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S. RES. 559

Recognizing the actions of the Rapid Support Forces and allied militia in the Darfur region of Sudan against non-Arab ethnic communities as acts of genocide.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2024

Mr. RISCH (for himself, Mr. CARDIN, Mr. SCOTT of South Carolina, and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Recognizing the actions of the Rapid Support Forces and allied militia in the Darfur region of Sudan against non-Arab ethnic communities as acts of genocide.

Whereas Article II of the Convention on the Prevention and Punishment of the Crime of Genocide (in this preamble referred to as the “Genocide Convention”), adopted at Paris December 9, 1948, defines genocide as “any of the following acts committed with 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; (e) Forcibly transferring children of the group to another group”;

Whereas the genocide that began in 2003 in Darfur perpetrated by the Government of Sudan and its proxy Janjaweed militia—explicitly targeting the Fur, Zaghawa, and Masalit ethnic communities through mass killings, forced displacement, the razing of villages and cropland, widespread rape, aerial bombings of civilians, and the blocking of humanitarian assistance—killed at least 200,000 civilians and displaced 2,000,000 people;

Whereas Congress declared on July 22, 2004, with the passage of Senate Concurrent Resolution 133 (108th Congress) and House Concurrent Resolution 467 (108th Congress) that atrocities occurring in Darfur were genocide, and the administration of President George W. Bush declared genocide in Darfur on September 9, 2004;

Whereas, in 2013, the Government of Sudan, under the administration of the National Intelligence and Security Service (NISS) and the command of the Sudanese Armed Forces (SAF), formed the Rapid Support Forces (RSF), a formal paramilitary force composed primarily of Janjaweed militia;

Whereas Mohamed Hamdan Dagalo (commonly known as “Hemedti”), a Janjaweed militia leader during the genocide in Darfur that began in 2003, served as head of the RSF and became the deputy head of the Transitional Military Council, which took power from President of Sudan Omar al-Bashir in 2019, and the deputy chairman of the successor Sovereign Council;

Whereas the underlying conditions that enabled the genocide in Darfur that began in 2003 were never fully addressed

or resolved, and the elevation of individuals who served in leadership of the parties responsible for such genocide, including Hemedti and General Abdel Fattah al-Burhan of the SAF, into leadership roles in the transition government in 2019 only heightened the risk of atrocities across Sudan, including genocide in Darfur;

Whereas fighting between the SAF and the RSF broke out in Khartoum on April 15, 2023, and quickly spread to Darfur, where the RSF has taken control of four of five regional capitals in Darfur—Nyala, Geneina, Zalingei, and El Daein;

Whereas the reports, including a July 14, 2023, assessment, by the Sudan Conflict Observatory, which is funded by the United States, reveal that actions by the RSF in Darfur, including besieging cities, destroying villages, and committing extrajudicial detentions, killings, and sexual violence against Masalit, Fur, and Zaghawa ethnic groups, mirror the atrocities committed by the Government of Sudan and the Janjaweed militias between 2003 and 2004;

Whereas, on August 16, 2023, CNN issued an investigative report on the June 15, 2023, atrocity in El Geneina, the capital of West Darfur, describing the atrocity as “one of the most violent incidents in the genocide-scarred Sudanese region’s history”, explaining how “the powerful paramilitary Rapid Support Forces and its allied militias hunted down non-Arab people in various parts of the city . . . reviving a genocidal playbook”, and in which survivors reported that identifying as Masalit “was a death sentence”;

Whereas, on November 3, 2023, the Office of the United Nations High Commissioner for Human Rights stated, “We

are deeply alarmed by reports that women and girls are being abducted and held in inhuman, degrading slave-like conditions in areas controlled by the Rapid Support Forces (RSF) in Darfur”;

Whereas, on November 14, 2023, the United Nations Special Adviser on the Prevention of Genocide, Alice Wairimu Nderitu, expressed extreme concern with the “serious allegations of mass killings” in Ardamata, which “may constitute acts of genocide”, citing reports that the violence killed more than 800 people and displaced 8,000 Sudanese individuals to Chad;

Whereas, on December 6, 2023, Secretary of State Anthony Blinken determined that, since the fighting between the SAF and the RSF began on April 15, 2023, Sudan has experienced war crimes, crimes against humanity, and ethnic cleansing in “haunting echoes of the genocide that began almost 20 years ago in Darfur”, including Masalit civilians being “hunted down and left for dead in the streets, their homes set on fire, and told that there is no place in Sudan for them”;

