

108<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. CON. RES. 467

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 7, 2004

Received and referred to the Committee on Foreign Relations

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## CONCURRENT RESOLUTION

Declaring genocide in Darfur, Sudan.

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 House of Representatives (the Senate*  
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;

14          (4) deplors the failure of the United Nations  
15        Human Rights Commission to take appropriate ac-  
16        tion with respect to the crisis in Darfur, Sudan, par-  
17        ticularly the failure by the Commission to support  
18        United States-sponsored efforts to strongly condemn  
19        gross human rights violations committed in Darfur,  
20        and calls upon the United Nations and the United  
21        Nations Secretary General to assert leadership by  
22        calling the atrocities being committed in Darfur by  
23        their rightful name: “genocide”;

24          (5) calls on the member states of the United  
25        Nations, particularly member states from the Afri-

1 can Union, the Arab League, and the Organization  
2 of the Islamic Conference, to undertake measures to  
3 prevent the genocide in Darfur, Sudan, from esca-  
4 lating further, including the imposition of targeted  
5 sanctions against those responsible for the atrocities;

6 (6) urges the Administration to call the atroc-  
7 ities being committed in Darfur, Sudan, by their  
8 rightful name: “genocide”;

9 (7) commends the Administration’s leadership  
10 in seeking a peaceful resolution to the conflict in  
11 Darfur, Sudan, and in addressing the ensuing hu-  
12 manitarian crisis, including the visit of Secretary of  
13 State Colin Powell to Darfur in June 2004 to en-  
14 gage directly in efforts to end the genocide, and the  
15 provision of nearly \$140,000,000 to date in bilateral  
16 humanitarian assistance through the United States  
17 Agency for International Development;

18 (8) commends the President for appointing  
19 former Senator John Danforth as Envoy for Peace  
20 in Sudan on September 6, 2001, and further com-  
21 mends the appointment of Senator Danforth as  
22 United States Ambassador to the United Nations;

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

1           (10) urges the Administration to seriously con-  
2           sider multilateral or even unilateral intervention to  
3           stop genocide in Darfur, Sudan, should the United  
4           Nations Security Council fail to act;

5           (11) calls on the Administration to impose tar-  
6           geted sanctions, including visa bans and the freezing  
7           of assets of the Sudanese National Congress and af-  
8           filiated business and individuals directly responsible  
9           for the atrocities in Darfur, Sudan; and

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

Passed the House of Representatives July 22, 2004.

Attest:

JEFF TRANDAHL,

*Clerk.*