

petrators of war crimes, crimes against humanity, or genocide, including—

“(I) the number of United States Government or contract personnel currently designated to work full-time on these issues; and

“(II) the identification of the authorities and appropriations being used to support such training efforts;

“(ii) to promote and prepare for a transitional justice process or processes for the perpetrators of war crimes, crimes against humanity, and genocide in Syria beginning in March 2011;

“(iii) to document, collect, preserve, and protect evidence of war crimes, crimes against humanity, and genocide in Syria, including support for Syrian, foreign, and international nongovernmental organizations, and other entities, including the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 and the Independent International Commission of Inquiry on the Syrian Arab Republic; and

“(iv) to assess the influence of accountability measures on efforts to reach a negotiated settlement to the Syrian conflict during the reporting period.

“(3) FORM.—The reports required under paragraph (1) may be submitted in unclassified or classified form, but shall include a publicly available annex.

“(4) PROTECTION OF WITNESSES AND EVIDENCE.—The Secretary shall take due care to ensure that the identification of witnesses and physical evidence are not publicly disclosed in a manner that might place such persons at risk of harm or encourage the destruction of evidence by the Government of Syria, violent extremist groups, anti-government forces, or any other combatants or participants in the conflict.

“(b) TRANSITIONAL JUSTICE STUDY.—Not later than 180 days after the date of the enactment of this Act [Aug. 13, 2018], the Secretary of State (acting through appropriate officials and offices, which may include the Office of Global Criminal Justice), after consultation with the Department of Justice, the United States Agency for International Development, and other appropriate Federal agencies, shall—

“(1) complete a study of the feasibility and desirability of potential transitional justice mechanisms for Syria, including a hybrid tribunal, to address war crimes, crimes against humanity, and genocide perpetrated in Syria beginning in March 2011; and

“(2) submit a detailed report of the results of the study conducted under paragraph (1), including recommendations on which transitional justice mechanisms the United States Government should support, why such mechanisms should be supported, and what type of support should be offered, to—

“(A) the Committee on Foreign Relations, the Committee on the Judiciary, and the Committee on Appropriations of the Senate; and

“(B) the Committee on Foreign Affairs, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives.

“(c) TECHNICAL ASSISTANCE AUTHORIZED.—

“(1) IN GENERAL.—The Secretary of State (acting through appropriate officials and offices, which may include the Office of Global Criminal Justice), after consultation with the Department of Justice and other appropriate Federal agencies, is authorized to provide appropriate assistance to support entities that, with respect to war crimes, crimes against humanity, and genocide perpetrated by the regime of President Bashar al-Assad, all forces fighting on its behalf, and all non-state armed groups fighting in the country, including violent extremist groups in Syria beginning in March 2011—

“(A) identify suspected perpetrators of war crimes, crimes against humanity, and genocide;

“(B) collect, document, and protect evidence of crimes and preserve the chain of custody for such evidence;

“(C) conduct criminal investigations;

“(D) build Syria’s investigative and judicial capacities and support prosecutions in the domestic courts of Syria, provided that President Bashar al-Assad is no longer in power;

“(E) support investigations by third-party states, as appropriate; or

“(F) protect witnesses that may be helpful to prosecutions or other transitional justice mechanisms.

“(2) ADDITIONAL ASSISTANCE.—The Secretary of State, after consultation with appropriate Federal agencies and the appropriate congressional committees, and taking into account the findings of the transitional justice study required under subsection (b), is authorized to provide assistance to support the creation and operation of transitional justice mechanisms, including a potential hybrid tribunal, to prosecute individuals suspected of committing war crimes, crimes against humanity, or genocide in Syria beginning in March 2011.

“(3) BRIEFING.—The Secretary of State shall provide detailed, biannual briefings to the appropriate congressional committees describing the assistance provided to entities described in paragraph (1).

“(d) STATE DEPARTMENT REWARDS FOR JUSTICE PROGRAM.—[Amended section 2708(b)(10) of this title.]

“(e) INDEPENDENT INTERNATIONAL COMMISSION OF INQUIRY ON THE SYRIAN ARAB REPUBLIC.—The Secretary of State, acting through the United States Permanent Representative to the United Nations, should use the voice, vote, and influence of the United States at the United Nations to advocate that the United Nations Human Rights Council, while the United States remains a member, annually extend the mandate of the Independent International Commission of Inquiry on the Syrian Arab Republic until the Commission has completed its investigation of all alleged violations of international human rights laws beginning in March 2011 in the Syrian Arab Republic.

“(f) EFFECT OF SECTION.—Nothing in this section shall be construed to violate the American Servicemembers’ Protection Act of 2002 (22 U.S.C. 7421 et seq.).

“(g) DEFINITIONS.—In this section:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

“(A) the Committee on Foreign Relations; the Committee on Armed Services, and the Committee on the Judiciary of the Senate; and

“(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on the Judiciary of the House of Representatives.

