

104TH CONGRESS
2D SESSION

H. R. 3766

To prohibit economic assistance, military assistance, or arms transfers to the Government of Sudan until appropriate action is taken to eliminate chattel slavery in Sudan, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 9, 1996

Mr. PAYNE of New Jersey (for himself, Mr. ROYCE, Mr. FRANK of Massachusetts, Mr. PORTER, Mr. LANTOS, Mr. HILLIARD, Mr. WYNN, Mr. FATTAH, Mr. RUSH, Mr. OLVER, Mr. DELLUMS, Mr. CHABOT, Ms. MCKINNEY, and Mr. FRAZER) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prohibit economic assistance, military assistance, or arms transfers to the Government of Sudan until appropriate action is taken to eliminate chattel slavery in Sudan, and for other purposes.

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. FINDINGS.**

4 The Congress makes the following findings:

1 (1) Although a 1991 Sudanese criminal law
2 prohibited abduction, kidnapping, forced labor, un-
3 lawful confinement, and unlawful detention, and al-
4 though Sudan categorically denies the practice of
5 slavery in Sudan, slavery continues unabated in
6 Sudan.

7 (2) The United States Department of State's
8 Country Human Rights Report for 1995 noted that
9 "government forces carried out massacres,
10 extrajudicial kidnapping, forced labor, and slavery"
11 in Sudan.

12 (3) Amnesty International reports that the Gov-
13 ernment of Sudan abducted women and children
14 from Northern Bahr al-Ghazal and the Nuba Moun-
15 tains and during one of the raids of April and May
16 of 1995 in the Babanusa to Wau area, 500 women
17 and 150 children were taken as slaves.

18 (4) In April 1996, a report by the United Na-
19 tions Special Representative for Sudan, Gaspar Biro,
20 reported "an alarming increase in cases of slavery,
21 servitude, slave trade and forced labor". The taking
22 of slaves, particularly in war zones, and their export
23 to parts of central and northern Sudan, continues in
24 Sudan.

1 (5) Amnesty International reports that Sudan
2 is party to the International Covenant on Civil and
3 Political Rights, the African Charter on Human and
4 People’s Rights, the Slavery Convention, and the
5 Convention on the Rights of the Child. Yet, despite
6 being a party to these agreements, slavery still exists
7 in Sudan.

8 **SEC. 2. PROHIBITION OF ECONOMIC ASSISTANCE, MILI-**
9 **TARY ASSISTANCE, OR ARMS TRANSFERS TO**
10 **THE GOVERNMENT OF SUDAN AND THE GOV-**
11 **ERNMENTS OF CERTAIN OTHER FOREIGN**
12 **COUNTRIES.**

13 (a) PROHIBITION ON ASSISTANCE TO GOVERNMENT
14 OF SUDAN.—The President may not provide economic as-
15 sistance, military assistance, or arms transfers to the Gov-
16 ernment of Sudan unless the President certifies to the
17 Congress that such Government has taken appropriate ac-
18 tion to eliminate chattel slavery in Sudan, including—

19 (1) the enactment of antislavery laws that pro-
20 vide appropriate punishment for violators of such
21 laws; and

22 (2) the rigorous enforcement of such laws.

23 (b) PROHIBITION ON ASSISTANCE TO GOVERNMENTS
24 OF CERTAIN OTHER FOREIGN COUNTRIES.—The Presi-
25 dent may not provide economic assistance, military assist-

1 ance, or arms transfers to the government of any foreign
2 country that participates, or is otherwise involved, in the
3 establishment or conduct of slavery originating from
4 Sudan, directly or indirectly.

5 (c) DEFINITIONS.—As used in this section:

6 (1) ECONOMIC ASSISTANCE.—The term “eco-
7 nomic assistance” means any assistance under part
8 I of the Foreign Assistance Act of 1961 (22 U.S.C.
9 2151 et seq.) and any assistance under chapter 4 of
10 part II of such Act (22 U.S.C. 2346 et seq.) (relat-
11 ing to economic support fund), except that such
12 term does not include humanitarian assistance.

13 (2) MILITARY ASSISTANCE OR ARMS TRANS-
14 FERS.—The term “military assistance or arms
15 transfers” means—

16 (A) assistance under chapter 2 of part II
17 of the Foreign Assistance Act of 1961 (22
18 U.S.C. 2311 et seq.) (relating to military assist-
19 ance), including the transfer of excess defense
20 articles under sections 516 through 519 of that
21 Act (22 U.S.C. 2321j through 2321m);

22 (B) assistance under chapter 5 of part II
23 of the Foreign Assistance Act of 1961 (22
24 U.S.C. 2347 et seq.) (relating to international
25 military education and training);

1 (C) assistance under the “Foreign Military
2 Financing Program” under section 23 of the
3 Arms Export Control Act (22 U.S.C. 2763); or

4 (D) the transfer of defense articles, de-
5 fense services, or design and construction serv-
6 ices under the Arms Export Control Act (22
7 U.S.C. 2751 et seq.), including defense articles
8 and defense services licensed or approved for
9 export under section 38 of that Act (22 U.S.C.
10 2778).

11 **SEC. 3. ESTABLISHMENT OF SLAVERY MONITOR IN SUDAN.**

12 The Secretary of State shall designate an individual
13 who is assigned to the diplomatic mission in Khartoum,
14 Sudan, to be responsible for monitoring slavery in Sudan,
15 when such diplomatic mission is reestablished.

16 **SEC. 4. REPORT ON SLAVERY IN SUDAN.**

17 Not later than 90 days after the date of the enact-
18 ment of this Act, and every 6 months thereafter, the Presi-
19 dent shall prepare and transmit to the Congress a report
20 that describes all forms of covert and overt forms of slav-
21 ery in Sudan.

22 **SEC. 5. MULTILATERAL MEASURES TO ELIMINATE SLAV-**
23 **ERY IN SUDAN.**

24 (a) REQUIREMENT TO OPPOSE ASSISTANCE TO
25 SUDAN FROM CERTAIN INTERNATIONAL FINANCIAL IN-

1 STITUTIONS.—The President shall instruct the United
2 States representative to each international financial insti-
3 tution to which the United States is a member to use the
4 voice and vote of the United States to oppose any assist-
5 ance from that financial institution to Sudan until the
6 Government of Sudan has taken the actions described in
7 section 2(a) to eliminate chattel slavery in Sudan.

8 (b) COOPERATION WITH OTHER COUNTRIES TO
9 APPLY UNITED STATES SANCTIONS AGAINST SUDAN.—
10 The President shall instruct the United States permanent
11 representative to the United Nations to actively pursue the
12 passage of any resolution by the United Nations Security
13 Council that enhances the cooperation of other countries
14 in the application of the spirit and intent of the sanctions
15 against Sudan described in this Act and in any other Act.

16 (c) SENSE OF THE CONGRESS RELATING TO ACCESS
17 BY HUMANITARIAN ASSISTANCE ORGANIZATIONS WITHIN
18 SUDAN.—It is the sense of the Congress that the Presi-
19 dent should work with foreign countries and appropriate
20 international organizations to ensure that humanitarian
21 assistance organizations have access to all parts of Sudan
22 for the purpose of assisting individuals who have been
23 enslaved to resettle in Sudan.

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