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S. RES. 424

Condemning the mass atrocities committed by the Government of Syria and supporting the right of the people of Syria to be safe and to defend themselves.

IN THE SENATE OF THE UNITED STATES

APRIL 18, 2012

Mr. McCAIN (for himself, Mr. LIEBERMAN, Mr. GRAHAM, Mr. KYL, Ms. AYOTTE, and Mr. HOEVEN) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Condemning the mass atrocities committed by the Government of Syria and supporting the right of the people of Syria to be safe and to defend themselves.

Whereas, in March 2011, large-scale peaceful demonstrations began to take place in Syria against the authoritarian rule of Bashar al-Assad;

Whereas the Bashar al-Assad regime responded to protests by launching a campaign of escalating and indiscriminate violence, including gross human rights violations, use of force against civilians, torture, extrajudicial killings, arbitrary executions, sexual violence, and interference with access to medical treatment;

Whereas demonstrators initially demanded political reform, but under sustained violent attack by the Government of Syria, now demand a change in the Syrian regime;

Whereas forces loyal to Bashar al-Assad are increasingly and indiscriminately employing heavy weapons, including tanks and artillery, to attack civilian population centers;

Whereas, on November 23, 2011, the United Nations-appointed Independent International Commission of Inquiry on the Syrian Arab Republic reported 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 22, 2012, the Independent International Commission of Inquiry on the Syrian Arab Republic found in a subsequent report that “commanding officers and officials at the highest level of government bear responsibility for crimes against humanity and other gross human rights violations”;

Whereas, on March 15, 2012, United Nations Secretary-General Ban Ki-Moon warned that “well over 8,000 people” have been killed because of the “brutal oppression” by authorities in Syria and called the status quo in Syria “indefensible”;

Whereas, on March 27, 2012, the United Nations reported that the death toll in Syria had climbed to “more than 9,000”;

Whereas at least 3,000 people have been killed in Syria in 2012 alone;

Whereas, on October 2, 2011, a broad-based coalition of Syrian opposition leaders announced the establishment of the Syrian National Council (SNC), calling for the end of the Bashar al-Assad regime and the formation of a civil, pluralistic, and democratic state in Syria;

Whereas, on February 24, 2012, Secretary of State Hillary Clinton called the Syrian National Council (SNC) “a leading legitimate representative of Syrians seeking peaceful democratic change” and an “effective representative for the Syrian people with governments and international organizations”;

Whereas growing numbers of people in Syria, under continued and escalating assault by the Assad regime, have taken up arms to defend themselves and organized armed resistance under the banner of the Free Syrian Army (FSA);

Whereas the leaders of the Free Syrian Army have rejected sectarianism;

Whereas, on December 6, 2011, the Syrian National Council issued a statement affirming that the Free Syrian Army “deserve[s] the backing of all supporters of human rights in Syria” and applauding the decision of FSA officers to “risk their lives and those of their families because they believe in Syria and have lost faith in the Assad doctrine”;

Whereas, on March 12, 2012, the Syrian National Council, through its spokesperson, called for “military intervention by Arab and Western countries to protect civilians” in Syria, and endorsed the arming of the Free Syrian Army;

Whereas, on March 16, 2012, opposition activists inside Syria staged protests calling for “immediate military intervention by the Arabs and Muslims, followed by the rest of the world”;

Whereas, on February 24, 2012, the Foreign Minister of Saudi Arabia, Saud bin Feisal, called providing weapons to the Syrian opposition “an excellent idea . . . because they have to protect themselves”;

Whereas, on February 27, 2012, the Prime Minister of Qatar, Sheikh Hamad bin Jassim al Thani, said of the Syrian opposition, “I think we should do whatever is necessary to help them, including giving them weapons to defend themselves.”;

Whereas, on March 1, 2012, the parliament of Kuwait voted overwhelmingly on a resolution calling on the Government of Kuwait to support the Syrian opposition, including by providing weapons;

Whereas, on March 16, 2012, Prime Minister Recep Tayyip Erdogan of Turkey said that the Government of Turkey was considering setting up a “security” or “buffer zone” along its border with Syria;

Whereas, on December 22, 2010, the Senate passed Senate Concurrent Resolution 71 (112th 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, on August 4, 2011, President Barack Obama issued Presidential Study Directive–10 (PSD–10), stating, “Preventing mass atrocities and genocide is a core national security interest and a core moral responsibility of the United States.”;

