

110TH CONGRESS
2D SESSION

H. R. 6416

To codify existing sanctions against the Government of Sudan until the Government of Sudan meets certain conditions relating to a just and lasting peace in Sudan.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2008

Mr. PAYNE (for himself, Mr. WOLF, Mr. CAPUANO, Mr. TANCREDO, Mr. RANGEL, Ms. LEE, Mr. MCGOVERN, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JEFFERSON, Mr. FATTAH, Mr. VAN HOLLEN, Mr. BISHOP of Georgia, Ms. CORRINE BROWN of Florida, Mr. RUSH, Mr. CUMMINGS, Mr. JACKSON of Illinois, Ms. WATERS, and Mr. HASTINGS of Florida) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To codify existing sanctions against the Government of Sudan until the Government of Sudan meets certain conditions relating to a just and lasting peace in Sudan.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Just and Lasting
5 Peace in Sudan Act of 2008”.

6 **SEC. 2. DEFINITIONS.**

7 For purposes of this Act:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means the Committee on Foreign Affairs of
4 the House of Representatives and the Committee on
5 Foreign Relations of the Senate.

6 (2) GOVERNMENT OF SUDAN.—The term “Gov-
7 ernment of Sudan” means Sudan’s Government of
8 National Unity. Such term does not include the Gov-
9 ernment of Southern Sudan (GOSS).

10 (3) SPLM.—The term “SPLM” means the
11 Sudan People’s Liberation Movement.

12 **SEC. 3. FINDINGS.**

13 Congress finds the following:

14 (1) The United States Government rightfully
15 declared the atrocities in the Darfur region of Sudan
16 to be genocide. More than 450,000 people have been
17 killed and an estimated 2,500,000 people have been
18 displaced since the crisis erupted in 2003.

19 (2) The Government of Sudan continues to
20 commit atrocities against innocent civilians in
21 Darfur. According to a March 25, 2008, report by
22 the United Nations Secretary-General, “increased
23 hostilities in Western Darfur over the reporting pe-
24 riod have led to significant displacement and loss of

1 civilian life, while also inhibiting humanitarian ac-
2 cess to civilian populations affected by the fighting”.

3 (3) In October 2007, the Government of South-
4 ern Sudan suspended the participation of its min-
5 isters, state ministers, and presidential advisors
6 from Sudan’s Government of National Unity to pro-
7 test measures taken by the National Congress Party
8 and to demand full implementation of the Com-
9 prehensive Peace Agreement (CPA).

10 (4) Implementation of the CPA by the Govern-
11 ment of National Unity has been selective and at
12 times deliberately slow. The Government of Sudan
13 has not yet implemented the Abyei Boundary Com-
14 mission (ABC) recommendations. The ABC was
15 mandated to “define and demarcate” the area
16 known as the 9 Ngok Dinka Chiefdoms transferred
17 in 1905 to Kordofan in North Sudan.

18 (5) The ABC was chaired by former United
19 States Ambassador to Sudan Donald Peterson, with
20 active international engagement. In July 2005, the
21 ABC submitted its final report to the Sudan’s presi-
22 dency. According to the CPA, “upon presentation of
23 the final report, the Presidency shall take necessary
24 action to put the special administration status of
25 Abyei Area into immediate effect”.

1 (6) According to a September 2007 report by
2 the United Nations Secretary-General, the lack of
3 administration in Abyei has hampered CPA activi-
4 ties and left gaps in policing, public sanitation, and
5 health services. Continued intransigence on this
6 issue is likely to lead to war.

7 (7) The Government of Sudan is well known to
8 signing peace agreements and make commitments
9 but has consistently failed to honor these agree-
10 ments.

11 (8) Efforts to hold individuals accountable for
12 the genocide in Darfur have not been successful in
13 large part because the Government of Sudan refuses
14 to cooperate with the International Criminal Court
15 (ICC) and protects indicted individuals by the ICC.

16 (9) In April 2008, Special Envoy Richard
17 Williamson and a Government of Sudan delegation
18 led by Nafi Ali Nafi, a man responsible for many of
19 Sudan's international terror links and domestic
20 atrocities, met in Rome to discuss normalization of
21 relations between Sudan and the United States.

22 (10) Nafi Ali Nafi was the security chief when
23 Sudan gave safe haven to Osama bin Laden in the
24 1990s, a period when Bin Laden began to build his
25 terror network. Nafi was also a key player in sup-

1 port of Gama'a Islamia, a group that tried to assassinate Egyptian President Hosni Mubarak. The weapons used in the assassination attempt were reportedly flown by Sudan Airways, and after the failed attempt, one of the assassins was flown to Sudan on Sudan Airways.

7 **SEC. 4. CODIFICATION OF EXISTING SANCTIONS IN SUPPORT OF A JUST AND LASTING PEACE IN SUDAN.**

10 (a) IN GENERAL.—Sanctions against the Government of Sudan that were imposed pursuant to any provision of law, as in effect on the date of the enactment of this Act, including sanctions against the Government of Sudan that were imposed pursuant to any executive order or other administrative action, shall remain in effect against the Government of Sudan and shall not be lifted pursuant to such provisions of law until the President certifies to the appropriate congressional committees that the Government of Sudan has met the conditions described in subsection (b) for a period of not less than one year.

21 (b) CONDITIONS DESCRIBED.—The conditions referred to in subsection (a) are the following:

23 (1) The Government of Sudan fully implements the Comprehensive Peace Agreement (CPA) and the Darfur Peace Agreement (DPA).

1 (2) The Abyei Boundary Commission (ABC)
2 recommendations are implemented and oil revenue
3 shares are paid retroactively.

4 (3) The Government of Sudan hands over to
5 the International Criminal Court (ICC) all indicted
6 individuals without any delay.

7 (4) The Government of Sudan ends its atroc-
8 ities against innocent civilians in Darfur and other
9 parts of Sudan.

10 (5) The Government of Sudan allows the de-
11 ployment of the United Nations African Union Mis-
12 sion in Darfur (UNAMID) forces and allows
13 unhindered access to humanitarian workers.

14 (6) The Government of Sudan ends its ties with
15 known terrorist organizations and individuals.

16 (7) Senior officials in the Government of Sudan
17 are held accountable for crimes committed in the
18 Nuba, South Sudan, Southern Blue Nile, and East-
19 ern Sudan.

20 (8) Senior officials in the Government of Sudan
21 are held accountable for their support for Osama bin
22 Laden and other terrorist groups.

23 (c) MONITORING MECHANISM.—The President of the
24 United States shall establish a mechanism to monitor and

1 ensure that the Government of Sudan is meeting the con-
2 ditions described in subsection (b).

3 (d) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that the United States Government should not nor-
5 malize relations with the Government of Sudan until the
6 conditions described in subsection (b) have been imple-
7 mented for a period of not less than one year as described
8 in subsection (a).

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