

112TH CONGRESS  
2D SESSION

# S. RES. 428

Condemning the Government of Syria for crimes against humanity, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

APRIL 19, 2012

Mr. BLUMENTHAL (for himself, Mr. GRAHAM, Ms. KLOBUCHAR, Mr. KIRK, Ms. COLLINS, Mr. COATS, Mr. MCCAIN, and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on Foreign Relations

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## RESOLUTION

Condemning the Government of Syria for crimes against humanity, and for other purposes.

Whereas, on December 22, 2010, the Senate passed S. Con. Res. 71 (111th Congress), a bipartisan resolution recognizing that it is in the national interest of the United States to prevent and mitigate acts of genocide and other mass atrocities against civilians;

Whereas, since the uprisings in Syria began in January 2011, the Government of Syria has manifestly failed in its responsibility to protect its people;

Whereas, on August 4, 2011, President Barack Obama issued Presidential Study Directive/PSD-10, stating, “Preventing mass atrocities and genocide is a core na-

tional security interest and a core moral responsibility of the United States.”;

Whereas, on November 23, 2011, the United Nations-appointed Independent International Commission of Inquiry on the Syrian Arab Republic expressed grave concern that “crimes against humanity of murder, torture, rape or other forms of sexual violence of comparable gravity, imprisonment or other severe deprivation of liberty, enforced disappearances of persons and other inhumane acts of a similar character have occurred in different locations in Syria since March 2011” and that “the Syrian Arab Republic bears responsibility for these crimes and violations”;

Whereas, on February 3, 2012, Syria security forces began using indiscriminate sniper fire and shelling of the densely populated neighborhoods of Homs with heavy weaponry;

Whereas, on February 4, 2012, President Obama stated that President Assad “has no right to lead Syria and has lost all legitimacy with his people and the international community”;

Whereas, on February 4, 2012, the United States co-sponsored a draft United Nations Security Council resolution condemning “the continued widespread and gross violations of human rights and fundamental freedoms by the Syrian authorities such as the use of force against civilians, arbitrary executions, killing and persecution of protestors and members of the media, arbitrary detention, enforced disappearances, interference with access to medical treatment, torture, sexual violence, and ill-treatment, including against children”;

Whereas, on February 17, 2012, the Senate passed S. Res. 379 (112th Congress), stating that the “gross human rights violations perpetuated by the Government of Syria against the people of Syria represent a grave risk to regional peace and stability”;

Whereas, on February 22, 2012, the Independent International Commission of Inquiry on the Syrian Arab Republic found in a subsequent report that “[a] reliable body of evidence exists that, consistent with other verified circumstances, provides reasonable grounds to believe that particular individuals, including commanding officers and officials at the highest levels of Government, bear responsibility for crimes against humanity and other gross human rights violations” and that “children continue to be arbitrarily arrested and tortured while in detention”;

Whereas, on February 28, 2012, the United Nations Security Council was informed that over 7,500 people in Syria have been killed, an estimated 100 more are killed each day in attacks directed against the civilian population, and there are between 100,000 and 200,000 internally displaced persons in Syria;

Whereas, on February 28, 2012, Secretary of State Hillary Clinton testified before the Subcommittee on the Department of State, Foreign Operations, and Related Programs of the Committee on Appropriations of the Senate concerning President Assad, stating that “based on the definitions of war criminal and crimes against humanity, there would be an argument to be made that he would fit into that category”;

Whereas, on March 1, 2012, Assistant Secretary of State for Near East Affairs Jeffrey Feltman testified before the Committee on Foreign Relations of the Senate that

“large numbers of Syrians are living every day under siege, deprived of basic necessities including food, clean water and medical supplies, and women and children are wounded and dying for lack of treatment”;

Whereas, on March 8, 2012, Ambassador Susan Rice, the United States Permanent Representative to the United Nations, stated that the United States “remain[s] determined to hasten the day when the brave people of Syria can shake off the yoke of bondage and tyranny”;

Whereas, on March 27, 2012, United States Ambassador to Syria Robert Ford, in testimony before the Tom Lantos Human Rights Commission, cited massive human rights violations that, “may amount to crimes against humanity”; and

Whereas, with the intent and knowledge of the highest level of the Government of Syria, including commanding officers of the Syria security forces and the President of the Syrian Arab Republic, Bashar Assad, members of the Syria security forces have reportedly committed a widespread and systematic pattern of gross human rights violations, including use of force against civilians, torture, extra judicial killings, arbitrary executions, sexual violence, the execution of defectors, and interference with medical treatment and other humanitarian assistance: Now, therefore, be it

1        *Resolved*, That the Senate—

2            (1) condemns the Government of Syria, Syria  
3        security forces, and the President of the Syrian Arab  
4        Republic for widespread and systematic attacks  
5        against the civilian population of Syria;

1           (2) commends the President for the vote of the  
2 United States at the United Nations Security Coun-  
3 cil to condemn the continued widespread and gross  
4 violations of human rights and fundamental free-  
5 doms by the authorities in Syria;

6           (3) urges the President to use his authority to  
7 collect information on incidents in Syria that may  
8 constitute crimes against humanity under section  
9 2113 of the ADVANCE Democracy Act of 2007  
10 (title XXI of Public Law 110–53; 22 U.S.C. 8213)  
11 and take action to ensure that the Government of  
12 Syria, its leaders, and senior officials who are re-  
13 sponsible for crimes against humanity are brought to  
14 account for such crimes in an appropriately con-  
15 stituted tribunal;

16           (4) urges the President to formally establish the  
17 Atrocities Prevention Board established by Presi-  
18 dential Study Directive–10 in August 2011, and for  
19 the Board to provide recommendations to the Presi-  
20 dent concerning the prevention of mass atrocities in  
21 Syria;

22           (5) urges the international community, working  
23 with the people of Syria to review legal processes  
24 available to hold officials of the Government of  
25 Syria, Syria security forces, and the President of the

1 Syrian Arab Republic accountable for crimes against  
2 humanity and gross violations of human rights; and  
3 (6) expresses solidarity and support for the peo-  
4 ple of Syria as they seek to exercise universal rights  
5 and pursue peaceful democratic change.

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