

[Floor Situation](#) | [Summary](#) | [Background](#) | [Cost](#) | [Staff Contact](#)

[H. Con. Res. 121, Expressing the sense of the Congress condemning the gross violations of international law amounting to war crimes and crimes against humanity by the Government of Syria, its allies, and other parties to the conflict in Syria, and asking the President to direct his Ambassador at the United Nations to promote the establishment of a war crimes tribunal where these crimes could be addressed, as amended](#)

FLOOR SITUATION

On Monday, March 14, 2016, the House will consider [H. Con. Res. 121](#), Expressing the sense of the Congress condemning the gross violations of international law amounting to war crimes and crimes against humanity by the Government of Syria, its allies, and other parties to the conflict in Syria, and asking the President to direct his Ambassador at the United Nations to promote the establishment of a war crimes tribunal where these crimes could be addressed, as amended, under suspension of the rules. H. Con. Res. 121 was introduced on March 1, 2016 by Rep. Chris Smith (R-NJ), and was referred to the Committee on Foreign Affairs, which ordered the bill reported by unanimous consent on March 2, 2016.

SUMMARY

H. Con. Res. 121 resolves that the House of Representatives and the Senate concurring:

- Strongly condemn the continued violence against civilians by the Government of Syria, its allies, and other parties to the conflict;
- Urge the U.S. and its partners to demand a stop to this violence;
- Urge the Administration to establish additional mechanisms for the protection of these civilians;
- Urge the U.S. to continue support for efforts to collect and analyze documentation related to ongoing human rights violations in Syria;
- Urge the President to direct the U.S. Ambassador to the United Nations to promote the establishment of a Syrian war crimes tribunal; and
- Urge other countries to apprehend and deliver into the custody of such a tribunal persons indicted for war crimes, crimes against humanity, or genocide in Syria.

BACKGROUND

During the Syrian conflict, the vast majority of civilians who have died have been killed by the Government of Syria and its allies. President Bashar al-Assad's government has engaged in widespread torture and rape, employed starvation as a weapon of war, massacred civilians, and conducted massive and widespread enforced disappearances. The United Nations Independent International Commission of Inquiry on the Syrian Arab Republic recently described these actions as war crimes and crimes against humanity.

In the past, in order to bring justice to victims of international crimes, the United Nations Security Council has passed resolutions to establish two ad hoc tribunals: The International Criminal Tribunal for Former Yugoslavia and the International Criminal Tribunal for Rwanda.¹ According to the bill sponsor, "Past ad hoc/regional war crimes tribunals...have made a significant difference, holding some of the worst mass murders to account with successful prosecutions followed by long jail sentences. At the Syrian court [which this resolution urges the establishment of], no one on either side who commits war crimes, genocide or crimes against humanity would be precluded from prosecution. Justice would be served."² The role of such tribunals in the post-conflict reconciliation process is key as it helps restore rule of law and allows for those responsible to be brought to justice so that society as a whole can move forward.

COST

The Congressional Budget Office does not estimate the cost of Concurrent Resolutions, which do not authorize or appropriate funds.

STAFF CONTACT

For questions or further information please contact [Molly Newell](#) with the House Republican Policy Committee by email or at 2-1374.

¹ See "[UN Documentation: International Law](#)"

² See Rep. Chris Smith's Press Release, "[Syrian War Crimes Tribunal Bill Taken Up by Key House Committee](#)," March 2, 2016.