“(2) GENOCIDE.—The term ‘genocide’ means any offense described in section 1091(a) of title 18, United States Code.

“(3) HYBRID TRIBUNAL.—The term ‘hybrid tribunal’ means a temporary criminal tribunal that involves a combination of domestic and international lawyers, judges, and other professionals to prosecute individuals suspected of committing war crimes, crimes against humanity, or genocide.

“(4) TRANSITIONAL JUSTICE.—The term ‘transitional justice’ means the range of judicial, nonjudicial, formal, informal, retributive, and restorative measures employed by countries transitioning out of armed conflict or repressive regimes—

“(A) to redress legacies of atrocities; and

“(B) to promote long-term, sustainable peace.

“(5) WAR CRIME.—The term ‘war crime’ has the meaning given the term in section 2441(c) of title 18, United States Code.”

**§ 8792. Imposition of sanctions with respect to the transfer of goods or technologies to Syria that are likely to be used to commit human rights abuses**

**(a) In general**

The President shall impose sanctions described in section 8791(c) of this title with respect to—

(1) each person on the list required by subsection (b); and

(2) any person that—

(A) is a successor entity to a person on the list;

(B) owns or controls a person on the list, if the person that owns or controls the person on the list had actual knowledge or should have known that the person on the list engaged in the activity described in subsection (b)(2) for which the person was included in the list; or

(C) is owned or controlled by, or under common ownership or control with, the person on the list, if the person owned or controlled by, or under common ownership or control with (as the case may be), the person on the list knowingly engaged in the activity described in subsection (b)(2) for which the person was included in the list.

**(b) List**

**(1) In general**

Not later than 120 days after August 10, 2012, the President shall submit to the appropriate congressional committees a list of persons that the President determines have knowingly engaged in an activity described in paragraph (2) on or after August 10, 2012.

**(2) Activity described**

**(A) In general**

A person engages in an activity described in this paragraph if the person—

(i) transfers, or facilitates the transfer of, goods or technologies described in subparagraph (C) to Syria; or

(ii) provides services with respect to goods or technologies described in subparagraph (C) after such goods or technologies are transferred to Syria.

**(B) Applicability to contracts and other agreements**

A person engages in an activity described in subparagraph (A) without regard to whether the activity is carried out pursuant to a contract or other agreement entered into before, on, or after August 10, 2012.

**(C) Goods or technologies described**

Goods or technologies described in this subparagraph are goods or technologies that the President determines are likely to be used by the Government of Syria or any of its agencies or instrumentalities to commit human rights abuses against the people of Syria, including—

(i) firearms or ammunition (as those terms are defined in section 921 of title 18), rubber bullets, police batons, pepper or chemical sprays, stun grenades, electroshock weapons, tear gas, water cannons, or surveillance technology; or

(ii) sensitive technology.

**(D) Sensitive technology defined**

**(i) In general**

For purposes of subparagraph (C), the term “sensitive technology” means hardware, software, telecommunications equipment, or any other technology, that the

President determines is to be used specifically—

(I) to restrict the free flow of unbiased information in Syria; or

(II) to disrupt, monitor, or otherwise restrict speech of the people of Syria.

**(ii) Exception**

The term “sensitive technology” does not include information or informational materials the exportation of which the President does not have the authority to regulate or prohibit pursuant to section 1702(b)(3) of title 50.

**(3) Special rule to allow for termination of sanctionable activity**

The President shall not be required to include a person on the list required by paragraph (1) if the President certifies in writing to the appropriate congressional committees that—

(A) the person is no longer engaging in, or has taken significant verifiable steps toward stopping, the activity described in paragraph (2) for which the President would otherwise have included the person on the list; and

(B) the President has received reliable assurances that the person will not knowingly engage in any activity described in paragraph (2) in the future.

**(4) Updates of list**

The President shall submit to the appropriate congressional committees an updated list under paragraph (1)—

(A) not later than 300 days after August 10, 2012, and every 180 days thereafter; and

(B) as new information becomes available.

**(5) Form of report; public availability**

**(A) Form**

The list required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

**(B) Public availability**

The unclassified portion of the list required by paragraph (1) shall be made available to the public and posted on the websites of the Department of the Treasury and the Department of State.

(Pub. L. 112-158, title VII, § 703, Aug. 10, 2012, 126 Stat. 1266.)

TERMINATION OF SECTION

*For termination of section, see section 8795 of this title.*

**§ 8793. Imposition of sanctions with respect to persons who engage in censorship or other forms of repression in Syria**

**(a) In general**

The President shall impose sanctions described in section 8791(c) of this title with respect to each person on the list required by subsection (b).

**(b) List of persons who engage in censorship**

**(1) In general**

Not later than 120 days after August 10, 2012, the President shall submit to the appropriate