

108TH CONGRESS  
2D SESSION

# S. CON. RES. 124

Declaring genocide in Darfur, Sudan.

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IN THE SENATE OF THE UNITED STATES

JULY 13, 2004

Mr. BROWNBACK (for himself, Mr. CORZINE, Mrs. DOLE, Mr. LIEBERMAN, Mr. DEWINE, and Mr. FEINGOLD) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations

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## CONCURRENT RESOLUTION

Declaring genocide in Darfur, Sudan.

Whereas Article 1 of the 1948 United Nations Convention on the Prevention and Punishment of the Crime of Genocide 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) complicity 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;

Whereas Andrew Natsios, the Administrator of the United States Agency for International Development, has predicted that 300,000 civilians in Darfur will die within the year under “optimal conditions” in which humanitarian assistance is provided, and that as many as 1,000,000 civilians in Darfur are at risk; 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

1       *Resolved by the Senate (the House of Representatives*  
2 *concurring), That Congress—*

3           (1) declares that the atrocities unfolding in  
4       Darfur, Sudan, are genocide;

5           (2) reminds the President and the international  
6       community of their international legal obligations, as  
7       affirmed in the 1948 United Nations Convention on  
8       the Prevention and Punishment of the Crime of  
9       Genocide;

10          (3) urges the President to call the atrocities  
11       being committed in Darfur, Sudan by their rightful  
12       name: “genocide”;

13          (4) commends the leadership of the President in  
14       seeking a peaceful resolution to the conflict in  
15       Darfur, Sudan and in addressing the humanitarian  
16       crisis caused by that conflict, including the provision  
17       of assistance to meet immediate humanitarian needs  
18       in Darfur, Sudan and Eastern Chad;

19          (5) urges the President to seek a United Na-  
20       tions Security Council resolution under Chapter VII  
21       of the United Nations Charter that directs the Mem-  
22       ber States of the United Nations to impose targeted  
23       sanctions against those responsible for the atrocities  
24       committed in Darfur, Sudan, authorizes a multi-  
25       national force to guarantee humanitarian access and

1 security for foreign aid workers and internally dis-  
 2 placed persons, urges a halt to violence committed  
 3 by armed militias and by the armed forces of Sudan  
 4 and the safe, secure, and the sustainable return of  
 5 internally displaced persons and refugees to their  
 6 homes, creates a Commission of Inquiry to inves-  
 7 tigate the unfolding genocide, recommends measures  
 8 to create accountability in Darfur, Sudan, and calls  
 9 for the establishment of a formal peace process for  
 10 permanent resolution of grievances between  
 11 Darfurians and the Government of Sudan;

12 (6) calls on the Administrator of the United  
 13 States Agency for International Development to es-  
 14 tablish a Darfur Resettlement, Rehabilitation, and  
 15 Reconstruction Fund to fund assistance for those  
 16 driven off their land so that they may return and  
 17 begin to rebuild their communities; and

18 (7) urges the President to provide political and  
 19 financial support to the African Union to promote  
 20 its effective intervention in Darfur, Sudan to achieve  
 21 security, humanitarian assistance, and account-  
 22 ability.

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