-35s (ordered Apr. 2002).

The secretive nature of the arms trade, and numerous embargos against selling arms to Sudan, made accurate reporting difficult on more recent arms deals. Occasionally, however, reports do surface, especially when arms exporters are investigated in their home countries. Amnesty International summarizes one such investigation, and it is worth quoting [31]:

In early 2003, an Interim Committee of the Lithuanian Parliament examined the controversy surrounding the export of a Mi-8T helicopter

to Sudan by an aircraft repair company, Avia Baltika. The company specialized in Mi8 and Mi17 helicopters and Antonov airplane repairs, overhauls and upgrades, carrying out preliminary refurbishing of helicopters in Russia, then completing the work at its small plant in Lithuania. The Committee's report states that "the Ministry of Foreign Affairs did not approve the application of UAB Avia Baltika of 21 June 2001 for a license for the export of Mi-8T helicopter to Sudan", but that "the president of Avia Baltika, Jurijus Borisovas, recalled the request for a license and urgently exported the helicopter to Sudan without a license on the basis of the procedure which was in place at that time." The Committee concluded that "The actions of exporting a Mi-8T helicopter to Sudan in 2001 did not violate the Lithuanian law which was effective at that time, however, it ran counter to the principles of an embargo of the European Union and EU sanctions." Subsequently, the government of Lithuania amended the law and in December 2002 placed Sudan on a list of embargoed destinations.

The GOS defense budget during the period 2001-2002 is difficult to ascertain with any exactness. The Institute for Strategic Studies estimated the budget at \$424 million in 1999, and the U.S. Department of State placed expenditures at \$665 million in 2002.[32] These numbers were close to 5% of GDP, and close to Ethiopia's expenditures. They were far below the estimated military expenditures for Nigeria, Democratic Republic of Congo, South Africa and Angola, the top African military spenders.

The SPLA had 20-30,000 troops divided into four factions and organized in battalions. The *Handbook* believed only about 5,000 of the troops were well-trained guerilla fighters. The SPLA had some captured T-54/-55 tanks, BM-21 multiple rocket launchers and artillery pieces, but depended mostly on small arms as well as 60mm. and 120mm. mortars and SA7 surface-to-air missiles.

The Sudan Alliance Forces (SAF), whose main supporters included northern (mainly Arab Muslim) secularists, had about 500 troops that were based in Eritrea and operated along Sudan's eastern border. The leader of the SAF was Khaled Abdel Aziz. The Beja Congress Forces, drawn from the Muslim but non-Arab Beja peoples of eastern Sudan, also had about 500 troops and operated along the Eritrean border. The New Sudan Brigade, which was the SPLA's branch of operations on the eastern Sudanese front, had about 2,000 troops.

#### **REFUGEES, DISPLACED PERSONS, FAMINE RELIEF AND AID**

The civil war in the south and the new conflict in Darfur meant that Sudan's dubious distinction as the world's most serious humanitarian catastrophe persisted through the 2001-2002 period.

At the end of 2002, the U.S. Agency for International Development (USAID) estimated[33] that there were more than 4,000,000 Internally Displaced Persons (IDPs), distributed regionally as follows: Greater Khartoum: More than 1,800,000; Transitional Zone and Eastern Sudan: More than 500,000; Garrison Towns: More than 300,000; SPLM/A Controlled Areas: More than 1,400,000.

Delivering relief supplies to the displaced persons in the conflict areas of southern Sudan was difficult, however, because the GOS actively harassed the logistics management by canceling or denying flight permits for dropoffs. For example, according to USAID, "From September 2002 through January 2003, two out of three U.N. Buffalo aircraft were denied flight authorizations to enter GOS airspace." [18]

Sudanese Refugees were estimated to total 460,000, distributed regionally as follows: 172,000 in Uganda, 90,000 in Ethiopia, 80,000 in Kenya, 70,000 in Democratic Republic of the Congo, 36,000 in Central African Republic, 12,000 in Chad, and 700 in Eritrea. Meanwhile, foreign refugees in Sudan totaled 327,000.

Poor rainfall in late 2000 led to warnings by the World Food program in early 2001 of food shortages and high prices in northern Darfur and northern Kordofan, and Jonglei and Bahr al-Ghazal in the south. These warnings continued through the summer of 2001, with increased concern that the rise in fighting from the civil war in the Bahr al-Ghazal area had left farmers unable to plant and relief agencies unable to move supplies. By the end of 2001, however, it appeared that there would be no large-scale crisis. Analysts disagreed on whether to attribute the improved situation to earlier over-estimates of crisis, decisions to plant more grain in the large irrigated schemes and good rains in the 2001 season (both of which would have an immediate effect in lowering prices), or to effective relief action.[6, p. 28] Likewise in 2002 the various relief agencies were predicting only localized hardship due to conflict, rather than general hardship from weather. The season had been good in most regions of the country. The civil war did cause displacement and interruptions in planting and cultivation in the Gogrial and Bentiu areas in the second half of 2002.

