

103^D CONGRESS
1ST SESSION

S. RES. 24

Urging the criminal prosecution of persons committing crimes against humanity, including participation in mass rapes, in Bosnia-Herzegovina.

IN THE SENATE OF THE UNITED STATES

JANUARY 21 (legislative day, JANUARY 5), 1993

Mr. DANFORTH (for himself and Mrs. KASSEBAUM) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Urging the criminal prosecution of persons committing crimes against humanity, including participation in mass rapes, in Bosnia-Herzegovina.

Whereas mass rapes of Bosnian women at the hands of the Serbs is now taking place in the former Yugoslavia;

Whereas the United Nations Security Council cited “massive, organized and systematic detention and rape” when it unanimously voted to condemn “atrocities committed against women, particularly Muslim women, in Bosnia and Herzegovina” on December 18, 1992;

Whereas this behavior comports with the Serbian policy of “ethnic cleansing”, the most sadistic and genocidal violence to infect Europe since World War II;

Whereas rape, humiliation, starvation and murder have been inflicted on Muslim girls as young as seven years old;

Whereas the press reports the existence of Serbian “rape camps” in Bosnia with up to 100 prisoners;

Whereas the Nuremberg International Military Tribunal (IMT) held that, for purposes of international criminal law, the individual is a subject of international law;

Whereas the IMT also held that “international law imposes duties and liabilities upon individuals as well as upon states”;

Whereas the 1907 Hague regulations, the 1929 Geneva Convention, and the Genocide Convention establish crimes against humanity as punishable international crimes whether or not committed in execution of a crime against peace or a war crime; and

Whereas the 1949 Geneva Conventions and subsequent protocols designate certain aggravated breaches as universal and extraditable offenses within the criminal jurisdiction of each contracting party: Now, therefore, be it

1 *Resolved*, That the Senate hereby—

2 (1) declares its desire that criminal proceedings,
3 under the principle of universality, be brought
4 against all persons suspected of responsibility for
5 war crimes and crimes against humanity, including
6 mass rape, in Bosnia; and

7 (2) calls on all parties to the applicable inter-
8 national conventions—

1 (A) to identify alleged offenders of crimes
2 against humanity, including mass rape, in
3 Bosnia; and

4 (B)(i) to submit such offenders for pros-
5 ecution before its own courts; or

6 (ii) to extradite them to another contract-
7 ing party or an international tribunal, if the re-
8 questing party has jurisdiction and sufficient
9 grounds for prosecution.

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