

112TH CONGRESS
2D SESSION

S. 3498

To provide humanitarian assistance and support a democratic transition in Syria, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2012

Mr. CASEY introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To provide humanitarian assistance and support a democratic transition in Syria, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Syria Humanitarian
5 Support and Democratic Transition Assistance Act of
6 2012”.

7 **SEC. 2. FINDINGS.**

8 Congress makes the following findings:

9 (1) In March 2011, peaceful demonstrations in
10 Syria began against the authoritarian rule of Bashar

1 al-Assad. The regime responded with terrible vio-
2 lence against the citizens of Syria, including the use
3 of weapons of war, torture, extrajudicial killings, ar-
4 bitrary executions, sexual violence, and interference
5 with access to medical treatment.

6 (2) In December 2011, the Government of
7 Syria agreed to allow an Arab League observer
8 group into the country to assess the humanitarian
9 and political situation on the ground. However, on
10 January 28, 2012, the League officially ended its
11 observer mission, citing escalating violence and the
12 intransigence of the Assad regime.

13 (3) In February 2012, the group Friends of the
14 Syrian People met in Tunis and issued a declaration
15 demanding, among other things, that the Syrian re-
16 gime “allow free and unimpeded access by the UN
17 and humanitarian agencies to carry out a full assess-
18 ment of needs”.

19 (4) On March 16, 2012, United Nations and
20 League of Arab States Special Envoy Kofi Annan
21 presented a six-point peace plan for Syria that called
22 on the Government of Syria to, among other
23 things—

1 (A) commit to stop the fighting and ur-
2 gently achieve a United Nations-supervised ces-
3 sation of violence;

4 (B) cease military activity in and around
5 civilian population centers;

6 (C) work with the Envoy in an inclusive
7 Syrian-led political process;

8 (D) ensure timely provision of humani-
9 tarian assistance;

10 (E) release arbitrarily detained persons;

11 (F) ensure freedom of movement for jour-
12 nalists; and

13 (G) respect the freedom of association and
14 the right to demonstrate peacefully.

15 (5) In March 2012, the United Nations Refugee
16 Agency (UNHCR) appealed for \$84,100,000 to as-
17 sist approximately 30,000 Syrian refugees living out-
18 side the country. Panos Moutzsis was appointed Re-
19 gional Refugee Coordinator for Syria by UNHCR,
20 indicating the importance of responding to the grow-
21 ing needs of Syrian refugees.

22 (6) In April 2012, the group Friends of the
23 Syrian People met in Istanbul and committed to in-
24 crease pressure on the Assad regime, provide greater
25 humanitarian relief to people in need, and support

1 the Syrian opposition as it works toward an inclusive
2 democratic transition.

3 (7) As of July 2012, the London-based Syrian
4 Observatory for Human Rights estimated that more
5 than 20,000 people have been killed as a result of
6 the violence in Syria, while the United Nations has
7 reportedly stopped keeping track of casualty num-
8 bers due to the difficulty in obtaining accurate infor-
9 mation from inside Syria.

10 (8) As a result of the violence, the United Na-
11 tions estimates that 1,500,000 people are in need of
12 humanitarian assistance, including access to food,
13 water, shelter, and medical care. Basic services such
14 as health care, education, and electricity have also
15 been cut off in some parts of the country.

16 (9) Syria faces growing food insecurity, as
17 wheat harvests have declined due to drought. The
18 United Nations expects aid agencies to provide food
19 aid to 850,000 Syrians in July 2012, up from
20 500,000 the previous month.

21 (10) Hundreds of thousands of Syrians have
22 fled the country due to escalating violence. Accord-
23 ing to the United Nations, there are more than
24 100,000 Syrian refugees registered in Lebanon, Tur-
25 key, Jordan, and Iraq, and even more who are un-

1 registered. According to the Syrian Arab Red Cres-
2 cent, hundreds of thousands of Syrians are displaced
3 within the country. More than three-quarters of ref-
4ugees and internally displaced persons are women
5 and children, who are particularly vulnerable to eco-
6 nomic and physical insecurity.

