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Written statement* submitted by United Nations Watch, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[28 April 2011]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

The following statement is submitted on behalf of the International Coalition^{} to prevent the Syrian Arab Republic's election to the UN Human Rights Council**

On May 20, 2011, the UN General Assembly will hold a vote to fill 15 of the 47 UN Human Rights Council seats, in the annual rotation of membership. The Syrian government has submitted its candidacy, and is running on an uncontested, "closed list"—one of four Asian Group candidates for the same amount of available seats—and claims to have received the official endorsement of the Asian Group. For the reasons set forth below, the International Coalition urges UN stakeholders to fulfill their international obligations and take all necessary action to defeat Syria's candidacy.

Election Criteria

According to UNGA Resolution 60/251, which established the UN Human Rights Council in 2006, General Assembly members are obliged to elect states to the Council by "tak[ing] into account the candidates' contribution to the promotion and protection of human rights and their voluntary pledges and commitments made thereto." The resolution also provides that consideration ought to be given to whether the candidate can meet the obligations of Council membership, including the obligation "to uphold the highest standards in the promotion and protection of human rights."

Human Rights Abuses

Under the above criteria, Syria utterly fails to qualify for membership on the Council. The claims made by Syria in its candidacy pledge are utterly false. Syria under the Assad government is a brutal police state that over four decades has perpetrated gross and systematic abuses of basic human rights against the citizens of Syria, while sponsoring terrorism abroad.

In recent weeks, as diverse citizens in cities across Syria peacefully called for freedom, the Assad government has responded with premeditated massacres against its own people, making indiscriminate use of live ammunition against defenseless citizens, including men, women and children.

Human rights activists in Syria report mass atrocities by government forces, with hundreds killed and thousands injured. For example, on March 23, security forces killed six protesters in the Omari mosque in Daraa, and opened fire on hundreds of youths. On April 17, security forces opened fire on mourners at a funeral, killing 17. On April 26, thousands of Syrian soldiers backed by tanks and snipers poured into the city of Daraa before dawn, opening fire indiscriminately on civilians, leaving many dead and injured. Thousands have been detained by the Assad government across the country, subjected to brutal arrest and torture.

Accordingly, the government of Syria is committing gross and systematic violations of the right to life as guaranteed by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, and trampling freedom of expression and freedom of assembly.

War Crimes and Crimes Against Humanity

The government of Syria is committing crimes against humanity, as defined by the Explanatory Memorandum to the Rome Statute of the International Criminal Court. The Syrian government's mass killing of innocent civilians amounts to particularly odious offences which constitute a serious attack on human dignity. As confirmed by numerous testimonies collected by human rights organizations and news agencies, the Assad government's crimes against the civilian population are not isolated or sporadic events. Rather, these constitute a widespread and systematic policy and practice of atrocities, intentionally committed, including murder, political persecution and other inhumane acts which reach the threshold of crimes against humanity. These atrocities constitute gross violations of international human rights and humanitarian law on a countrywide scale amounting to war crimes and crimes against humanity.

Requested Action to Protect Syria's Victims

Accordingly, in addition to defeating Syria's candidacy for the UNHRC, we urge all UN stakeholders, including member states and high UN officials, to exercise their responsibility to protect the people of Syria from what are preventable crimes. We urge the use of all available measures and levers to end atrocities throughout the country. Specifically, we request the following:

- The UN Security Council should meet urgently to put an end to Syria's assault on the civilian population.
- The UN Human Rights Council should use this Friday's Special Session on Syria to give voice to the thousands of bloodied Syrian victims; launch an international investigation to hold accountable President Assad, other high officials of the government and military officers who may be guilty of war crimes and crimes against humanity; and condemn Syria's outrageous candidacy for council membership.
- The UN General Assembly should respond to Syria's false declaration to it about respecting human rights (A/65/784, dated 1 March 2011) with a resolution stating the truth about the government's atrocities.
- UN Secretary-General Ban Ki-moon, US Secretary of State Hilary Clinton and EU Foreign Minister Catherine Ashton should exercise global leadership in initiating the above actions.
- UN High Commissioner for Human Rights Navi Pillay should carefully consider whether the Syrian government has exploited their recent dialogue with her in order to buy time and soften criticism; strongly condemn Syria's gross and systematic violations of human rights; take the lead by publicly pressuring the Human Rights Council Special Session to avoid repeating the May 2009 debacle where the council praised Sri Lanka instead of condemning its atrocities; and request that the human rights situation in Syria remain on the council's agenda until the government is replaced by a democratically elected government that respects universal human rights.
- The UN's Asian Group, including the Jordanian chair, should rescind its endorsement of Syria's UNHRC candidacy and apologize to the government's thousands of victims.
- Swiss President Micheline Calmy-Rey should take action on behalf of the Government of Switzerland to convene a conference of the high contracting parties to the Fourth Geneva Convention on measures to enforce the Convention to protect Syria's civilian population from assault by the country's military forces.

- International Criminal Court Prosecutor Luis Moreno-Ocampo should be prepared to investigate Syrian President Assad, other high government officials and military officers for war crimes and crimes against humanity.
- Countries whose courts exercise universal jurisdiction over war crimes and crimes against humanity should arrest and prosecute Syrian President Assad, other high government officials and military officers for their atrocities against the Syrian people.

Coalition Members :**

1. Hillel C. Neuer, UN Watch, Switzerland
2. Yang Jianli, Initiatives for China - Former prisoner of conscience and survivor of Tiananmen Square massacre
3. Matteo Mecacci — Member of Italian Parliament, Nonviolent Radical Party, Rapporteur of the Committee on Human Rights of the OSCE Parliamentary Assembly
4. Yang Kuanxing, Yibao - Chinese writer, original signatory to Charter 08, the manifesto calling for political reform in China
5. Francesca Restifo, Franciscans International, Switzerland
6. Panayote Dimitras, Greek Helsinki Monitor, Greece
7. Sharon Gustafson, International Council of Jewish Women, USA
8. A. P. Gautam, Nepal ICU, Nepal
9. Francois Ullmann, Ingenieurs du Monde, France
10. Christina Fu, New Hope Foundation, USA
11. Bhawani Shanker Kusum, Gram Bharati Samiti (GBS), India
12. Nguyen Le Nhan Quyen, Ligue Vietnamienne des Droits de l' Homme, Switzerland
13. Phil ya Nangoloh, NamRights, Namibia
14. Nafsika Papanikolatos, Minority Rights Group, Greece
15. Dieudonné Zognong, Fondation Humanus, Cameroon
16. David Littman, World Union of Progressive Judaism, Switzerland
17. Sylvia G. Iriondo, MAR por Cuba (Mothers and Women against Repression), USA
18. Jean Stoner, Sisters of Notre Dame de Namur, USA
19. Richard Elliott, Canadian HIV/AIDS Legal Network, Canada
20. Yael Danieli, International Society for Traumatic Stress Studies, USA