## **HUMAN RIGHTS AND PRESS FREEDOM**

The human rights situation in Sudan remained abysmal over the period.[34, 35] The horrible human rights situation drew ironic headlines and cynical headshaking in May 2001, when the United States was voted off the United Nations Human Rights Commission, while Sudan was voted on the Commission.[36]

Abetting slavery was probably the most serious charge against the GOS. Accusations were rife that the government continued to allow abductions into slavery in the southern war zones.[37] Susan Rice, Assistant Secretary of State for African Affairs in the former Clinton administration, and Nicholas Kristoff, New York Times correspondent, both traveled to southern Sudan in

early 2002, and reported meeting with women and hearing first-hand testimonials on slave abductions.[38, 39] There was criticism, however, of efforts by organizations such as Christian Solidarity International (CSI), to purchase slaves in markets and set them free.[40] Commentators argued that CSI was being duped on many fronts, as SPLA commanders and local Muslim traders might conspire to pretend that a group was in slave status in order to sell them back to CSI, or SPLA commanders might take advantage of the demand for slave redemptions by changing dollars into Sudanese pounds/dinars at very high rates. Western media featured back-and-forth stories on the slave redemptions.

In May 2002, the International Eminent Persons Group issued its report on slavery in the Sudan.[41] The report argued that while the slavery issue in Sudan was more complex than presented by many advocacy groups, there was clear evidence that slavery was a significant problem and that abductions were sanctioned by the GOS. The group was not able to quantify the extent of the problem. The report also criticized some of the buy-back efforts of organizations such as CSI. The commission was under the direction of Penn Kemble, a former acting director of the United States Information Agency, and included George Moose, a former Assistant Secretary of State for African Affairs, as well as experts from England and Norway.

Arbitrary detention carried out by the GOS continued in northern Sudan. Opposition political figures were routinely arbitrarily detained and held for long periods without charges or with trumped-up charges. According to Human Rights Watch,[42] at the end of 2001 Hassan al-Turabi and ten associates from the PNC remained under arrest (in prison and house arrest) with little due process. The other detainees were: Adam al Tahir Hamdoun, Ibrahim Abdel Hafiz, Tariq Mahgoub, Suliman Gamous, Haj Majid Suwarr, Unwar Jubarra, Osman Abdulla, AlAmin AbdulRuzak, Nourildeen Adam Ali, and Zuhair Hamid Suliman.

The human rights situation in Darfur deteriorated rapidly over the period 2001-2002. According to the report of the United Nations human rights rapporteur, a special court was established in El-Fasher in northern Darfur on 1 May 2001 modeled on an earlier court established in southern Darfur.[43] In these courts regular rules of evidence were suspended and accused were not allowed representation. The rapporteur noted the names numerous persons victims of credible violations of human rights.

In April, the GOS was chastised for major violation of basic religious freedoms, when it approved a permit for Easter service in Khartoum, then revoked the permit, and then authorized police to break up congregations outside the Khartoum cathedral. The police used teargas, and many of the worshippers were beaten.

On the SPLM/A side, there continued to be serious concerns about respect for human rights at the central command under John Garang and among the field commanders and militia groups allied with the SPLA.

The GOS continued to not sign or ratify the Convention for the Elimination of Discrimination Against Women, an international treaty on women's rights.

Freedom of the press continued to be widely disrespected by the GOS. The policy of GOS seemed to be one of continued harassment of editors and journalists, forcing them to either impose self-censorship or to close down. On February 4, 2001, Amal Abbas and Hassan Ibrahim, editor-in-chief and journalist respectively with the independent daily newspaper *Al Rai el Akhar*, were fined substantial amounts for libeling the governor of Khartoum State, who the paper had accused of malfeasance. When they did not pay the fines, they were imprisoned, but then released pending appeal of their sentences. The daily *Rai al-Shaab* was closed by government order on 22 February 2001. The paper was published by the PNC, Hassan al-Turabi's party. On 24 February 2001 Alfred Taban and Albino Okeny, publisher and editor-in-chief respectively of the independent daily *Khartoum Monitor* were arrested but released. Taban was then arrested in April and held for five days. The *Khartoum Monitor* was banned for three days from 11 September and then for two days starting October 12. Taban and Bol were arrested again on October 24 and released after three days. Editor-in-Chief Sid Ahmed Khalifa of the newspaper *Al-Watan* was arrested on 20 November. At the end of 2001 the government negotiated the lifting of censorship prior to publication, by forcing newspaper editors to sign agreements that they would consider national interest in deciding whether to publish articles.