Whereas a December 15, 2023, Reuters special investigative report detailed the targeted killing of Masalit men and boys by the RSF, about which an emergency protection officer for the United Nations High Commissioner for Refugees explained that “the objective of the killings seems to be the elimination of future fighters as well as the line of ancestry of a specific ethnic group”, referring to the Masalit people;

Whereas the RSF has killed Masalit political and traditional leaders in El-Geneina, West Darfur, including Khamis Abdullah Abbakar, the Governor of West Darfur, and

Farsha Mohamed Arbab, a prominent leader of the Masalit Sultanate;

Whereas there is significant evidence of widespread, systematic actions against the non-Arab ethnic communities of Darfur, including the Masalit people, committed by the RSF and allied militia that meet one or more of the criteria under Article II of the Genocide Convention, including—

(1) killing members of the non-Arab ethnic communities in Darfur in mass killings of civilians, including summary executions in the streets and shootings of civilians fleeing across the Wadi Kaja river and to the Chad border, targeted killings of men and boys, targeted killings of Masalit leaders, and burials in mass graves;

(2) causing serious bodily or mental harm to members of such communities, including through extrajudicial detention, torture and beatings, extortion, sexual and gender-based violence, mass rape, sexual slavery, and forced displacement; and

(3) deliberately inflicting on such communities conditions of life calculated to bring about their physical destruction in whole or in part, including the annihilation of villages, targeted attacks on marketplaces and schools, widespread destruction of civilian infrastructure and telecommunication, the looting of homes and hospitals, assaults on camps for displaced persons, the destruction of humanitarian facilities, the killing of aid workers, and restrictions on humanitarian aid and access; and

Whereas credible descriptions of the RSF's objective of elimination of the line of ancestry of the non-Arab tribes of Darfur, survivors' statements that identifying as Masalit is a death sentence, and reports that the RSF made clear

that there is no place in Sudan for the Masalit, against the backdrop of the prior genocide in Darfur, evince a specific intent on the part of the RSF to destroy the Masalit and other non-Arab ethnic groups in Darfur in whole or in substantial part: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) condemns atrocities, including those that
3 amount to the genocide, being committed by the
4 Rapid Support Forces (RSF) and allied militias
5 against the Masalit people and other non-Arab eth-
6 nic groups in Darfur, and the roles of the RSF and
7 Sudanese Armed Forces (SAF) in perpetrating
8 atrocities, humanitarian catastrophe, and the de-
9 struction of Sudan;

10 (2) calls for an immediate end to the war and
11 all violence and atrocities in Sudan;

12 (3) urges the Government of the United
13 States—

14 (A) to take urgent steps work with the
15 international community, including through
16 multilateral fora, to establish means to protect
17 civilians, including by establishing safe zones
18 and humanitarian corridors, enforcing the
19 United Nations Security Council arms embargo
20 on Darfur, and brokering a comprehensive

1 ceasefire and disarmament of the warring par-
2 ties in Sudan;

3 (B) to support the consistent and trans-
4 parent documentation of atrocities and geno-
5 cidal acts in Sudan by instituting a mechanism
6 that will, to the greatest extent possible, pub-
7 licly release such documentation on a consistent
8 and regular basis;

9 (C) to immediately identify mechanisms
10 through which to fund local, community-based
11 organizations that are currently providing hu-
12 manitarian assistance to the Sudanese people in
13 conflict affected areas that traditional imple-
14 menting partners cannot reach, including for
15 the delivery of food, medical aid, and shelter to
16 individuals impacted by the war in Sudan; and

17 (D) to regularly review and update the
18 atrocities determination for Sudan;

19 (4) supports tribunals and international crimi-
20 nal investigations to hold the RSF and allied militias
21 accountable for war crimes, crimes against human-
22 ity, and genocide; and

23 (5) calls on the Atrocity Prevention Task Force
24 to conduct a comprehensive review of its efforts to
25 prevent, analyze, and respond to atrocities in Sudan,

- 1 in alignment with the 2022 United States Strategy
- 2 to Anticipate, Prevent, and Respond to Atrocities.