7 (11) In June 2012, UNHCR more than dou-
8 bled its appeal for assistance for Syrian refugees to
9 \$193,000,000, reflecting the significant increase in
10 the number of refugees in need of assistance.

11 (12) The United Nations requested an addi-
12 tional \$189,000,000 to meet humanitarian needs in-
13 side Syria. According to a United Nations spokes-
14 person, only about 20 percent of these appeals have
15 been funded. In July 2012, John Ging, Director of
16 Operations for the United Nations Office for the Co-
17 ordination of Humanitarian Affairs, said, “If we
18 don’t get more money, people will die.”

19 (13) The United Nations Children’s Fund
20 (UNICEF) issued an urgent appeal for \$20,000,000
21 to meet the emergency needs of children and young
22 people who have fled the violence in Syria. UNICEF
23 estimates that it will need to provide humanitarian
24 support and basic services to approximately 90,000
25 Syrian children between July and December 2012.

1 As of July 2012, UNICEF has received less than
2 \$6,000,000 to provide support and protection to the
3 most vulnerable victims of the crisis in Syria.

4 (14) An agreement between the United Nations
5 and the Syrian regime to facilitate the delivery of
6 humanitarian assistance in the country has allowed
7 aid workers greater access to victims of the conflict.
8 However, staff of the International Committee of the
9 Red Cross and the Syrian Arab Red Crescent cite
10 security concerns as a major obstacle to aid distribu-
11 tion. The Government of Syria is also refusing to
12 grant visas for aid workers from countries that have
13 criticized the regime, including the United States,
14 Canada, the United Kingdom, and France.

15 (15) In July 2012, Human Rights Watch re-
16 ported widespread torture and mistreatment of polit-
17 ical prisoners being held in detention facilities man-
18 aged by intelligence agencies of the Government of
19 Syria. The report cites overcrowding, denial of ade-
20 quate food and medical assistance, and the routine
21 use of a wide range of torture methods. The report
22 also raised concerns that authorities in Syria could
23 choose to kill detainees rather than allow them to be
24 released in the event of a political transition.

1 (16) As of July 2012, the United States Gov-
2 ernment has pledged \$52,000,000 in humanitarian
3 and non-lethal assistance to Syria.

4 (17) According to the Unclassified Report to
5 Congress on the Acquisition of Technology Relating
6 to Weapons of Mass Destruction and Advanced Con-
7 ventional Munitions Covering 1 January to 31 De-
8 cember 2011, “Syria has had a [chemical weapons]
9 program for many years and has a stockpile of CW
10 agents, which can be delivered by aerial bombs, bal-
11 listic missiles, and artillery rockets.” In a hearing
12 before the Committee on Armed Services of the Sen-
13 ate in March 2012, Chairman of the Joint Chiefs of
14 Staff General Martin Dempsey testified that the
15 magnitude of Syria’s chemical weapons arsenal was
16 “100 times more than we experienced in Libya”.
17 The Government of Syria’s stockpiles are thought to
18 include mustard, sarin, and VX gases.

19 (18) There are concerns about the existence of
20 numerous rebel militias and their role in Syria dur-
21 ing a post-transition period. On June 30, 2012, dur-
22 ing an international meeting on Syria in Geneva,
23 Special Envoy Kofi Annan said, “A transition must
24 be implemented in a climate of safety for all, sta-
25 bility and calm, including completion of withdrawals

1 and the disarming, demobilization and reintegration
2 of armed groups.”

