

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 2106  
OFFERED BY MR. BERMAN OF CALIFORNIA**

In title VI, redesignate sections 601 and 602 as sections 602 and 603, respectively.

In title VI, insert before section 602, as redesignated, the following:

1 **SEC. 601. STATEMENT OF POLICY ON REFERRAL OF SYRIAN**  
2 **PRESIDENT BASHAR AL ASSAD AND CERTAIN**  
3 **OTHER SENIOR MEMBERS OF THE GOVERN-**  
4 **MENT OF SYRIA TO A RELEVANT INTER-**  
5 **NATIONAL TRIBUNAL.**

6 (a) FINDINGS.—Congress finds the following:

7 (1) The Government of Syria, under the leader-  
8 ship of President Bashar al Assad, has killed more  
9 than 7,500 people since March 2011 according to  
10 senior United Nations officials.

11 (2) United Nations Undersecretary for Political  
12 Affairs Lynn Pascoe told the Security Council, “The  
13 Syrian government . . . has subjected residents in  
14 several cities to indiscriminate bombardment by tank  
15 and rocket fire, killing its own people in ways remi-

1       niscent of the Hama massacre perpetrated by the  
2       Syrian government in 1982.”.

3           (3) The Report of the Independent Inter-  
4       national Commission of Inquiry on the Syrian Arab  
5       Republic stated, “A reliable body of evidence exists  
6       that, consistent with other verified circumstances,  
7       provides reasonable grounds to believe that par-  
8       ticular individuals, including commanding officers  
9       and officials at the highest levels of government,  
10      bear responsibility for crimes against humanity and  
11      other gross human rights violations.”.

12          (4) United Nations investigators stated that  
13      they received credible and consistent evidence identi-  
14      fying high- and mid-ranking members of the Syrian  
15      armed forces who ordered their subordinates to  
16      shoot at unarmed protesters, kill soldiers who re-  
17      fused to obey such orders, arrest people without  
18      cause, mistreat detained persons and attack civilian  
19      neighborhoods using machine guns and armored  
20      tanks.

21          (5) Humanitarian aid agencies have been  
22      blocked by the Government of Syria from delivering  
23      aid to affected areas.

24          (6) By the end of December 2011, nearly 5,000  
25      refugees had registered with the Office of the United

1 Nations High Commissioner for Refugees in Leb-  
2 anon and approximately 10,000 have fled to Turkey.

3 (b) STATEMENT OF POLICY.—It is the policy of the  
4 United States—

5 (1) to seek through the United Nations Secu-  
6 rity Council the referral to a relevant international  
7 tribunal of Syrian President Bashar al Assad and  
8 other senior members of the Government of Syria  
9 who are directly implicated in crimes committed  
10 against the people of Syria; and

11 (2) to work bilaterally and multilaterally to en-  
12 sure the Government of Syria cooperates fully with  
13 and provides any necessary assistance to the rel-  
14 evant international tribunal pursuant to relevant  
15 United Nations Security Council resolutions.

