

110TH CONGRESS
2D SESSION

H. RES. 1462

Condemning ongoing sales of arms to belligerents in Sudan, including the Government of Sudan, and calling for both a cessation of such sales and an expansion of the United Nations embargo on arms sales to Sudan.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 2008

Mr. MCGOVERN (for himself, Mr. GARRETT of New Jersey, and Mr. MILLER of North Carolina) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Condemning ongoing sales of arms to belligerents in Sudan, including the Government of Sudan, and calling for both a cessation of such sales and an expansion of the United Nations embargo on arms sales to Sudan.

Whereas, since 2003, the conflict in the Darfur region of Sudan has killed at least 300,000 people and displaced more than 2,500,000, according to the United Nations;

Whereas, on July 22, 2004, the Senate declared, “the atrocities unfolding in Darfur, Sudan, are genocide”, and on September 9, 2004, then-Secretary of State Colin Powell testified before the Committee on Foreign Relations of the Senate that “genocide has occurred and may still be

occurring in Darfur” and “the Government of Sudan and the Janjaweed bear responsibility”;

Whereas, on July 30, 2004, the United Nations Security Council passed Resolution 1556, imposing an arms embargo on non-governmental belligerents in Darfur, requiring “all states [to] take the necessary measures to prevent the sale or supply . . . of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned” to those belligerents;

Whereas, on March 29, 2005, the United Nations Security Council passed Resolution 1591, extending the embargo imposed by Security Council Resolution 1556 to apply to the Government of Sudan, establishing a sanctions committee to monitor the arms embargo, and prohibiting the Government of Sudan from moving arms into Darfur except with the advance approval of that committee;

Whereas Security Council Resolutions 1556 and 1591 together impose on all United Nations member states the obligation not to sell or supply arms to any belligerent operating in Darfur, including the Sudanese military, and obligate the Government of Sudan not to transfer any arms to Darfur without the approval of the sanctions committee;

Whereas, in September 2006, the Panel of Experts on the Sudan, established pursuant to Security Council Resolution 1591, reported to the United Nations Security Council that a senior official of the Government of Sudan told the Panel that “the Government had a sovereign right to transfer weapons and additional military personnel into Darfur without obtaining the specific permission of the Security Council”;

Whereas the Panel of Experts on the Sudan also concluded that “the Government of the Sudan continues to violate the arms embargo by transferring equipment and related weapons into Darfur” and that “[t]he Government of the Sudan remains adamant that it has the right to transfer troops and equipment into Darfur without reference to the sanctions Committee” established pursuant to Security Council Resolution 1591;

Whereas, in October 2007, the Panel of Experts on the Sudan reported numerous instances in which the Government of Sudan had transferred arms to Darfur without seeking the approval of the sanctions committee;

Whereas, according to a May 2007 report by Amnesty International, weapons transferred to Sudan from China and Russia are used extensively in Darfur;

Whereas, according to a July 2008 report by the British Broadcasting Corporation, weapons have been transferred to Darfur from China since the arms embargo imposed by Security Council Resolution 1591 became effective;

Whereas, at the insistence of the Governments of China and Russia, arms sales to the Government of Sudan were excluded from the arms embargo imposed by Security Council Resolution 1556, though not from Security Council Resolution 1591, passed 8 months later; and

Whereas, according to data provided by the Government of Sudan to the United Nations, arms sales from China to the Government of Sudan have increased dramatically since the late 1990s, and from 2004 through 2006, China supplied approximately 90 percent of small arms imported into Sudan: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Rep-
2 representatives that—

3 (1) the United States should seek a peaceful
4 resolution to the conflict in Darfur and should con-
5 tinue to pursue a political solution as well as the im-
6 mediate and unfettered deployment of the peace-
7 keeping forces of the United Nations-African Union
8 Mission in Darfur, without regard to the country of
9 origin of those forces;

10 (2) the United States supports United Nations
11 Security Council Resolutions 1556 (2004) and 1591
12 (2005), imposing an arms embargo on all belliger-
13 ents in Darfur, and supports consistent enforcement
14 of the embargo;

15 (3) taken together, the obligation imposed by
16 the United Nations on all member states to “take
17 the necessary measures to prevent the sale or sup-
18 ply” of arms to belligerents operating in Darfur, the
19 well-documented existence of arms in Darfur that
20 were transferred from China and Russia, and the in-
21 sistence of the Government of Sudan that it will not
22 abide by the embargo, lead to the conclusion that
23 continued sale of arms to Sudan under these cir-
24 cumstances violates the United Nations arms embar-

1 go imposed by Security Council Resolutions 1556
2 and 1591;

3 (4) all United Nations member states should
4 immediately cease all arms sales to the Government
5 of Sudan, until the conflict in Darfur, and the
6 armed conflict related to the Comprehensive Peace
7 Agreement, have been peacefully resolved; and

8 (5) the United States Permanent Representa-
9 tive to the United Nations should use the voice and
10 vote of the United States in the United Nations Se-
11 curity Council to seek an expansion of the arms em-
12 bargo imposed by Security Council Resolutions 1556
13 and 1591 to cover all of Sudan, with an appropriate
14 exception for non-lethal assistance to the Govern-
15 ment of Southern Sudan.

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