



Bill Text for the 108th Congress

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S.CON.RES.133

Whereas Article 1 of the Convention on the Prevention and Punishment of the Crime of Genocide (signed at Paris on December 9, 1948) states that `the Contracting Parties confirm that... (Engrossed as Agreed to or Passed by Senate)

SCON 133 ES

108th CONGRESS

2d Session

S. CON. RES. 133

CONCURRENT RESOLUTION

Whereas Article 1 of the Convention on the Prevention and Punishment of the Crime of Genocide (signed at Paris on December 9, 1948) states that `the Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they

undertake to prevent and to punish';

Whereas Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide declares that `in the present Convention, genocide means any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; and (e) forcibly transferring children of the group to another group';

Whereas Article 3 of the Convention on the Prevention and Punishment of the Crime of Genocide affirms that `[the] following acts shall be punishable: (a) genocide; (b) conspiracy to commit genocide; (c) direct and public incitement to commit genocide; (d) attempt to committed genocide; and (e) complicit in genocide';

Whereas in Darfur, Sudan, an estimated 30,000 innocent civilians have been brutally murdered, more than 130,000 people have been forced from their homes and have fled to neighboring Chad, and more than 1,000,000 people have been internally displaced; and

Whereas in March 2004 the United Nations Resident Humanitarian Coordinator stated: `[T]he war in Darfur started off in a small way last year but it has progressively gotten worse. A predominant feature of this is that the brunt is being borne by civilians. This includes vulnerable women and children . . . The violence in Darfur appears to be particularly directed at a specific group based on their ethnic identity and appears to be systemized.': Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress--

- (1) declares that the atrocities unfolding in Darfur, Sudan, are genocide;
- (2) reminds the Contracting Parties to the Convention on the Prevention and Punishment of the Crime of Genocide (signed at Paris on December 9, 1948), particularly the Government of Sudan, of their legal obligations under the Convention;
- (3) declares that the Government of Sudan, as a Contracting Party, has violated the Convention on the Prevention and Punishment of the Crime of Genocide;
- (4) deplors the failure of the United Nations Human Rights Commission to take appropriate action with respect to the crisis in Darfur, Sudan, particularly the failure by the Commission to support United States-sponsored efforts to strongly condemn gross human rights violations committed in Darfur, and calls upon the United Nations and the United Nations Secretary General to assert leadership by calling the atrocities being committed in Darfur by their rightful name: `genocide';

(5) calls on the member states of the United Nations, particularly member states from the African Union, the Arab League, and the Organization of the Islamic Conference, to undertake measures to prevent the genocide in Darfur, Sudan, from escalating further, including the imposition of targeted means against those responsible for the atrocities;

(6) commends the Administration's leadership in seeking a peaceful resolution to the conflict in Darfur, Sudan, and in addressing the ensuing humanitarian crisis, including the visit of Secretary of State Colin Powell to Darfur in June 2004 to engage directly in efforts to end the genocide, and the provision of nearly \$140,000,000 to date in bilateral humanitarian assistance through the United States Agency for International Development;

(7) commends the President for appointing former Senator John Danforth as Envoy for Peace in Sudan on September 6, 2001, and further commends the appointment of Senator Danforth as United States Ambassador to the United Nations;

(8) calls on the Administration to continue to lead an international effort to stop genocide in Darfur, Sudan;

(9) calls on the Administration to impose targeted means, including visa bans and the freezing of assets, against officials and other individuals of the Government of Sudan, as well as Janjaweed militia commanders, who are responsible for war crimes and crimes against humanity in Darfur, Sudan; and

(10) calls on the United States Agency for International Development to establish a Darfur Resettlement, Rehabilitation, and Reconstruction Fund so that those individuals driven off their land may return and begin to rebuild their communities.

Passed the Senate July 22, 2004.

Attest:

Secretary.

108th CONGRESS

2d Session

S. CON. RES. 133

CONCURRENT RESOLUTION

Declaring genocide in Darfur, Sudan.

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