

113TH CONGRESS
1ST SESSION

H. CON. RES. 51

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 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 HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 2013

Mr. SMITH of New Jersey (for himself, Mr. WOLF, Mr. DEFAZIO, Mr. MARINO, Mr. HIGGINS, Mr. WEBER of Texas, Mr. HUFFMAN, Mr. CULBERSON, Mr. PITTS, Mr. ROHRABACHER, Mr. FRANKS of Arizona, and Mr. FORTENBERRY) submitted the following concurrent resolution; which was referred to the Committee on Foreign Affairs

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 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 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 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 war
15 crimes, crimes against humanity, and genocide,
16 whether committed by officials of the Government of
17 Syria, or members of other groups involved in civil
18 war in Syria, should be investigated and prosecuted;

19 (3) the President should direct the United
20 States representative to the United Nations to use
21 the voice and vote of the United States to imme-
22 diately promote the establishment of a Syrian war
23 crimes tribunal, an ad hoc court to prosecute the
24 perpetrators of such serious crimes committed dur-
25 ing the civil war in Syria;

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

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

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

○