

104<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3680

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IN THE SENATE OF THE UNITED STATES

JULY 31, 1996

Received

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## AN ACT

To amend title 18, United States Code, to carry out the international obligations of the United States under the Geneva Conventions to provide criminal penalties for certain war crimes.

1        *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “War Crimes Act of  
3 1996”.

4 **SEC. 2. CRIMINAL PENALTIES FOR CERTAIN WAR CRIMES.**

5 (a) IN GENERAL.—Title 18, United States Code, is  
6 amended by inserting after chapter 117 the following:

7 **“CHAPTER 118—WAR CRIMES**

“Sec.  
“2401. War crimes.

8 **“§ 2401. War crimes**

9 “(a) OFFENSE.—Whoever, whether inside or outside  
10 the United States, commits a grave breach of the Geneva  
11 Conventions, in any of the circumstances described in sub-  
12 section (b), shall be fined under this title or imprisoned  
13 for life or any term of years, or both, and if death results  
14 to the victim, shall also be subject to the penalty of death.

15 “(b) CIRCUMSTANCES.—The circumstances referred  
16 to in subsection (a) are that the person committing such  
17 breach or the victim of such breach is a member of the  
18 armed forces of the United States or a national of the  
19 United States (as defined in section 101 of the Immigra-  
20 tion and Nationality Act).

21 “(c) DEFINITIONS.—As used in this section, the term  
22 ‘grave breach of the Geneva Conventions’ means conduct  
23 defined as a grave breach in any of the international con-  
24 ventions relating to the laws of warfare signed at Geneva

1 12 August 1949 or any protocol to any such convention,  
2 to which the United States is a party.”.

3 (b) CLERICAL AMENDMENT.—The table of chapters  
4 for part I of title 18, United States Code, is amended by  
5 inserting after the item relating to chapter 117 the follow-  
6 ing new item:

“118. War crimes ..... 2401”.

Passed the House of Representatives July 29, 1996.

Attest:

ROBIN H. CARLE,

*Clerk.*