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(Original Signature of Member)

113TH CONGRESS  
1ST SESSION

# H. CON. RES. \_\_\_\_\_

Expressing the sense of Congress regarding the need for investigation and prosecution of mass atrocities, 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 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.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. SMITH of New Jersey submitted the following concurrent resolution; which was referred to the Committee on \_\_\_\_\_

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# CONCURRENT RESOLUTION

Expressing the sense of Congress regarding the need for investigation and prosecution of mass atrocities, 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 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 reliably 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 reliably reported to have engaged in torture, 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 mass atrocities, war crimes, crimes against humanity, and genocide;

Whereas Syria is not a state-party to the Rome Statute 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 mass atrocities, 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 mass atrocities, 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 House of Representatives (the Senate*  
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 should urge the Govern-  
10       ment of Syria and other groups involved in civil war  
11       in Syria to implement an immediate cease fire and  
12       engage in negotiations to end the bloodshed;

13           (2) the United States should publicly declare  
14       that it is a requirement of basic justice that mass  
15       atrocities, war crimes, crimes against humanity, and  
16       genocide, whether committed by officials of the Gov-  
17       ernment of Syria, or members of other groups in-  
18       volved in civil war in Syria, should be investigated  
19       and prosecuted;

20           (3) the President should direct the United  
21       States representative to the United Nations to use  
22       the voice and vote of the United States to imme-  
23       diately promote the establishment of a Syrian war  
24       crimes tribunal, an ad hoc court to prosecute the

1 perpetrators of such serious crimes committed dur-  
2 ing the civil war in Syria;

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

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

15 (6) the United States should urge other inter-  
16 ested states to apprehend and deliver into the cus-  
17 tody of a Syrian war crimes tribunal persons in-  
18 dicted for mass atrocities, war crimes, crimes  
19 against humanity, or genocide in Syria and urge  
20 such states to provide information pertaining to such  
21 crimes to the tribunal.