

H. Res. 598

In the House of Representatives, U.S.,

December 16, 2005

Whereas on September 2, 2004, United Nations Security Council Resolution 1559 was adopted by the Security Council to address Syria's continued interference in Lebanese politics, reaffirming strict respect for Lebanon's sovereignty, and stipulating the withdrawal of all non-Lebanese forces from Lebanon and the disbanding and disarmament of all Lebanese and non-Lebanese militias;

Whereas on February 14, 2005, former Prime Minister of Lebanon Rafik Hariri and 22 others were killed in a terrorist bombing orchestrated by unidentified assailants;

Whereas on April 7, 2005, the United Nations Security Council adopted Resolution 1595, under which the Security Council decided to "establish an international independent investigation Commission [the UNIIIC] based in Lebanon to assist the Lebanese authorities in their investigation of all aspects of this terrorist act, including to help identify its perpetrators, sponsors, organizers and accomplices";

Whereas on October 19, 2005, the first report of the United Nations International Independent Investigation Commission (UNIIIC), headed by former German prosecutor Detlev Mehlis, found "there is converging evidence point-

ing at both Lebanese and Syrian involvement in this terrorist act”;

Whereas the October 19, 2005, report also asserted that “[g]iven the infiltration of Lebanese institutions and society by the Syrian and Lebanese intelligence services working in tandem, it would be difficult to envisage a scenario whereby such a complex assassination plot could have been carried out without their knowledge”;

Whereas on October 31, 2005, the United Nations Security Council adopted Resolution 1636, which expressed extreme concern that “Syrian authorities have cooperated in form but not in substance” with the UNIIC, that “several Syrian officials tried to mislead the investigation by giving false or inaccurate statements” and that “Syria’s continued lack of cooperation with the inquiry would constitute a serious violation of its obligations”;

Whereas on December 12, 2005, the second report of the UNIIC noted that “steady progress” has been made in the Lebanese portion of the investigation that “remains to be matched” in the Syrian portion of the investigation and recommended an extension of the UNIIC’s investigative mandate by a “minimum period of six months” since substantive lines of enquiry are far from being completed and “given the slow pace with which the Syrian authorities are beginning to discharge their commitments to the [Security] Council”;

Whereas Syria’s actions to hinder the UNIIC’s investigative efforts include credible reports of the arrest and threatening of close relatives of at least one crucial witness, delay caused by procedural maneuvering, and the report of two witnesses that all Syrian intelligence documents concerning Lebanon have been burned;

Whereas since the assassination of Rafik Hariri, intimidation of the press in Lebanon has increased and a series of attacks and explosions in Lebanon have occurred, targeting political leaders and journalists who have advocated Lebanese sovereignty, including Samir Qassir, May Chidiac, and most recently on December 12, 2005, the assassination of Gebran Tuéni, a Member of the Lebanese Parliament and the general manager of the Lebanese daily an-Nahar, which has been a vital editorial voice opposing Syrian political control and influence in Lebanon; and

Whereas Secretary of State Condoleeza Rice on December 12, 2005, expressed outrage at the assassination of Gebran Tuéni and stated: “Syrian interference in Lebanon continues, and it must end completely. The United States will work with its partners on the Security Council and in the region to see that Security Council Resolutions 1595 and 1636 are fully implemented.”: Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns the Government of Syria for hindering and failing to cooperate fully in a timely and substantive manner with the investigation of the assassination of former Prime Minister of Lebanon Rafik Hariri conducted by the United Nations International Independent Investigation Commission (UNIIC);

(2) expresses support for extending the investigative mandate of the UNIIC for at a minimum an additional six-month period as recommended by the UNIIC in order to fully ascertain the responsibility for the assas-

sination of former Prime Minister of Lebanon Rafik Hariri;

(3) states its concern that insecurity in Lebanon could have a destabilizing effect on the region and harm the ability of the people of Lebanon to strengthen democracy and economic prosperity in their country;

(4) expresses its gratitude to—

(A) chief investigator Detlev Mehlis and the UNIIIC for their continuing efforts to uncover evidence related to the assassination of Rafik Hariri; and

(B) those who have freely assisted the UNIIIC in its investigation;

(5) demands that Syria commit itself to expeditiously fulfill all obligations to cooperate with the UNIIIC and to meet all obligations of United Nations Security Council Resolutions 1559, 1595, and 1636;

(6) encourages the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States in the United Nations Security Council to advocate for the application of punitive measures against Syria that target its leadership—including the enactment of punitive sanctions against Syria under Chapter VII of the Charter of the United Nations—if Syria further fails to cooperate fully with

the ongoing UNIIC investigation and continues to violate Security Council Resolutions 1559, 1595, and 1636;

(7) urges the Government of the United States to support the extension of the jurisdiction of the UNIIC to cover assassinations and assassination attempts in Lebanon since October 1, 2004; and

(8) urges the President to implement further measures against the Syrian leadership in accordance with the requirements in the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (Public Law 108–175), particularly if Syria further fails to cooperate fully with the ongoing UNIIC investigation and continues to violate Security Council Resolutions 1559, 1595, and 1636.

Attest:

Clerk.