

Public Law 104-192  
104th Congress

An Act

Aug. 21, 1996  
[H.R. 3680]

To amend title 18, United States Code, to carry out the international obligations of the United States under the Geneva Conventions to provide criminal penalties for certain war crimes.

War Crimes Act  
of 1996.  
18 USC 2401  
note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "War Crimes Act of 1996".

**SEC. 2. CRIMINAL PENALTIES FOR CERTAIN WAR CRIMES.**

(a) **IN GENERAL.**—Title 18, United States Code, is amended by inserting after chapter 117 the following:

**"CHAPTER 118—WAR CRIMES**

"Sec.  
"2401. War crimes.

**"§ 2401. War crimes**

"(a) **OFFENSE.**—Whoever, whether inside or outside the United States, commits a grave breach of the Geneva Conventions, in any of the circumstances described in subsection (b), shall be fined under this title or imprisoned for life or any term of years, or both, and if death results to the victim, shall also be subject to the penalty of death.

"(b) **CIRCUMSTANCES.**—The circumstances referred to in subsection (a) are that the person committing such breach or the victim of such breach is a member of the Armed Forces of the United States or a national of the United States (as defined in section 101 of the Immigration and Nationality Act).

"(c) **DEFINITIONS.**—As used in this section, the term 'grave breach of the Geneva Conventions' means conduct defined as a grave breach in any of the international conventions relating to the laws of warfare signed at Geneva 12 August 1949 or any protocol to any such convention, to which the United States is a party."

(b) **CLERICAL AMENDMENT.**—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 117 the following new item:

"118. War crimes ..... 2401".

Approved August 21, 1996.

**LEGISLATIVE HISTORY—H.R. 3680:**

HOUSE REPORTS: No. 104-698 (Comm. on the Judiciary).

CONGRESSIONAL RECORD, Vol. 142 (1996):

July 29, considered and passed House.

Aug. 2, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 32 (1996):

Aug. 21, Presidential statement.