In January 2002, the editor of *Alwan*, Hussein Khojali, and the editor of *Khartoum Monitor*, Nihal Bol, were fined with threat of imprisonment if the fines were not paid. In September 2002 a number of journalists were arrested and questioned following articles dealing with the withdrawal of the GOS from the peace talks. In November 2002 another varied group of journalists were arrested and newspapers seized at the printers following stories about clashes at Khartoum University. The year 2002 ended with another rash of arrests, questionings and seizures.

### **MEDICAL ISSUES**

Because of the civil war, Sudan continued to be a major location for a number of preventable diseases, among them onchocerciasis, known as river blindness; trachoma, another leading cause of blindness; leishmaniasis, a killer spread by southern Sudan's many sand flies and also known as kala azar, and dracunculiasis (also known as guinea worm). Malaria also remained a major disease. The civil war also hampered international efforts to eradicate polio.[44]

Sudan was host to the meetings of the International Conference on the Eradication of Dracunculiasis. Scientists at the convention noted that Sudan remained the world largest hot spot for the disease, and that the civil war hampered eradication efforts.[45]

Female genital mutilation continued to be practiced extensively in northern Sudan. A study conducted in the University of Khartoum determined that confusing religious messages and ambiguous laws were largely responsible for continuation of the practice.[46]

The medical community responded to reports of a strange new disease in southern Sudan that became known as “nodding disease”, because the children affected nodded their heads back and forth. No diagnosis was available of the well-documented syndrome.[47]

#### **POPULATION**[48, 49]

The population of Sudan in 2001 was on the order of 32 million persons, though no reliable national census had been conducted since independence, and as noted above the largest concentration of internally displaced persons and refugees in the world was located in the Sudan and its borders. Population growth rates for northern Sudan were projected to be on the order of 2.6% per year. Urban areas held approximately 37% of the population. Life expectancy at birth was between 56 years for males and 59 years for females. The under-five mortality rate was 104 per 1,000 live births in the north and 132 per 1,000 in the south. Immunization rates for infants varied from 67% for measles to 46% for DPT. Only about 58% of children were enrolled in primary school, and there was wide regional variation in schooling, with some area having only 20% enrolment. The numbers above are reported from IMF and World bank reports, and are thus official reports. Other studies give a more grim picture of the vital statistics of the country. For example, a retrospective study of maternal mortality at the Medani Teaching Hospital determined that the mortality rate ranged from 2,661 per 100,000 during the period 1985-89 declining to 1,363 per 100,000 during the period 1995-1999.[50]

#### **FOREIGN AFFAIRS**

##### *THE ARAB WORLD AND EGYPT*

Relations with more secular-oriented Arab states improved considerably with the ousting of Hassan al-Turabi from the GOS. Algerian President Abdelaziz Bouteflika visited Sudan in January 2001 and expressed willingness to facilitate negotiations between the GOS and SPLM/A. A high-level delegation from Turkey also visited Khartoum. Early January 2001 also saw a visit by Egypt’s Foreign Minister, Amr Moussa, to revive the Egypt-Libya peace initiative. Egypt had been vigorously lobbying to broker an accord among the various northern opposition groups. Two goals would be accomplished: Turabi would be sidelined by an accord that brought Sadiq al-Mahdi’s Umma Party and

Mohammed Osman al-Mirghani's Democratic Union Party (DUP) back into the GOS; and the secession option for the south would be diminished with a government of national unity negotiating for the north.

*NEIGHBORS: CHAD, ERITREA, ETHIOPIA, UGANDA*

Relations with Eritrea deteriorated throughout the period, reaching a low during the October 2002 incursions of the SPLA/SAF forces in eastern Sudan. The GOS accused Eritrea of supporting the incursions and closed the border and invited the main Eritrean opposition group to establish offices in Khartoum. [12] Relations with Ethiopia improved, however, and were cemented in 2001 with a number of agreements on economic cooperation. At the end of December 2000 came the announcement of the construction of a railway linking the two countries[51], then came the signing of an agreement to foster trade,[52] then an agreement to provide Ethiopia with 85% of its oil needs,[53] then an agreement for improved transit between the two countries,[54] and then in 2002 the Sudan-Ethiopia border commission met to resolve a number of border issues.[55]

Relations with Uganda did not improve over the period. The two countries had sour relations for years. President Museveni in Uganda had long been sympathetic to the SPLM/A, and the GOS had long allowed the rebel Lord's Resistance Army to attack Uganda and abduct women and children using southern Sudan as a base of operations. Dialogue brokered by former United States President Jimmy Carter led to a re-establishment of diplomatic relations in August 2001. On 30 March 2002, the Ugandan Army launched a major cross-border offensive against the Lords Resistance Army. In September 2002 the SPLA held a general conference in Kampala. By the end of the year President Museveni was accusing the GOS of supporting the LRA.[12]

*EUROPEAN UNION*

The European Union and its member countries continued to improve relations with Sudan. In January 2002, the European Union notified GOS that it would be eligible to begin receiving official EU assistance, frozen since 1990.[56] Estimates were that up to \$130 million would be available.

