

117TH CONGRESS
2D SESSION

S. RES. 531

Expressing the sense of the Senate condemning the Russian Federation, President Vladimir Putin, members of the Russian Security Council, the Russian Armed Forces, and Russian military commanders for committing flagrant acts of aggression and other atrocities rising to the level of crimes against humanity and war crimes against the people of Ukraine and others.

IN THE SENATE OF THE UNITED STATES

MARCH 3, 2022

Mr. GRAHAM (for himself, Mr. COONS, Mr. CARDIN, Mr. KING, Ms. ERNST, Mr. TILLIS, Ms. BALDWIN, Mr. CORNYN, Mrs. FEINSTEIN, Mr. MORAN, Mr. RUBIO, Mr. GRASSLEY, Mr. BOOKER, Ms. COLLINS, Mr. VAN HOLLEN, Ms. KLOBUCHAR, Mr. HEINRICH, Mr. MARSHALL, and Mr. WICKER) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Expressing the sense of the Senate condemning the Russian Federation, President Vladimir Putin, members of the Russian Security Council, the Russian Armed Forces, and Russian military commanders for committing flagrant acts of aggression and other atrocities rising to the level of crimes against humanity and war crimes against the people of Ukraine and others.

Whereas the United States of America has a responsibility to uphold the values of freedom, democracy, and human rights across the globe;

Whereas there are several universal declarations promoting human rights, laws of war, and upholding the dignity of individuals;

Whereas the United Nations Charter Preamble states that member nations “reaffirm faith in fundamental human rights [and] in the dignity and worth of the human person”;

Whereas the Universal Declaration of Human Rights Preamble states that “Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms”;

Whereas the Russian Federation joined as an original member of the United Nations as the former Union of Soviet Socialist Republics on October 24, 1945, and as such has a duty to abide by the conditions of the United Nations Charter;

Whereas the International Criminal Court (ICC) is an international tribunal that seeks to uphold the rule of law, especially in areas where no rule of law exists, by investigating and trying individuals charged “with the gravest crimes of concern to the international community: genocide, war crimes, crimes against humanity and the crime of aggression”;

Whereas the ICC recognizes the grave breaches of the 1949 Geneva Conventions as constituting a war crime, including “willful killing, torture or inhuman treatment, including biological experiments, willfully causing great suffering or serious injury to body or health, and extensive destruction and appropriation of property, not justified

by military necessity and carried out unlawfully and wantonly”;

Whereas the ICC also recognizes other serious violations of the laws and customs applicable in international armed conflict as war crimes, including “[i]ntentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities” and “[i]ntentionally directing attacks against civilian objects, that is, objects which are not military objectives”;

Whereas President Vladimir Putin, members of the Russian Security Council, and President Putin’s military commanders have severely undermined the international rule of law through their various actions;

Whereas, prior to the invasion of Ukraine in 2022, President Vladimir Putin and the Russian Federation has a long history of committing acts of aggression, human rights violations, and acts that constitute war crimes within the Russian Federation and around the globe, including in Chechnya, Georgia, Ukraine, and Syria;

Whereas, beginning in 1999, the Russian Federation engaged in the indiscriminate use of force against the people of Chechnya, including the use of cluster munitions against civilians, resulting in 50,000 Chechens, mostly civilians, dead or missing;

Whereas, during the Russian Federation’s invasion of Georgia in 2008, Russian Armed Forces engaged with cluster munitions in indiscriminate and disproportionate attacks that resulted in the death of civilians;

Whereas President Vladimir Putin violated the sovereignty of Ukraine and used military force to seize control and unlawfully occupy Crimea and eastern Ukraine, indiscrimi-

nately targeting and killing thousands of innocent civilians since 2014;

Whereas the Russian military was deemed responsible for shooting down Malaysia Airlines Flight 17 over eastern Ukraine on July 17, 2014, which resulted in the death of 298 civilians;

Whereas rebel forces supported by the Russian Federation were deemed responsible for a missile attack on January 24, 2015, in Mariupol, Ukraine that indiscriminately targeted civilians, resulting in the death of at least 30 and injuring many more;

Whereas, in 2016 and 2017, Russian aircraft deployed “bunker-busting” and incendiary bombs capable of destroying military installations on civilian structures in Aleppo, Syria, resulting in the death of hundreds of civilians;

Whereas President Vladimir Putin is complicit in war crimes and human rights violations in Syria through his continuing political, financial, and military support for President Bashar al-Assad;

Whereas intelligence assessments have concluded Vladimir Putin and his regime have destroyed the rule of law in Russia and engaged in countless crimes against humanity, including ordering the poisoning of Alexi Navalny, the poisoning of Sergei and Yulia Skripal, and the false imprisonment and torture ultimately leading to the death of Sergei Magnitsky;

Whereas President Vladimir Putin, in February 2022, initiated a premeditated, unprovoked, unjustified, and unlawful war against the sovereign nation of Ukraine;

Whereas, in February 2022, President Vladimir Putin and Russian Federation forces targeted and reportedly killed more than 300 civilians, to include children, while engaging in Ukrainian urban centers, causing chaos and fear among Ukrainian citizens;

Whereas, on February 28, 2022, the Ukrainian Ambassador to the United States, Oksana Markarova, claimed President Vladimir Putin ordered the deployment of thermobaric weapons and cluster munitions to be used in the northeastern towns of Okhtyrka and Karkhiv;

Whereas Ukraine has twice submitted to the jurisdiction of the ICC for the purposes of prosecuting war crimes committed within its territory due to the Russian occupation of Ukraine;

Whereas Lithuania and Canada, members to the authorizing treaty of the ICC, have called on the ICC to open an investigation into possible war crimes committed by Russia;

Whereas, on February 28, 2022, the Prosecutor of the ICC, Karim A. A. Khan QC stated that the ICC would open a third investigation against Russia for alleged war crimes and crimes against humanity committed during the Russian invasion into Ukraine, which began on February 24, 2022;

Whereas Ukraine has also filed a claim in the International Court of Justice (ICJ) instituting proceedings against the Russian Federation for genocide; and

Whereas the United States Government should use its voice, vote, and influence to pursue war crimes allegations against Vladimir Putin and his military commanders in international institutions of which it is a member and en-

courage other allies and partners to express the same:
Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) strongly condemns the ongoing violence, war
3 crimes, crimes against humanity, and systematic
4 human rights abuses continually being carried out
5 by the Russian Armed Forces and their proxies and
6 President Putin’s military commanders, at the direc-
7 tion of President Vladimir Putin;

8 (2) encourages member states to petition the
9 ICC and the ICJ to authorize any and all pending
10 investigations into war crimes and crimes against
11 humanity committed by the Russian Armed Forces
12 and their proxies and President Putin’s military
13 commanders, at the direction of President Vladimir
14 Putin;

15 (3) supports any investigation into war crimes,
16 crimes against humanity, and systematic human
17 rights abuses levied by President Vladimir Putin, the
18 Russian Security Council, the Russian Armed
19 Forces and their proxies, and President Putin’s mili-
20 tary commanders;

21 (4) encourages the United States Government
22 and partner nations to use their voice, vote, and in-
23 fluence in international institutions in which they
24 are members to hold President Vladimir Putin, the

1 Russian Security Council, the Russian Armed
2 Forces and their proxies, and President Putin's mili-
3 tary commanders accountable for their sponsorship
4 of ongoing violence, war crimes, crimes against hu-
5 manity, and systematic human rights abuses; and
6 (5) stands with the people who have been af-
7 fected by the brutality of the Putin regime.

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