Whereas, on May 18, 2011, President Obama signed Executive Order 13573, targeting senior officials of the Government of Syria due to the Government's continuing escalation of violence against the people of Syria;

Whereas, on April 29, 2011, President Obama signed Executive Order 13572, imposing sanctions on certain individuals and entities in the annex to the order and providing the authority to designate persons responsible for human rights abuses in Syria, including those related to repressing the people of Syria;

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

Whereas, on February 17, 2012, the Senate passed Senate Resolution 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 28, 2012, Secretary of State Clinton, in testimony before the Subcommittee on the Department of State, Foreign Operations, and Related Programs of the Committee on Appropriations of the Senate concerning Bashar al-Assad, testified 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, Admiral James Stavridis, commander of United States European Command and Supreme Allied Commander of NATO, during testimony before the Committee on Armed Services of the Senate,

agreed with the statement that “the provision of arms, communication equipment, and tactical intelligence” would “help the Syrian opposition to better organize itself and push Assad from power”;

Whereas, on March 6, 2012, General James Mattis, commander of United States Central Command, testified before the Committee on Armed Services of the Senate that Bashar al-Assad will “continue to employ heavier and heavier weapons on his people”;

Whereas, on March 6, 2012, General Mattis testified before the Committee on Armed Services of the Senate that there is “a full throated effort by Iran to keep Assad there and oppressing his own people” in Syria, including “providing the kinds of weapons that are being used right now to suppress the opposition,” as well as “listening capability, eavesdropping capability . . . and experts who I could only say are experts at oppressing”;

Whereas, on March 6, 2012, General Mattis testified before the Committee on Armed Services of the Senate that the fall of the Bashar al-Assad regime would represent “the biggest strategic setback for Iran in 25 years”; and

Whereas the continuing gross human rights violations against the people of Syria represent a grave risk to regional peace and stability: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) condemns the mass atrocities and severe
3 human rights abuses being perpetrated against the
4 people of Syria by Bashar al-Assad and his fol-
5 lowers;

1 (2) recognizes that the people of Syria have an
2 inherent right to defend themselves against the cam-
3 paign of violence being conducted by the Assad re-
4 gime;

5 (3) supports calls by Arab leaders to provide
6 the people of Syria with the means to defend them-
7 selves against Bashar al-Assad and his forces, in-
8 cluding through the provision of weapons and other
9 material support, and calls on the President to work
10 closely with regional partners to implement these ef-
11 forts effectively;

12 (4) urges the President to take all necessary
13 precautions to ensure that any support for the Syr-
14 ian opposition does not benefit individuals in Syria
15 who are aligned with al Qaeda or associated move-
16 ments, or who have committed human rights abuses;

17 (5) affirms that the establishment of safe ha-
18 vens for people from Syria, as contemplated by gov-
19 ernments in the Middle East, would be an important
20 step to save Syrian lives and to help bring an end
21 to Mr. Assad's killing of civilians in Syria, and calls
22 on the President to consult urgently and thoroughly
23 with regional allies on whether, how, and where to
24 create such safe havens;

1 (6) urges the President, as part of an inter-
2 national effort to hold senior officials in Syria ac-
3 countable for mass atrocities—

4 (A) to gather information about such mass
5 atrocities, including gross human rights viola-
6 tions, use of force against civilians, torture,
7 extrajudicial killings, arbitrary executions, sex-
8 ual violence, and interference with access to
9 medical treatment; and

10 (B) to continue to take actions to ensure
11 that senior officials in the Government of Syria
12 and other individuals responsible for mass
13 atrocities in Syria are held accountable, includ-
14 ing by using the authority provided under Exec-
15 utive Order 13572 and Executive Order 13573
16 to designate additional individuals;

17 (7) urges the Atrocities Prevention Board, once
18 it is formally constituted by the President as called
19 for in Presidential Study Directive–10, to provide
20 recommendations concerning measures to prevent
21 continued mass atrocities in Syria; and

22 (8) commends the establishment of the
23 “Friends of the Syrian People” Contact Group and
24 other international diplomatic efforts to end the vio-
25 lence and support a peaceful transition to democracy

- 1 in Syria, and reaffirms the necessity of the depar-
- 2 ture from power of Bashar al-Assad.