*UNITED STATES*

Relations with the United States were at all-time lows at the beginning of 2001.[57] The US continued with 1997 Sudanese Sanctions Regulations --Title 31 Part 538 of the U.S. Code of Federal Regulations that prohibited buying, selling and financial transactions and designated certain Sudanese nationals as subject to sanctions, and Sudanese government assets were blocked. The bombing of the al-Shifa factory in 1998 continued to be an unresolved thorn in relations between the GOS and the United States. Susan Rice, the Assistant Secretary of State for Africa, visited rebel-held areas of southern Sudan without permission of the GOS in November 2000. In December 2000, the GOS

expelled the U.S. diplomat Glenn Warren after he attended a meeting of leaders of the peaceful opposition branch of the National Democratic Alliance (NDA) in Khartoum.

Domestic and international Christian movements of solidarity with the people of Sudan increasingly influenced U.S. foreign policy. The movements emphasized the moral call to combat a perceived resurgence of slavery resulting from the raiding by militias in the civil war. The movement also emphasized solidarity with embattled Christian groups in the south, subject to periodic bombings and less-lethal harassment on a continual basis. Finally, the small but prominent northern Christian community, also subject to considerable harassment by the government, influenced the U.S. Christian movement.

Solidarity with southern Sudan was emblemized in the minds of participants in the Christian movements by the large-scale resettlement of southern Sudanese to the United States beginning in early 2001. Almost four thousand refugees were resettled. These young refugees, mostly male, had arrived in refugee camps on the Ethiopian border more than ten years before, beginning as early as 1987, as unaccompanied minors. According to some estimates, there were more than 15,000 minor refugees in the border camps. When Ethiopia's leader Mengistu Hailie Miriam was ousted in 1991, the Ethiopian Army ordered the immediate evacuation of the camps, and the young refugees were forced to undertake a perilous overland march to Kenya, across the war zone of southern Sudan. No official estimates of deaths during that march have been released, but the pictures and testimonies of the refugees were harrowing. The children then lived as refugees in Kakuma camp in Kenya for almost ten years. Heart-warming stories of their resettlement in the United States, complemented by television documentaries about their introduction to "modern" life, was ubiquitous in American media. [37, 58] After an initial transition period, many of the young refugees started high school and college, and some gained prominence as public speakers. The U.S. State Department and church groups sponsored periodic reunions where U.S. policy towards Sudan could be discussed.[59] Their presence injected a new dynamic into debates about U.S. policy towards Sudan, greatly reinforcing the Christian movement after the anti-slavery movement began to peter out as it became increasingly apparent that the slavery issue was more complex than initially thought.

President Bush, drawing support from and seeking to reward the Christian movements, had Secretary of State Colin Powell declare in March 2001 before a House committee hearing that, "There is perhaps no greater tragedy on the face of the Earth today than the tragedy that is unfolding in the Sudan." [60] But little movement happened after that. The administration appeared caught between the Christian evangelical movement's call for a tougher, even military interventionist stance, and the foreign policy establishment of the Republican Party, which sought greater engagement.[61,

62] In May 2001 President Bush delivered a speech singling out Sudan for violations of religious freedom.[63] Many prominent lawmakers from both Democratic and Republican parties spoke out against Sudan, and supported protestors at the Sudanese embassy.[64]

From this continued low, however, there emerged momentum for renewed engagement. The speech by Secretary Powell began to be reinterpreted as an opening for a new focus of U.S. policy in Sudan. Georgetown University's Center for Strategic and International Studies, a prominent think-tank for Republican foreign policy experts, issued a report calling for greater engagement.[65] Several of the authors of the report went on to become high-level Africa policy-makers in the Bush State Department. Secretary Powell announced in a news conference in Nairobi, Kenya, that the United States might moderate its position against the GOS.[66] Powell also announced that the administration was considering a high-level special envoy position for Sudan, and reports circulated that Chester Crocker, a former assistant secretary of state for African affairs from the Reagan administration, was a leading candidate for the post. Crocker reportedly sought assurances that he would be insulated from the increasingly strong coalition of African-American and conservative Christian pressure groups. Apparently the administration could not be sufficiently reassuring; Crocker withdrew his name before a formal announcement was made. Another sign of the hydra-like foreign policy of the U.S. came in July 2001, when Andrew Natsios, specially appointed USAID coordinator for Sudan, became the first major U.S. official to visit northern Sudan. Natsios brought with him 40,000 tons of wheat, and received assurances that the climate for U.S. relief work in northern Sudan would be improved.