3 **SEC. 3. STATEMENT OF POLICY.**

4 It is the policy of the United States—

5 (1) to strongly condemn the ongoing violence
6 and widespread human rights violations perpetrated
7 against the Syrian people by the regime of President
8 Bashar al-Assad;

9 (2) to promote the protection of civilians and
10 innocent victims of the conflict in Syria, particularly
11 women and children who are displaced and vulner-
12 able to physical exploitation;

13 (3) to assist the people of Syria in meeting
14 basic needs, including access to food, health care,
15 shelter, and clean drinking water;

16 (4) to support efforts of democratically oriented
17 political opposition groups in Syria to agree upon a
18 political transition plan that is inclusive and reflects
19 the democratic aspirations of all minority ethnic
20 groups in the country;

21 (5) to work with the international community,
22 including multilateral organizations and host coun-
23 tries, to support Syrian refugees living in Lebanon,
24 Turkey, Jordan, and Iraq;

1 (6) to support efforts to identify, recover, and
2 dispose of chemical weapons and other conventional
3 and unconventional weapons stockpiled in Syria; and

4 (7) to help ensure that, once a stable transi-
5 tional government is established in Syria, it is com-
6 mitted to multiparty democracy, open and trans-
7 parent governance, respect for human rights and re-
8 ligious freedom, promoting peace and stability with
9 its neighbors, enhancing the rule of law, and reha-
10 bilitating and reintegrating former combatants.

11 **SEC. 4. SPECIAL ENVOY FOR SYRIA.**

12 (a) APPOINTMENT OF SPECIAL ENVOY.—Not later
13 than 30 days after the date of the enactment of this Act,
14 the President shall appoint a Special Envoy for Syria to
15 coordinate United States engagement with the country
16 and to ensure that the United States Government sup-
17 ports efforts to bring about a democratic transition in
18 Syria.

19 (b) DUTIES.—The Special Envoy for Syria should be
20 given a clear mandate—

21 (1) to direct United States Government efforts
22 to provide assistance to civilians and innocent vic-
23 tims of the conflict in Syria;

24 (2) to provide detailed assessments of chal-
25 lenges and progress on the ground in Syria with re-

1 gard to providing humanitarian relief, supporting an
2 inclusive political transition, assisting internally dis-
3 placed persons and refugees, reintegrating former
4 combatants, and securing conventional and uncon-
5 ventional weapons; and

6 (3) to pursue a peaceful, inclusive democratic
7 future for Syria that protects the rights of all ethnic
8 and religious minorities.

9 (c) **STAFFING AND RESOURCES.**—The Special Envoy
10 for Syria should be provided with appropriate resources,
11 including adequate staffing in the region and in Wash-
12 ington, District of Columbia.

13 **SEC. 5. BILATERAL ASSISTANCE TO SYRIA.**

14 (a) **AUTHORITY.**—The President should—

15 (1) provide enhanced support for humanitarian
16 activities taking place in and outside Syria, including
17 the provision of food, water, and medical supplies;

18 (2) support efforts for a peaceful resolution of
19 the conflict in Syria as well as the establishment of
20 an inclusive representative form of government in
21 Syria;

22 (3) continue to encourage the participation of
23 all groups, including women, business leaders, civil
24 society organizations, traditional and religious lead-
25 ers, and minority groups in efforts for a peaceful

1 resolution of the conflict and political transition in
2 Syria;

3 (4) encourage the Arab League and other inter-
4 national bodies to insist that transitional and future
5 governments are committed to multiparty democ-
6 racy, open and transparent governance, respect for
7 human rights and religious freedom, ending the vio-
8 lence throughout the country, promoting peace and
9 stability with Syria's neighbors, enhancing the rule
10 of law and combating corruption, and rehabilitating
11 and reintegrating former combatants;

12 (5) contribute to future capacity building for
13 governing institutions after a political transition
14 takes place in Syria; and

15 (6) support post-transition efforts, including
16 programs for demobilizing and reintegrating former
17 combatants.

18 (b) FUNDING.—

19 (1) FISCAL YEARS 2013 AND 2014.—Of the
20 amounts made available to carry out the Foreign As-
21 sistance Act of 1961 (22 U.S.C. 2151 et seq.) for
22 fiscal years 2013 and 2014, such sums as may be
23 necessary should be allocated for bilateral assistance
24 programs in Syria.

