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| 10008. | Multilateral assistance. |
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§ 10001. Definitions

Except as otherwise provided, in this chapter:

(1) Appropriate congressional committees

The term “appropriate congressional committees” means—

- (A) the Committee on Foreign Relations of the Senate;
- (B) the Committee on Appropriations of the Senate;
- (C) the Committee on Foreign Affairs of the House of Representatives; and
- (D) the Committee on Appropriations of the House of Representatives.

(2) International financial institutions

The term “international financial institutions” means—

- (A) the International Monetary Fund;
- (B) the International Bank for Reconstruction and Development;
- (C) the International Development Association;
- (D) the International Finance Corporation;
- (E) the Inter-American Development Bank;
- (F) the Asian Development Bank;
- (G) the Inter-American Investment Corporation;
- (H) the African Development Bank;
- (I) the European Bank for Reconstruction and Development;
- (J) the Multilateral Investment Guaranty Agency; and
- (K) any multilateral financial institution, established after January 1, 2021, that could provide financial assistance to the Government of Sudan.

(3) Sovereignty Council

The term “Sovereignty Council” means the governing body of Sudan during the transitional period that consists of—

- (A) 5 civilians selected by the Forces of Freedom and Change;
- (B) 5 members selected by the Transitional Military Council; and
- (C) 1 member selected by agreement between the Forces of Freedom and Change and the Transitional Military Council.

(4) Sudanese security and intelligence services

The term “Sudanese security and intelligence services” means—

- (A) the Sudan Armed Forces;
- (B) the Rapid Support Forces;
- (C) Sudan’s Popular Defense Forces and other paramilitary units;
- (D) Sudan’s police forces;
- (E) the General Intelligence Service, previously known as the National Intelligence and Security Services; and
- (F) related entities, such as Sudan’s Military Industry Corporation.

(5) Transitional period

The term “transitional period” means the 39-month period beginning on August 17, 2019 (the date of the signing of Sudan’s constitutional charter), during which—

(A) the members of the Sovereignty Council described in paragraph (3)(B) select a chair of the Council for the first 21 months of the period; and

(B) the members of the Sovereignty Council described in paragraph (3)(A) select a chair of the Council for the remaining 18 months of the period.

(Pub. L. 116-283, div. A, title XII, §1262, Jan. 1, 2021, 134 Stat. 3967.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this subtitle”, meaning subtitle G (§§1261-1270E) of title XII of div. A of Pub. L. 116-283, known as the Sudan Democratic Transition, Accountability, and Fiscal Transparency Act of 2020, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 116-283, div. A, title XII, §1261, Jan. 1, 2021, 134 Stat. 3967, provided that: “This subtitle [subtitle G (§§1261-1270E) of title XII of div. A of Pub. L. 116-283, enacting this chapter and amending and repealing provisions set out as notes under section 1701 of Title 50, War and National Defense] may be cited as the ‘Sudan Democratic Transition, Accountability, and Fiscal Transparency Act of 2020.’”

§ 10002. Statement of policy

It is the policy of the United States—

(1) to support a civilian-led political transition in Sudan that results in a democratic government, which is accountable to its people, respects and promotes human rights, is at peace internally and with its neighbors, and can be a partner for regional stability;

(2) to support the implementation of Sudan’s constitutional charter for the transitional period; and

(3) to pursue a strategy of calibrated engagement with Sudan that includes—

(A) facilitating an environment for free, fair, and credible democratic elections and a pluralistic and representative political system;

(B) supporting reforms that improve transparency and accountability, remove restrictions on civil and political liberties, and strengthen the protection of human rights, including religious freedom;

(C) strengthening civilian institutions, judicial independence, and the rule of law;

(D) empowering civil society and independent media;

(E) promoting national reconciliation and enabling a just, comprehensive, and sustainable peace;

(F) promoting the role of women in government, the economy, and society, in recognition of the seminal role that women

played in the social movement that ousted former president Omar al-Bashir;

(G) promoting accountability for genocide, war crimes, crimes against humanity, and sexual and gender-based violence;

(H) encouraging the development of civilian oversight over and professionalization of the Sudanese security and intelligence services and strengthening accountability for human rights violations and abuses, corruption, or other abuses of power;

(I) promoting economic reform, private sector engagement, and inclusive economic development while combating corruption and illicit economic activity, including that which involves the Sudanese security and intelligence services;

(J) securing unfettered humanitarian access across all regions of Sudan;

(K) supporting improved development outcomes, domestic resource mobilization, and catalyzing market-based solutions to improve access to health, education, water and sanitation, and livelihoods; and

(L) promoting responsible international and regional engagement.