In May and June 2001 pressure on Sudan continued, as the House of Representatives voted overwhelmingly to impose restrictions on access to capital markets in the United States to foreign companies doing business in Sudan, as part of the Sudan Peace Act.[67] The clear target was Talisman Energy Corporation, a Canadian corporation with a 25% stake in the major oilfields in Sudan. But other oil concerns, such as China National Petroleum Corporation of China, Gulf Petroleum Corporation of Qatar, Lundin Oil Corporation of Sweden, Petroliaam Nasional Berhad of Malaysia, and TotalFinaElf of France would also have to be delisted from the New York Stock Exchange and Nasdaq. The provision in the Act did not survive the Senate, however, when it approved a modified version of the Sudan Peace Act. The Securities and Exchange Commission, which regulates the stock markets in the United States, did change its disclosure requirements.[68] Firms would have to disclose actions relevant to issues of national security, human rights, and religious freedom.

Also in June, former Prime Minister Sadiq al-Mahdi, ousted by the Bashir and Turabi regime, visited Washington policymakers, including Chester

Crocker, to discuss the CSIS report and give impulse to United States leadership in restarting peace talks.[69]

Finally, the U.S. Congress voted in June to extend \$3 million in non-lethal aid to the National Democratic Alliance (NDA), further pressuring the GOS.

Then on 6 September 2001, former Senator John Danforth was appointed Special Presidential Envoy for Sudan.[70] Five days later, on 11 September, four airplanes were hijacked and flown into the World Trade Center and the Pentagon (the fourth plane crashed into a field in Pennsylvania). The events of 9/11, as they became known, were to completely reshape U.S. foreign policy objective in the following years. President George W. Bush, blamed the al-Qaeda organization and its leader, Osama bin Laden, for the hijackings and attacks. The U.S. quickly launched a successful invasion of Afghanistan, and declared a new policy of preemptive engagement against perceived threats to national security.

The GOS, which had housed Osama bin Laden during the period 1991-1996, had been struck by cruise missiles in the al-Shifa attack in 1998, and had been under sanctions by the United Nations for the attempted assassination of Egyptian President Hosni Mubarak in 1995, quickly realized that extensive cooperation with the United States security forces was the only way to minimize the likelihood of a preemptive strike. The intelligence community of the United States, which had already apparently been cooperating with Sudanese intelligence services in anti-terrorism investigations, argued for the strategic importance of accommodation.[71] There were numerous reports of increased cooperation after 9/11. Late in September, the United States acceded to lifting the United Nations travel ban on high-ranking members of Sudan's government.[72] The United States had already found in early August that the Sudan was no longer sponsoring the terror group that had attempted the assassination of Egyptian President Hosni Mubarak during his visit to Ethiopia in 1995.[73] Evidence of an intelligence community quid pro quo became apparent in November 2001 when President Bush successfully killed Congressional legislation to impose capital market sanctions on Sudan, the so-called Sudan Peace Act.

Special Envoy Danforth skillfully leveraged the new atmosphere. He toured rebel-held areas of southern Sudan in November 2001.[74, 75] He was then able to effect some immediate diplomatic successes, getting the GOS to agree to his four tests of willingness to negotiate (detailed above).

In early January 2002, Danforth attempted to initiate a new venue in Switzerland for peace talks, bypassing the IGAD and Egyptian-Libyan initiatives.[76] These talks led to the signing of a cease-fire agreement for the Nuba Mountains, and international monitoring of the cease-fire.[77]

During the middle of 2002 fierce debate broke out into the public over whether the United States had mishandled Sudan policy during the mid-1990s

under the Clinton administration. The last ambassador to Sudan, Tim Carney, claimed that opportunities for mutually advantageous re-engagement had been repeatedly nixed by Samuel Berger, the National Security Adviser.[78] Berger responded that the Sudanese regime had not really committed itself to serious engagement with the peace talks or with rapprochement with the United States, and so a hard-line policy had been justified.[79]

