
18 U.S. Code § 2441

War crimes

(a) **Offense.**—

Whoever, whether inside or outside the United States, commits a war crime, in any of the circumstances described in subsection (b), shall be fined under this title or imprisoned for life or any term of years, or both, and if death results to the victim, shall also be subject to the penalty of death.

(b) **Jurisdiction.**—There is jurisdiction over an offense described in subsection (a) if—

- (1) the offense occurs in whole or in part within the United States; or
- (2) regardless of where the offense occurs—
 - (A) the victim or offender is—
 - (i) a national of the United States or an alien lawfully admitted for permanent residence; or
 - (ii) a member of the Armed Forces of the United States, regardless of nationality; or
 - (B) the offender is present in the United States, regardless of the nationality of the victim or offender.

(c) **Definition.**—As used in this section the term “war crime” means any conduct—

- (1) defined as a grave breach in any of the international conventions signed at Geneva 12 August 1949, or any protocol to such convention to which the United States is a party;
- (2) prohibited by Article 23, 25, 27, or 28 of the Annex to the Hague Convention IV, Respecting the Laws and Customs of War on Land, signed 18 October 1907;
- (3) which constitutes a grave breach of common Article 3 (as defined in subsection (d)) when committed in the context of and in association with an armed conflict not of an international character; or

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