

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

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 Contracting Parties to the Con-
6 vention on the Prevention and Punishment of the
7 Crime of Genocide (signed at Paris on December 9,
8 1948), particularly the Government of Sudan, of
9 their legal obligations under the Convention;

10 (3) declares that the Government of Sudan, as
11 a Contracting Party, has violated the Convention on
12 the Prevention and Punishment of the Crime of
13 Genocide;

1 (4) deplores the failure of the United Nations
2 Human Rights Commission to take appropriate ac-
3 tion with respect to the crisis in Darfur, Sudan, par-
4 ticularly the failure by the Commission to support
5 United States–sponsored efforts to strongly condemn
6 gross human rights violations committed in Darfur,
7 and calls upon the United Nations and the United
8 Nations Secretary General to assert leadership by
9 calling the atrocities being committed in Darfur by
10 their rightful name: “genocide”;

11 (5) calls on the member states of the United
12 Nations, particularly member states from the Afri-
13 can Union, the Arab League, and the Organization
14 of the Islamic Conference, to undertake measures to
15 prevent the genocide in Darfur, Sudan, from esca-
16 lating further, including the imposition of targeted
17 means against those responsible for the atrocities;

18 (6) commends the Administration’s leadership
19 in seeking a peaceful resolution to the conflict in
20 Darfur, Sudan, and in addressing the ensuing hu-
21 manitarian crisis, including the visit of Secretary of
22 State Colin Powell to Darfur in June 2004 to en-
23 gage directly in efforts to end the genocide, and the
24 provision of nearly \$140,000,000 to date in bilateral

1 humanitarian assistance through the United States
2 Agency for International Development;

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

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

11 (9) calls on the Administration to impose tar-
12 geted means, including visa bans and the freezing of
13 assets, against officials and other individuals of the
14 Government of Sudan, as well as Janjaweed militia
15 commanders, who are responsible for war crimes and
16 crimes against humanity in Darfur, Sudan; and

17 (10) calls on the United States Agency for
18 International Development to establish a Darfur Re-
19 settlement, Rehabilitation, and Reconstruction Fund

- 1 so that those individuals driven off their land may
- 2 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.