

113TH CONGRESS
2D SESSION

S. 2209

To require a report on accountability for war crimes and crimes against
humanity in Syria.

IN THE SENATE OF THE UNITED STATES

APRIL 3, 2014

Mr. CARDIN (for himself, Mr. RUBIO, Mr. KAINE, and Mrs. SHAHEEN) intro-
duced the following bill; which was read twice and referred to the Com-
mittee on Foreign Relations

A BILL

To require a report on accountability for war crimes and
crimes against humanity in Syria.

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 “Syrian War Crimes
5 Accountability Act of 2014”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) On February 22, 2014, the United Nations
9 Security Council unanimously adopted Resolution

1 2139 recognizing the escalating level of violence in
2 Syria.

3 (2) Credible sources estimate the death of more
4 than 140,000 people in Syria, including 10,000 chil-
5 dren.

6 (3) On February 27, 2014, the Department of
7 State issued its 2013 Human Rights Report on
8 Syria, which described President Bashar al Assad’s
9 use of “indiscriminate and deadly force” in the con-
10 flict, including the August 21, 2013, use of “sarin
11 gas and artillery to target East Ghouta and
12 Moadamiya al-Sham, suburbs of Damascus, which
13 killed over 1,000 people.”

14 (4) The United Nations Independent Inter-
15 national Commission of Inquiry on the Syrian Arab
16 Republic reports that pro-government forces have
17 conducted attacks on Syrian civilian populations,
18 and have utilized murder, torture, assault, and rape
19 as war tactics. Anti-government groups have also
20 committed murder and torture, engaged in hostage-
21 taking, attacked protected objects, and shelled civil-
22 ian neighborhoods.

23 (5) Internationally accepted rules of war require
24 actors to distinguish between civilians and combat-
25 ants and that all parties adhere to the principle of

1 medical neutrality whereby both sides ensure
2 unhindered access to medical care.

3 **SEC. 3. SENSE OF CONGRESS.**

4 Congress—

5 (1) strongly condemns the ongoing violence, use
6 of chemical weapons, targeting of civilian popu-
7 lations with barrel, incendiary and cluster bombs,
8 and SCUD missiles, and systematic gross human
9 rights violations carried out by Government of Syria
10 and pro-government forces under the direction of
11 President Bashar al-Assad, as well as abuses com-
12 mitted by violent extremist groups and other com-
13 batants involved in the civil war in Syria;

14 (2) expresses its support for the people of Syria
15 seeking democratic change;

16 (3) urges all parties to the conflict to imme-
17 diately halt indiscriminate attacks on civilians;

18 (4) calls on the President to support efforts in
19 Syria and on the part of the international commu-
20 nity to ensure accountability for war crimes and
21 crimes against humanity committed during the con-
22 flict; and

23 (5) calls for a United Nations Security Council
24 investigation into gross violations of human rights

1 and war crimes committed during the Syrian con-
2 flict.

3 **SEC. 4. REPORT ON ACCOUNTABILITY FOR WAR CRIMES**
4 **AND CRIMES AGAINST HUMANITY IN SYRIA.**

5 (a) IN GENERAL.—Not later than 90 days after the
6 date of the enactment of this Act, and again not later than
7 180 days after the cessation of violence in Syria, the Sec-
8 retary of State shall submit to the appropriate congres-
9 sional committees a report on war crimes and crimes
10 against humanity in Syria.

11 (b) ELEMENTS.—The report required under para-
12 graph (1) shall include the following elements:

13 (1) A description of violations of internationally
14 recognized human rights and crimes against human-
15 ity perpetrated during the civil war in Syria, includ-
16 ing—

17 (A) an account of the war crimes and
18 crimes against humanity committed by the re-
19 gime of President Bashar al-Assad;

20 (B) an account of the war crimes and
21 crimes against humanity committed by violent
22 extremist groups and other combatants in the
23 conflict; and

1 (C) a description of the conventional and
2 unconventional weapons used for such crimes
3 and, where possible, the origins of the weapons.

4 (2) A description of efforts by the Department
5 of State and the United States Agency for Inter-
6 national Development to ensure accountability for
7 violations of internationally recognized human rights
8 and crimes against humanity perpetrated against the
9 people of Syria by the regime of President Bashar
10 al-Assad, violent extremist groups, and other com-
11 batants involved in the conflict, including—

12 (A) a description of initiatives that the
13 United States Government has undertaken to
14 train investigators in Syria on how to docu-
15 ment, investigate, and develop findings of war
16 crimes, including the number of United States
17 Government or contract personnel currently
18 designated to work full-time on these issues and
19 an identification of the authorities and appro-
20 priations being used to support training efforts;

21 (B) a description of the strategy and im-
22 plementation efforts to ensure accountability for
23 crimes committed during the Syrian conflict, in-
24 cluding efforts to promote the establishment of
25 an ad hoc tribunal to prosecute the perpetrators

1 of war crimes committed during the civil war in
2 Syria; and

3 (C) an assessment of the impact of those
4 initiatives.

5 (c) APPROPRIATE CONGRESSIONAL COMMITTEE DE-
6 FINED.—In this section, the term “appropriate congres-
7 sional committees” means—

8 (1) the Committee on Foreign Relations of the
9 Senate; and

10 (2) the Committee on Foreign Affairs of the
11 House of Representatives.

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