

110TH CONGRESS
1ST SESSION

S. RES. 276

Calling for the urgent deployment of a robust and effective multinational peacekeeping mission with sufficient size, resources, leadership, and mandate to protect civilians in Darfur, Sudan, and for efforts to strengthen the renewal of a just and inclusive peace process.

IN THE SENATE OF THE UNITED STATES

JULY 19, 2007

Mr. BIDEN (for himself, Mr. LUGAR, Mr. MENENDEZ, Mr. BROWNBACK, Mrs. CLINTON, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. CARDIN, Mr. DURBIN, Ms. MIKULSKI, Mr. HARKIN, Mr. LEAHY, Mrs. DOLE, Mr. BINGAMAN, Mr. SUNUNU, Mr. BURR, Mr. COLEMAN, Mr. SMITH, Ms. COLLINS, Mr. BAYH, Mr. VOINOVICH, Mr. LIEBERMAN, Mr. WHITEHOUSE, Mr. BYRD, Mr. KERRY, Mr. DODD, Mr. CHAMBLISS, Mr. LEVIN, Mr. LAUTENBERG, Mr. BROWN, Mr. PRYOR, Mrs. LINCOLN, Mr. ISAKSON, Mr. WARNER, Mr. SPECTER, Mr. REID, Mr. HAGEL, Mr. HATCH, Ms. CANTWELL, and Mr. NELSON of Florida) submitted the following resolution; which was referred to the Committee on Foreign Relations

JULY 31, 2007

Committee discharged; considered, amended, and agreed to and with an amended preamble

RESOLUTION

Calling for the urgent deployment of a robust and effective multinational peacekeeping mission with sufficient size, resources, leadership, and mandate to protect civilians in Darfur, Sudan, and for efforts to strengthen the renewal of a just and inclusive peace process.

Whereas hundreds of thousands of people have died and approximately 2,500,000 people have been displaced in Darfur, Sudan since 2003;

Whereas Congress declared on July 22, 2004 that the atrocities in Darfur were genocide;

Whereas President George W. Bush has repeatedly decried the genocide in Darfur, stating, for example, on April 18, 2007, “that genocide is the only word for what is happening in Darfur—and that we have a moral obligation to stop it”;

Whereas the crisis in Darfur and the surrounding region continues and has in fact in some ways worsened despite the efforts of the United States, the United Nations, the African Union, and the international community;

Whereas on August 30, 2006, the United Nations Security Council approved United Nations Security Council Resolution 1706 providing that the existing United Nations Mission in Sudan (UNMIS) “shall take over from [the African Mission in Sudan (AMIS)] responsibility for supporting the implementation of the Darfur Peace Agreement upon the expiration of AMIS’ mandate but in any event no later than 31 December 2006”, and that UNMIS “shall be strengthened by up to 17,300 military personnel ... up to 3,300 civilian police personnel”, which “shall begin to be deployed no later than 1 October 2006”;

Whereas the Sudanese President Omar al-Bashir rejected United Nations Security Council Resolution 1706 and refused to allow the United Nations to deploy a peace-keeping force to Darfur;

Whereas the United Nations and African Union have invited leaders of the rebel movements in Darfur to participate in a political process led by the United Nations and African Union to return peace and stability to the people of Darfur;

Whereas deliberately targeting civilians and people providing humanitarian assistance during an armed conflict is a flagrant violation of international humanitarian law, and those who commit such violations must be held accountable;

Whereas as a result of the Addis Ababa summit an agreement was reached by all parties, including the United Nations, the African Union, the European Union, the Government of Sudan, the United States, and China, which called for a three-phased deployment of a hybrid United Nations-African Union peacekeeping force to Darfur of no less than 17,000 military troops and 3,000 civilian police, with a primarily African character, but open to non-African troop and police contributors;

Whereas the agreement stated that the United Nations-African Union hybrid force would have a strong mandate to protect civilians and that the peacekeeping force must be logistically and financially sustainable, with support from the United Nations;

Whereas President al-Bashir has repeatedly obstructed the Addis Ababa agreement since its signing by reneging on and redefining the terms of his commitment to allow the deployment of the full hybrid United Nations-African Union force;

Whereas on June 11, 2007, President al-Bashir pledged to accept unconditionally the full United Nations-African Union hybrid deployment;

Whereas some subsequent speeches and statements by President al-Bashir and members of his administration have contradicted that claim of acceptance while others have reinforced it;

Whereas diplomatic efforts to secure President al-Bashir's genuine acceptance and facilitation of the full United Nations-African Union hybrid force must not lead to weakening of the structure, capacities, or mandate of that force in exchange for President al-Bashir's full compliance;

Whereas history has repeatedly demonstrated that the ultimate success or failure of any peacekeeping force depends significantly on its size, resources, mandate, mobility, and command structure;

Whereas to establish conditions of peace and security, the peacekeeping mission must be accompanied by a peacebuilding process among the parties to the conflict;

Whereas such a process will require a sustained, coordinated, and high-level diplomatic attempt to unify the rebel groups in the region and engagement with the rebels and the Sudanese government in order to forge a comprehensive political settlement;

