

103D CONGRESS
1ST SESSION

H. RES. 32

Expressing the sense of the House of Representatives concerning systematic rape in the conflict in Bosnia-Herzegovina.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1993

Mr. MILLER of California (for himself, Ms. PELOSI, Mr. MFUME, Mr. DELUMS, Mrs. SCHROEDER, Mr. TORRICELLI, Mrs. KENNELLY, Mr. EDWARDS of California, Ms. MEEK, Ms. DELAURO, Mr. GEJDENSON, Mr. WAXMAN, Mr. OLVER, Mr. MANTON, Mr. REYNOLDS, Mr. SABO, Mr. RAMSTAD, Mr. MCDERMOTT, Mr. COLEMAN, Mr. DE LUGO, Mr. WALSH, Mr. BONIOR, Mr. SWETT, Mr. SAWYER, Mr. MINETA, Mr. LANCASTER, Mr. MARTINEZ, Mr. KYL, Mr. ABERCROMBIE, Mrs. MEYERS of Kansas, Mr. MORAN, Mr. LEVIN, Mr. SCHUMER, Mr. SANDERS, Mr. COOPER, Ms. MOLINARI, Mr. PRICE, Mrs. MORELLA, Mr. MATSUI, Mr. BEILENSON, Mr. BACCHUS of Florida, Mr. BROWN of California, Mr. STARK, Mr. OWENS, Mr. FOGLIETTA, Mr. WILSON, Ms. ESHOO, Mr. TORRES, Ms. WATERS, Ms. ROYBAL-ALLARD, Mr. LEHMAN, Mr. OBERSTAR, Mr. KENNEDY, Mr. WHEAT, Mr. YATES, Mr. TOWNS, Mrs. COLLINS of Michigan, Mr. REED, Mr. HOYER, Mr. ROHRABACHER, Mr. HOCHBRUECKNER, Mr. RICHARDSON, and Mr. FRANK of Massachusetts) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Expressing the sense of the House of Representatives concerning systematic rape in the conflict in Bosnia-Herzegovina.

Whereas credible reports indicate that rape has been used as a tactic of war by all the combatants in the former Socialist Federal Republic of Yugoslavia, and that rape has

become a deliberate, widespread, and systematic form of violence in particular by Serbian soldiers against thousands of Moslem women of all ages in the war in Bosnia-Herzegovina;

Whereas credible reports also indicate the forced pregnancy of Moslem women by Serbian soldiers in this conflict;

Whereas women are protected against “any attack on their honour, in particular against rape, enforced prostitution, or any form of indecent assault” under Article 27 of the 3rd Geneva Convention, 1949, and are protected against “outrages upon personal dignity, in particular humiliating and degrading treatment, rape, enforced prostitution, and any form of indecent assault,” under Article 4, Protocol II Additional to the Geneva Conventions, 1977;

Whereas “inhumane acts” are considered “crimes against humanity” under the London Agreement that established the guidelines for the Nuremberg Trials, and “torture or inhuman treatment” and “willfully causing great suffering or serious injury to body or health” are considered “grave breaches” of the 4th Geneva Convention, 1949, under Article 147 of that Convention;

Whereas rape is a deplorable and illegal act of violence in the United States and in every country in Europe;

Whereas systematic rape in the conflict in Bosnia-Herzegovina has been denounced under United Nations Security Council Resolution 798 and by the Council of Ministers of the European Community in its declaration of December 11, 1992;

Whereas Secretary of State Lawrence Eagleburger has denounced atrocities in this conflict and has named individ-

uals that should stand trial in an international court for “crimes against humanity”;

Whereas on August 11, 1992, the House of Representatives approved H. Res. 554, expressing the sense of the House that crimes against humanity and war crimes in this conflict should be investigated and that perpetrators of such crimes should be tried in an international tribunal;

Whereas the United Nations Commission of Experts is presently collecting information and evidence for the eventual establishment of an international tribunal to prosecute war crimes under international law that are committed in this conflict;

Whereas in 1944 President Franklin D. Roosevelt publicly denounced “acts of savagery” committed by the German forces during World War II and pledged that the perpetrators would be punished; and

Whereas the Allies made it clear in the Moscow declaration in 1943 that they would seek the prosecution of perpetrators of war crimes committed during World War II: Now, therefore, be it

1 *Resolved*, That—

2 (1) rape, whether individual or mass rape, is an
3 unacceptable means of warfare;

4 (2) the House of Representatives strongly con-
5 demns the systematic and widespread rape of women
6 and girls in Bosnia-Herzegovina;

7 (3) rape and forced pregnancy are “crimes
8 against humanity” under international law, regard-
9 less of the ethnicity or religion of the victims or the

1 perpetrators, and should be so recognized in an
2 international tribunal to try perpetrators of crimes
3 against humanity and war crimes;

4 (4) the House of Representatives applauds Sec-
5 retary of State Eagleburger for denouncing “crimes
6 against humanity” in the conflict in Bosnia-
7 Herzegovina and for calling for an international
8 crimes tribunal to prosecute such crimes;

9 (5) the House applauds the adoption of United
10 Nations Security Council Resolution 798 and the
11 declaration of December 11, 1992, of the Council of
12 Ministers of the European Community, both of
13 which denounced the systematic rape of Moslem
14 women in this conflict;

15 (6) the President of the United States should
16 publicly condemn systematic rape in this conflict,
17 should vigorously support the establishment by the
18 United Nations of an international tribunal to pros-
19 ecute crimes against humanity and war crimes, and
20 should state that rape, whether individual or mass
21 rape, and forced pregnancy, as tactics of war, are
22 crimes against humanity and war crimes;

23 (7) all countries participating in humanitarian
24 relief efforts in the former Socialist Federal Repub-
25 lic of Yugoslavia should allocate resources for the

1 treatment of rape victims, including the training of
2 relief workers in the medical and psychological ef-
3 fects of rape; and

4 (8) all parties to the conflict in Bosnia-
5 Herzegovina should immediately take steps to pro-
6 tect the rights of women and girls as recognized in
7 the Geneva Conventions, and specifically to protect
8 them from rape, forced pregnancy, and the infliction
9 of other indignities.

10 SEC. 2. The Clerk of the House of Representatives
11 shall transmit a copy of this resolution to the President
12 of the United States and the Secretary General of the
13 United Nations.

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