The Bush administration continued in the second half of 2002 with its somewhat ambivalent carrot and stick approach. The carrots were continued support for the IGAD negotiations, and especially a gradual resumption of more normal diplomatic relations. A chargé d'affaires, Jeff Millington, was appointed to the embassy in Sudan at the end of May. The administration seemed to allow the Christian movement to shape the 'stick' part of the Sudan agenda, with the eventual passage and signing into law on October 21, 2002 of Public Law 107 – 245, known as the Sudan Peace Act. This Act authorized appropriations of \$100 million for each of the fiscal years 2003, 2004, and 2005 for relief and development work in areas not under control of the government of Sudan. More importantly, if negotiations between GOS and SPLA were not carried out in good faith, the law called for the Secretary of the Treasury to vote against extending credits or guarantees through international financial institutions such as the International Monetary Fund and World Bank. In the event of a breakdown in negotiations, the law also called upon the President to seek an arms embargo against Sudan, prevent Sudanese oil revenues from being used by the government to purchase arms, and downgrade diplomatic relations. President Bush signed the Act, though noting that attempts by the Congress to direct or require actions against foreign states could not bind the President in his constitutional authority to conduct foreign policy for the United States.[80]

The Sudanese government responded to the act via a press release of the Ministry of Foreign Affairs.[81] The lengthy diatribe, full of exclamation marks, noted that the SPLA had recast itself from Marxist-Leninist movement to Christian movement, aligning itself with Christian Solidarity International and Norwegian People's Aid. The press release revealed some of the thinking of the high levels of the regime. On sentence, for example, read: "The Sudanese people as devout Muslims stood against that Marxist threat by inviting their religious beliefs to defend their country from Communism similar to what the Afghan people did when the Soviet Union invaded their country to establish a Communist regime there."

In November 2002 the State Department issued its annual report on religious freedoms around the world, and singled out Sudan as a major violator of religious freedom.

The publication in late 2002 of the book by journalist Deborah Scroggins, *Emma's War: An Aid Worker, A Warlord, Radical Islam, and the Politics of Oil - A True Story of Love and Death in Sudan* also contributed to greater salience of Sudan policy. The book was favorably reviewed by major

newspapers and sold very well for a non-fiction work.[82] The author toured the United States, explaining the story of Sudan's civil war and emphasizing the human suffering caused by the long war.

### **ECONOMIC AFFAIRS**

Economic activity in northern Sudan remained sluggish despite the enormous increase in the value of oil exported from the country. While GDP numbers from Sudan are probably subject to substantial error, the series do seem to correlate reasonably well with anecdotal evidence regarding economic activity. According to IMF statistics, real GDP in Sudan (basically northern Sudan) rose by 6.1% in 2001 and by 5.5% in 2002.[49] Nominal GDP per capita was roughly \$420 per capita using the market exchange rate (nominal GDP in local currency was roughly 3.5 trillion dinar, the population was roughly 32 million, and the exchange rate was roughly 260 dinar per dollar).

Over the period 2001-2002 the GOS continued with its macroeconomic program of macroeconomic stability, privatization, openness to foreign investment and similar neo-liberal policies. The GOS continued its practice of consulting with the International Monetary Fund, even though the IMF was not extending new loans to the country. The debt in arrears to the IMF amounted to some \$1.5 billion, and total external debt amounted to approximately \$23 billion.[49] The GOS showed no signs of using the large increase in oil revenues to escalate anemic repayment of these debts. The GOS struggled to repay a promised \$5 million per month to the IMF, even while exports of oil accruing to the government totaled several hundred million dollars.

The total value of exports largely doubled from 1999 to 2002, from approximately one billion dollars in value to two billion dollars in value.[12] The increase was due to oil exports and substitution of locally refined petroleum products for imported products; exports of cotton, sugar, gum Arabic, livestock and grain were stagnant or declining over the period, and only began growing again in the aftermath of the 2002 season. The main export destinations were China (55%), Japan (14%), Saudi Arabia (5.4%), and South Korea (3.8%). The main sources of imports were China (21%), Saudi Arabia (7.2%), India (5.7%), and United Kingdom (5.6%). The balance of payments was also helped by the fact that remittance income from Sudanese abroad remained steady despite the more difficult money-transfer environment after September 11, 2001.[6, p. 21] Remittances were on the order of \$366 million in 2001 and \$634 million in 2002.[49] Nevertheless, the current account of Sudan continued to be in a large deficit, \$-2,116 million in 2001 and \$-1,473 million in 2002. While the trade account was in small deficit, the service and income accounts were strongly negative, reflecting payments to foreign oil companies for their production services and their royalties for past investments.

