

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.

○