1 (2) **FUTURE FUNDING.**—It is the sense of Con-
2 gress that the Department of State should submit a
3 budget request for fiscal year 2014 that contains an
4 appropriate increase in bilateral and multilateral as-
5 sistance for Syria based on progress by the Govern-
6 ment of Syria toward accomplishing the policy objec-
7 tives described in section 3.

8 (3) **AVAILABILITY.**—Amounts appropriated pur-
9 suant to the authorization of appropriations under
10 paragraphs (1) and (2)—

11 (A) are authorized to remain available
12 until expended; and

13 (B) are in addition to funds otherwise
14 available for such purposes.

15 (c) **COORDINATION WITH OTHER DONOR NA-**
16 **TIONS.**—The United States should work with other donor
17 nations, on a bilateral and multilateral basis, to increase
18 international contributions to the people of Syria and ac-
19 complish the policy objectives described in section 3.

20 **SEC. 6. INCREASING CONTRIBUTIONS AND OTHER HUMANI-**
21 **TARIAN AND DEVELOPMENT ASSISTANCE**
22 **THROUGH INTERNATIONAL ORGANIZATIONS.**

23 The President should instruct the United States per-
24 manent representative or executive director, as the case
25 may be, to the United Nations voluntary agencies, includ-

1 ing the World Food Program, the United Nations Devel-
2 opment Program, and the United Nations High Commis-
3 sioner for Refugees, and other appropriate international
4 organizations to use the voice and vote of the United
5 States to support additional humanitarian and develop-
6 ment assistance for the people of Syria in order to accom-
7 plish the policy objectives described in section 3.

8 **SEC. 7. INCREASING BILATERAL ASSISTANCE TO COUN-**
9 **TRIES THAT HOST SYRIAN REFUGEES.**

10 (a) **AUTHORITY.**—The President should increase bi-
11 lateral funding to countries, including Iraq, Jordan, Tur-
12 key, and Lebanon, that have experienced an influx of refu-
13 gees from Syria.

14 (b) **FUNDING FOR FISCAL YEARS 2013 AND 2014.**—
15 Of the amounts made available to carry out the Foreign
16 Assistance Act of 1961 (22 U.S.C. 2151 et seq.) for fiscal
17 years 2013 and 2014, such sums as may be necessary
18 should be allocated for bilateral refugee assistance pro-
19 grams in the countries surrounding Syria.

20 **SEC. 8. COORDINATION OF INTERNATIONAL ASSISTANCE**
21 **FOR SYRIA.**

22 (a) **ESTABLISHMENT.**—Not later than 30 days after
23 the date of the enactment of this Act, the President shall
24 instruct the Secretary of State to work with the appro-
25 priate United Nations agencies, regional organizations,

1 nongovernmental organizations, and the broader inter-
2 national community to establish an international donors
3 group to maximize resources and efficiently provide hu-
4 manitarian assistance to the people of Syria.

5 (b) PURPOSE.—The purpose of the donors group
6 shall be to coordinate resources for the following activities
7 in Syria and the region:

8 (1) Providing humanitarian relief to civilians
9 impacted by the violence in Syria and Syrian refu-
10 gees in surrounding countries.

11 (2) Supporting inclusive post-transitional gov-
12 ernance and the establishment of the rule of law.

13 (3) Supporting disarmament, demobilization,
14 and reintegration of combatants and members of mi-
15 litias.

16 (c) ANNUAL REPORT.—The Department of State
17 shall submit a report on the specific programs, projects,
18 and activities carried out by the donors group during the
19 preceding year, including an evaluation of the results of
20 such programs, projects, and activities.

21 **SEC. 9. SECURING UNCONVENTIONAL WEAPONS IN SYRIA.**

22 (a) TRANSITION PLAN.—The United States should
23 work with regional partners to develop a plan, to be imple-
24 mented in the event of a political transition, to—

1 (2) progress made toward establishing an inclu-
2 sive, democratic government that protects the rights
3 of all Syrians; and

4 (3) key challenges, gaps, and obstacles to fur-
5 ther enhancing stability and peace in Syria, includ-
6 ing between Syria and its neighbors.

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