

Public Statement

Justice for Syria: 58 states call on Security Council to adopt French resolution referring Syria to the International Criminal Court

The 58 states listed below condemn the widespread violations of human rights and international humanitarian law committed on a daily basis in a pervasive climate of impunity by the Syrian authorities and pro-government militias as well as by non-State armed groups. In consequence, we call upon the Security Council to adopt the draft resolution presented by France referring the situation in Syria to the International Criminal Court (ICC). While several members of the group would prefer a stronger language regarding the terms of the referral and the support of the Organization, all share the view that the draft resolution is reality-grounded and represents a major step towards accountability. In this regard, the group encourages all UN member states to send out a strong political signal by co-sponsoring the resolution. The 58 states strongly believe that impunity for the most serious crimes under international law is unacceptable. Without accountability there will be no sustainable peace in Syria.

Given the growing intensity and brutality of the conflict in Syria, the increasingly shocking and desperate humanitarian situation and also given that the Syrian government has shown no signs of bringing the perpetrators of the alleged serious crimes to justice through credible, fair and independent national procedures, it is the responsibility of the Security Council to act now. It has been over a year ago that this very group of 58 states requested the Security Council in its letter of 14 January 2013 that it should respond without delay to the atrocities committed by all parties to the conflict by referring the situation in the Syrian Arab Republic as of March 2011 to the International Criminal Court. Today we repeat this request.

It bears emphasizing that the international community has created the ICC and endowed it with the appropriate competence precisely to bring justice to situations where national authorities are either not capable or not willing to provide accountability. This is the case in Syria. Further, it is of essence that each side of the conflict will 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.

Three years into the bloody conflict, the Council is expected to vote on a draft resolution introduced by France referring the situation in Syria to the ICC. The adoption of this resolution is in our view the best option to bring a promise of justice to the millions of war-ravaged people and victims of this tragedy. At the same time, this step will send out a warning to the perpetrators that their crimes will not be forgotten, hopefully helping to deter further atrocities.

Against this background, the 58 states strongly support this initiative as the best option available for bringing to justice the perpetrators of such horrendous violations of human rights and international humanitarian law, and have reached out to the wider UN membership by letter to encourage them to join the efforts. We should not forget that we are responsible not only for our actions but also for our inactions. We therefore call upon the Security Council to go forward and to adopt the resolution. We call upon the 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.

Statement of 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, Switzerland, The Former Yugoslav Republic of Macedonia, Tunisia, United Kingdom, Uruguay.