The GOS budget in 2001 and 2002 is difficult to ascertain with any degree of accuracy, because of the large military and security apparatus that is

funded off-budget. According to the official numbers released by GOS to the IMF, the overall budget amounted to some 401 billion Sudanese dinars in 2001 and 503 billion Sudanese dinars in 2002.[49] This was about 14% of the estimated GDP for the country. Revenues were not sufficient to cover expenses, and in each year a budget deficit of approximately 30 billion Sudanese dinars was recorded. By 2002 oil revenues were almost half of all revenues, and domestic tax revenues had stagnated.

The GOS moved to privatize state-owned corporations and to accommodate foreign investment in the economy. Sudan Airways Corporation continued to be “on the block” but found no takers during the period. The Atbara Cement Company was sold for \$41 million to Dal Company, a Sudanese business, and its French partners, la Varge. [83] A private company, Shikhu, apparently began running trains on the El Obeid-Nyala railine, leasing track tie from the state-run Sudan Railways Corporation.[6, p. 18]

As a result of previous restrictive monetary policy and gradual reduction in the government’s fiscal deficit, the rate of inflation in northern Sudan remained in the single-digit range, at 5% for 2001 and 8% for 2002 (it should be noted that the government does not have the ability to measure inflation in large parts of southern Sudan).[49] One consequence of the low inflation rate and the swing of the balance of trade into surplus from oil exports was that the government was able to maintain an unofficially fixed exchange rate against the dollar, of between 257-266 Sudanese dinar per dollar.

The low inflation regime, growth in productivity, and growing confidence in the banking sector enabled the government to continue its program of expansion of domestic credit markets. Reserve requirements for banks were lowered late in 2000, and domestic credit expanded rapidly in 2001. This expansion continued into 2002, and by the end of the year worries of inflation crept into policy discussions.

In mid-2001 Abdel Rahim Hamdi was reappointed Minister of Finance, following an almost ten-year hiatus. He pledged to continue the reform efforts. He implemented a salary freeze on employees of state-owned enterprises. In November 2001 fuel subsidies were cut, leading to rises in prices of gasoline and benzene of 25% and 40% respectively.[6, p. 17] Hamdi’s aggressive budget-cutting did not last long, and he was replaced by Zubayr Ahmed al-Hassan in June 2002. al-Hassan reversed some the pay freezes instituted by Hamdi, and began paying civil servants some of their pensions and salaries that had been kept in arrears. The budget remained in deficit, however, and at the end of 2002 the IMF monitoring report criticized the government for its seeming inability to abide by its own declared policy of fiscal restraint. As long as oil revenues continued to be high, the governments profligacy could be managed easily, but the danger lay in creating a public service that would not be ‘shrinkable’ were there to be a downturn in oil prices or production.

## **AGRICULTURE, LIVESTOCK AND MINING**

The livestock sector slowly emerged in 2001 from the depressing effects of ban imposed the previous year on livestock exports to the Gulf area. The reason for the ban was a possible outbreak of Rift Valley Fever.

On February 7, 2002, a private sector loan agreement for US\$10 million was signed between the OPEC Fund for International Development and the Kenana Sugar Company in the Sudan.[84] The Kenana scheme, cultivating approximately 43,000 hectares, was in a major capacity expansion program. The loan was to be used to improve the boiler unit that provides thermal and electrical energy to increase cane-crushing capacity to 450,000 tons of refined white sugar annually.

## **OIL**

Oil production and exploration continued to grow explosively during 2001 and 2002, becoming the driving force of the Sudanese economy. Much of the information that follows is a summary of reports produced by the U.S. Geological Service [85, 86] In 2001 proven reserves were estimated to be 563 million barrels. Other estimates put reserves at 2 billion barrels.[87] Production increased to 88 million barrels in 2002 from 78 million barrels in 2001; in other words, production ranged from 200,000-250,000 barrels per day. Exports of crude petroleum were 62 million barrels, up from 56 million barrels. Most of the oil exports were destined for China. The value of exports in 2002 was approximately \$1.4 billion.

Much of the production came from the Greater Nile Petroleum Corporation (GNPC), a joint venture of China National Petroleum Corporation holding 40%, Petronas, the Malaysian state-owned petroleum company, holding 30%, Talisman Energy Inc., a publicly traded Canadian company, holding 25%, and Sudapet, the Sudanese state-owned petroleum company, holding 5%. The production came from oilfields known as el-Toor, Grand Heglig, Tooma South and Unity located in Blocks 1A and 2A.

There was some exploration activity in Block 4 in the Muglad basin by Talisman, and in Blocks 5A and 5B by another consortium consisting of Petronas (41%), Lundin (24.5%), OMV Aktiengesellschaft (24.5%) and Sudapet (10%).

