



**To all UN Member States and
Observers**

Our reference: 370.1-34- GZB/SXN

New York, 19.05.2014

Call for co-sponsorship of the French draft Security Council resolution (attached) referring the situation in the Syrian Arab Republic to the International Criminal Court

Excellencies,

I am writing to you on behalf of the following 58 States: Albania, Andorra, Australia, Austria, Belgium, Botswana, Bulgaria, Cape Verde, Chile, Cook Islands, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Ghana, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Libya, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Marshall Islands, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Samoa, Seychelles, Slovakia, Slovenia, Spain, The Former Yugoslav Republic of Macedonia, Tunisia, United Kingdom, Uruguay, and my own country, Switzerland.

You may recall that on 14 January 2013, the same group of 58 States sent a letter to the President of the Security Council expressing our firm view that the Council must ensure accountability for the crimes committed in the Syrian Arab Republic. We asked that the Security Council act "by referring the situation in the Syrian Arab Republic as of March 2011 to the International Criminal Court (ICC) without exceptions and irrespective of the alleged perpetrators".

Since then, the conflict has only grown in intensity and scope. More than 150,000 are estimated to have died, many of them civilians. Over 2.7 million have fled the country as refugees, and more than 6.5 million are internally displaced. Abuses and violations of international humanitarian law and human rights law continue on a daily basis and in a pervasive climate of impunity; many have been documented. The High Commissioner for Human Rights, Navi Pillay, has repeatedly called for a referral, and so has the UN Human Rights Council's mandated Independent Commission of Inquiry.

Over one year after the collective call of the 58 States and on the basis of an initiative by France, Council members will this Thursday take action on a draft resolution (attached) that would refer the situation in the Syrian Arab Republic to the ICC. France has indicated that it will open the resolution for co-sponsorship to the wider UN membership. To co-sponsor the resolution, delegations need to submit a Rule 37 request to the Security Council Affairs Division. A copy of the signed letter (sample attached) can be sent to dpa-scb3@un.org or faxed to 1-917-367-0406.

While several members of the group would prefer a stronger language regarding the terms of the referral and the support of the Organization, we all share the view that the initiative by France represents the best opportunity to bring at last, three years into the Syrian civil war, the promise of accountability to its war-ravaged people and at the same time to help deter further atrocities. Each side of the conflict would be held accountable. According to the resolution, the ICC Prosecutor would be empowered to investigate crimes committed by the Syrian authorities and pro-government militias, as well as by non-State armed groups, all committed in the course of the ongoing conflict in the Syrian Arab Republic since March 2011.

Against this background, the 58 States strongly support the French initiative. We call upon the Security Council to adopt the resolution and we encourage UN member States, States Parties to the Rome Statute or not, to send a strong message of political support by co-sponsoring the resolution. The United Nations – the Security Council and the wider membership alike – should be united in acting for justice and accountability for the victims of the conflict in Syria.

I thank you in advance for your attention and your expression of support.

Please accept, Excellencies, the assurances of my highest consideration.



Paul Seger
Ambassador
Permanent Representative