

113TH CONGRESS
2D SESSION

S. CON. RES. 32

Expressing the sense of Congress regarding the need for investigation and prosecution of war crimes, crimes against humanity, and genocide, whether committed by officials of the Government of Syria, or members of other groups involved in civil war in Syria, and calling on the President to direct the United States Permanent Representative to the United Nations to use the voice and vote of the United States to immediately promote the establishment of a Syrian war crimes tribunal, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 25, 2014

Mr. DURBIN (for himself and Mr. RUBIO) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations

CONCURRENT RESOLUTION

Expressing the sense of Congress regarding the need for investigation and prosecution of war crimes, crimes against humanity, and genocide, whether committed by officials of the Government of Syria, or members of other groups involved in civil war in Syria, and calling on the President to direct the United States Permanent Representative to the United Nations to use the voice and vote of the United States to immediately promote the establishment of a Syrian war crimes tribunal, and for other purposes.

Whereas the Government of Syria is reported to have engaged in widespread torture, rape, and massacre of civilians, including by means of chemical weapons, most recently on or about August 21, 2013;

Whereas other groups involved in civil war in Syria, including the al-Nusra Front, are reported to have engaged in torture, rape, summary execution of government soldiers, kidnapping for ransom, and violence against civilians, including Christians and others who are not Sunni Muslims;

Whereas these and other actions perpetrated by the Government of Syria and other groups involved in civil war in Syria may constitute war crimes, crimes against humanity, and genocide;

Whereas Syria is not a state-party to the Rome Statute of the International Criminal Court, done at Rome July 17, 1998, and is not a member of the International Criminal Court;

Whereas the international community has previously established ad hoc tribunals through the United Nations to bring justice in specific countries where there have been war crimes, crimes against humanity, and genocide;

Whereas ad hoc tribunals, including the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda, and the Special Court for Sierra Leone, have successfully investigated and prosecuted war crimes, crimes against humanity, and genocide, and there are many positive lessons to be learned from these three ad hoc tribunals; and

Whereas any lasting, peaceful solution to civil war in Syria must be based upon justice for all, including members of

all factions, political parties, ethnicities, and religions:
Now, therefore, be it

1 *Resolved by the Senate (the House of Representatives*
2 *concurring),*

3 **SECTION 1. SHORT TITLE.**

4 This concurrent resolution may be cited as the “Im-
5 mediate Establishment of Syrian War Crimes Tribunal
6 Resolution”.

7 **SEC. 2. SENSE OF CONGRESS.**

8 It is the sense of Congress that—

9 (1) the United States Government should urge
10 the Government of Syria and other groups involved
11 in civil war in Syria to implement an immediate
12 cease fire and engage in negotiations to end the
13 bloodshed;

14 (2) the United States Government should pub-
15 licly declare that it is a requirement of basic justice
16 that war crimes, crimes against humanity, and geno-
17 cide, whether committed by officials of the Govern-
18 ment of Syria, or members of other groups involved
19 in civil war in Syria, should be investigated and
20 prosecuted;

21 (3) the President should direct the United
22 States Permanent Representative to the United Na-
23 tions to use the voice and vote of the United States
24 to immediately promote the establishment of a Syr-

1 ian war crimes tribunal, an ad hoc court to pros-
2 ecute the perpetrators of such serious crimes com-
3 mitted during the civil war in Syria;

4 (4) in working with other countries to establish
5 a Syrian war crimes tribunal, the United States
6 Government should promote judicial procedures that
7 enable the prosecution of the most culpable persons
8 guilty of directing such serious crimes;

9 (5) the United States Government should make
10 an immediate priority the collection of information
11 that can be supplied to a Syrian war crimes tribunal
12 for use as evidence to support the indictment and
13 trial of any person involved in civil war in Syria and
14 responsible for war crimes, crimes against humanity,
15 or genocide in Syria; and

16 (6) the United States Government should urge
17 other interested states to apprehend and deliver into
18 the custody of a Syrian war crimes tribunal persons
19 indicted for war crimes, crimes against humanity, or
20 genocide in Syria and urge such states to provide in-
21 formation pertaining to such crimes to the tribunal.

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