Whereas under the international humanitarian law of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, done at Geneva August 12, 1949 (6 UST 3516) and the Protocols Additional to the Geneva Conventions of 12 August 1949, done at Geneva June 8, 1977, all parties to the conflict in Darfur are re-

quired to refrain from attacks on civilians and on medical and other humanitarian personnel, and all perpetrators should be held accountable for violations of international humanitarian law; and

Whereas failure on the part of the international community to take all steps necessary to generate, deploy, and maintain an effective United Nations-African Union hybrid peacekeeping force will result in the continued loss of life and further degradation of humanitarian infrastructure in Darfur: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) urges the President of the United States
3 to—

4 (A) work with members of the United Na-
5 tions Security Council and the African Union to
6 ensure the expeditious deployment of the
7 United Nations-African Union hybrid peace-
8 keeping force under Chapter VII of the United
9 Nations Charter and operating under United
10 Nations guidelines and procedures for command
11 and control with a mandate affirming that civil-
12 ian protection is a primary mission objective;

13 (B) strongly encourage the member states
14 of the United Nations that have the capabilities
15 to do so, to contribute collectively approximately
16 19,500 military personnel and up to 6,500 po-
17 lice to implement the mandate, as is currently

1 under discussion in the United Nations Security
2 Council;

3 (C) work bilaterally and with member
4 states of the North Atlantic Trade Organiza-
5 tion, the United Nations, the European Union,
6 the African Union, and other capable partners
7 to—

8 (i) rapidly implement pre-deployment
9 programs and provide equipment to United
10 Nations standards, with a special focus on
11 African peacekeepers, in order to ensure
12 that a full complement of peacekeepers can
13 be deployed, sustained, and rotated as nec-
14 essary; and

15 (ii) provide the United Nations-Afri-
16 can Union hybrid force with—

17 (I) sufficient logistical support
18 and airlift capacity;

19 (II) necessary vehicles, fixed-wing
20 aircraft, and helicopters for tactical
21 reconnaissance and armed deterrence;
22 and

23 (III) other equipment;

24 (D) work with members of the United Na-
25 tions and the African Union to—

1 (i) ensure that substantive civilian
2 mission components are rapidly established
3 and able to capitalize on any opportunities
4 to advance the political and peace proc-
5 esses which the successful deployment of
6 the United Nations-African Union hybrid
7 force may create;

8 (ii) reinitiate a peace-building process
9 among the parties to the conflict as part of
10 a sustained, coordinated, high-level diplo-
11 matic effort to forge a comprehensive polit-
12 ical settlement; and

13 (iii) ensure the security, maintenance,
14 and expansion of humanitarian access to
15 those in need and promote a return to the
16 rule of law in the region;

17 (E) work with members of the United Na-
18 tions, the African Union, the European Union,
19 and other donor nations to ensure that ade-
20 quate financial support is provided to peace-
21 keepers serving in the current African Mission
22 in Sudan, and the planned hybrid United Na-
23 tions-African Union force; and

1 (F) work with Congress to ensure robust
2 funding for the hybrid United Nations-African
3 Union peacekeeping mission in Darfur;

4 (2) urges the Secretary-General of the United
5 Nations and the Chairperson of the African Union
6 to make every effort to expedite the urgent genera-
7 tion, rapid deployment, and effective administration
8 of the full United Nations-African Union hybrid
9 force;

10 (3) urges Sudanese President Omar al-Bashir
11 and the Government of Sudan to abide by the agree-
12 ment of President al-Bashir to fully accept and fa-
13 cilitate the deployment of the United Nations-Afri-
14 can Union hybrid force without condition;

15 (4) urges the President's Special Envoy to
16 Sudan to continue his legislative outreach, including
17 offering to brief Congress every 60 days on the sta-
18 tus of deployment of the United Nations-African
19 Union hybrid peacekeeping force and parallel meas-
20 ures to enable peace in Darfur through an inclusive
21 political process;

22 (5) urges all participants in the conflict in
23 Darfur, including the leaders of rebel movements
24 that were not signatories to the Darfur Peace Agree-
25 ment, to participate fully in all meetings, con-

1 ferences, and discussions within a political process
2 led by the United Nations and African Union in
3 order to return peace and security to the people of
4 Darfur;

5 (6) regards failure to participate in such meet-
6 ings, conferences, and discussions, as requested by
7 the African Union and United Nations, as an ob-
8 struction of the political process and its goals that
9 may be worthy of international sanctions; and

10 (7) urges President George W. Bush, the
11 United Nations Security Council, the African Union,
12 the European Union, the League of Arab States, na-
13 tions in the region, and individual nations with sig-
14 nificant economic or political influence over Sudan
15 to—

16 (A) hold President al-Bashir and the Gov-
17 ernment of Sudan accountable for any failure
18 through neglect or obstruction to fully facilitate
19 the deployment of the full United Nations-Afri-
20 can Union hybrid force for Darfur; and

21 (B) be prepared to implement meaningful
22 measures, including the imposition of multilat-
23 eral sanctions, an arms embargo, and a no fly
24 zone for Sudanese military flights over Darfur,

1 if the Government of Sudan obstructs deploy-
2 ment of the agreed upon peacekeeping mission.

○