(Pub. L. 116–283, div. A, title XII, §1263, Jan. 1, 2021, 134 Stat. 3968.)

§ 10003. Support for democratic governance, rule of law, human rights, and fundamental freedoms

(a) Sense of Congress

It is the sense of Congress that the political transition in Sudan, following several months of popular protests against the regime of Omar al-Bashir, represents an opportunity for the United States to support democracy, good governance, rule of law, human rights, and fundamental freedoms in Sudan.

(b) In general

Notwithstanding any other provision of law (other than the Trafficking Victims Protection Act of 2000 [22 U.S.C. 7101 et seq.] and the Child Soldiers Prevention Act of 2008), the President is authorized to provide assistance under part I and chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq. and 2346 et seq.)—

(1) to provide for democracy and governance programs that strengthen and build the capacity of representative civilian government institutions, political parties, and civil society in Sudan;

(2) to support the organization of free, fair, and credible elections in Sudan;

(3) to provide technical support for legal and policy reforms that improve transparency and accountability and protect human rights, including religious freedom, and civil liberties in Sudan;

(4) to support human rights and fundamental freedoms in Sudan, including the freedoms of—

(A) religion or belief;

(B) expression, including for members of the press;

(C) assembly; and

(D) association;

(5) to support measures to improve and increase women’s participation in the political, economic, and social sectors of Sudan; and

(6) to support other related democracy, good governance, rule of law, and fundamental freedom programs and activities.

(c) Authorization of appropriations

Of the amounts authorized to be appropriated to carry out part I and chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq. and 2346 et seq.) for fiscal years 2021 and 2022, \$20,000,000 is authorized to be appropriated for each such fiscal year to carry out this section.

(Pub. L. 116–283, div. A, title XII, §1264, Jan. 1, 2021, 134 Stat. 3969.)

Editorial Notes

REFERENCES IN TEXT

The Trafficking Victims Protection Act of 2000, referred to in subsec. (b), is div. A of Pub. L. 106–386, Oct. 28, 2000, 114 Stat. 1466, which is classified principally to chapter 78 (§7101 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 7101 of this title and Tables.

The Child Soldiers Prevention Act of 2008, referred to in subsec. (b), is title IV of Pub. L. 110–457, Dec. 23, 2008, 122 Stat. 5087, which is classified principally to sections 2370c to 2370c–2 of this title. For complete classification of this Act to the Code, see Short Title of 2008 Amendment note set out under section 2151 of this title and Tables.

The Foreign Assistance Act of 1961, referred to in subsecs. (b) and (c), is Pub. L. 87–195, Sept. 4, 1961, 75 Stat. 424. Part I and chapter 4 of part II of the Act are classified generally to part I (§2151 et seq.) of subchapter I and part IV (§2346 et seq.) of subchapter II, respectively, of chapter 32 of this title. For provisions deeming references to part I of subchapter I to include a reference to section 2293 of this title, see section 2293(d)(1) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

§ 10004. Support for development programs

(a) In general

Notwithstanding any other provision of law (other than the Trafficking Victims Protection Act of 2000 [22 U.S.C. 7101 et seq.] and the Child Soldiers Prevention Act of 2008), the President is authorized to provide assistance under part I and chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq. and 2346 et seq.) and under the Better Utilization of Investments Leading to Development Act of 2018 (22 U.S.C. 9601 et seq.) for programs in Sudan—

(1) to increase agricultural and livestock productivity;

(2) to promote economic growth, increase private sector productivity and advance market-based solutions to address development challenges;

(3) to support women’s economic empowerment and economic opportunities for youth and previously marginalized populations;

(4) to improve equal access to quality basic education;

(5) to support the capacity of universities to equip students to participate in a pluralistic and global society through virtual exchange and other programs;