Oil companies operating in Sudan came under considerable public pressure to withdraw from their operations. Talisman Energy of Canada came under particular attack from activists in Canada, and a bill passed in the house of Representatives of the United States Congress to bar companies from U.S. financial markets was widely viewed as an attempt to force Talisman to divest from Sudan. James Buckee, the chief executive officer of Talisman, gave a speech in London in October 2001 declaring that it was "socially responsible for a corporation to invest in certain places that some elements of popular opinion

find objectionable.”[88] Talisman was not completely enthralled by its Sudan exposure; when the company purchased the Swedish oil firm Lundin, the concessions in Sudan held by Lundin were purposefully excluded from the deal and retained by a new firm created by Lundin’s former owners.[6, p. 25] Talisman’s prospects in Sudan grew worse in November 2001 when high-profile lawyers filed a class-action lawsuit against the country on behalf of Sudanese refugees in the United States. The suit claimed that talisman had collaborated with the Sudanese security forces in depriving individuals of their humans rights. By the end of 2002, Talisman decided to abandon its Sudan stake, and the firm finished a deal to sell its Sudan stake to ONGC Videsh of India. The other consortium members sought to force Talisman to sell them the stake, but Talisman prevailed and reportedly received \$720 million for its share. A brief incident arose when reports circulated that ONGC Videsh had purchased political risk insurance; the GOS took umbrage, and ONGC assured its partner that it regarded the investment in Sudan as sound.

Other firms were not so committed. The Russian-Belarusian firm Slavneft announced in January 2002 that it had signed an agreement to begin exploration activities in Block-9 located in the area around Khartoum. The agreement called for investments of more than \$125 million in exploration development. Then in the summer of 2002 the company underwent a major restructuring, and the new management team announced it had closed its Sudan’s office and would not pursue the project. Political risk was one of the reasons cited by company officials. Later in 2002 Slavneft was sold at auction by the Russian state, to BP’s Russian venture TNK-BP. Still, other foreign oil companies negotiated for concessions and access to Sudanese oil. These included the South African firm Soekor, and the Croatian firm INA. Lundin Oil of Sweden was active in exploration and development activities, but then suspended its operations following attacks by the SPLA in January 2002. Operations resumed, however, at the end of 2002.

Sudan’s oil production was large enough to merit observer status at OPEC meetings, which the organization granted in August 2001.

At the retail level, Shell, Gapco (formerly Agip), ExxonMobil and Sudan-government owned Nile Company competed in the marketplace for automobile and industrial lubricants and fuels. Shell boasted in July 2002 that, “Shell is the market leader in Sudan for lubricants with over 45 per cent of the total market in the country. Shell has its own lubricants blending plant at Port Sudan on the Red Sea, with a production capacity of 40,000 metric tonnes per annum.”[89]

## **INDUSTRY AND ENERGY**

Industrial activity and investment was hampered by severe problems of power. The installed generating capacity for northern Sudan was approximately 400 mw, and power requirements far exceeded this, leading to frequent transmission

problems and reliance on private generating capacity. Three projects to increase public generating capacity, however, were active during the 2001-2002 period. The first was a Chinese-financed power station north of Khartoum that would use gas byproducts from the al-Jeili refinery. The second was a proposed dam in Kajbar. The third was another proposed dam in Hamdab in Merowe. In November 2001 the GOS finally signed loan agreements with the Arab Fund for Economic Development and the Kuwait Fund for Arab Economic Development to begin work on the massive Merowe dam and hydroelectric plant. [6, p. 19] The project was estimated to be able to generate 1250 mw upon completion.

#### **FOREIGN INVESTMENT AND INVOLVEMENT**

Foreign companies continued to be very involved in economic activity in Sudan. Shell and ExxonMobil continued their large presence in the retail fuel and lubricant sector. Pepsi continued as an important bottler and retailer in the soft drink sector. Hilton Hotels opened a major luxury hotel on the Red Sea .

#### **TELECOMMUNICATIONS, TRANSPORT AND INFRASTRUCTURE**

The telecommunications sector continued its explosive growth during the period 2001-2002, as in other parts of Africa. Sudan's privatized phone company, SudaTel, had more than a million lines in operation, reflecting a very rapid growth rate during the 1990s. Mobile phone service by SudaTel through its Mobitel affiliate had about 150,000 subscribers in late 2002, and the GOS announced it would sell another license for mobile service to compete.[6] Internet service was offered through a government-controlled company, Sudanet, and penetration remained very low.

#### **ECONOMIC ISSUES IN SOUTHERN SUDAN**

At the end of December 2002, the SPLA announced that it would begin issuing and circulating a new currency for southern Sudan.[90] The move was criticized in many quarters; there was no functioning banking system in the south, so it was unclear how the currency could be regulated, and the GOS saw the action as a deliberate provocation undermining the peace talks.

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