PERMANENT MISSION OF THE SYRIAN ARAB REPUBLIC TO THE UNITED NATIONS

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**PM/2020/**

June 26, 2020

Excellencies,

Upon instructions from my Government, the Syrian Arab Republic, I write to you in your capacity as the co-facilitators for the review of the UN Human rights treaty body system, and with reference to the letter dated 17 June 2020, regarding the request of the co-facilitators for the submission of written contributions on the review process of the UN Human rights treat body system,

Kindly find annexed "The Syrian Arab Republic's Contributions on the review process of the UN Human rights treat body system".

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

 **Bashar Ja’afari**

 **Ambassador**

 **Permanent Representative**

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| **- H.E. Jürg Lauber, Ambassador, Permanent Representative of Switzerland to the UN.****- H.E. Omar Hilale, Ambassador, Permanent Representative of the Kingdom of Morocco to the UN.** |  |

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**Annex: "The Syrian Arab Republic's Contributions on the review process of the UN Human rights treat body system"**

The effective functioning of the system of human rights treaty body lies in its adherence to the treaty texts from which its mandate is derived and given to them by Member States. The work of this system must be reviewed through a transparent, interactive governmental process with Member States and to improve the performance of their obligations under it.

The following are the most notable observations of the Syrian Republic on the review process of the system:

* We emphasize the **optional nature of the simplified reporting procedure** in the submission of periodic reports, as it is up to each State party to choose to resort to it or not, without any substitute for the mechanism provided for under each treaty, and without the committees obliging the parties to follow it or take any action that would be interpreted as pressure in this direction.
* **General comments**: preparing of general comments by some treaty committees must not lead to the establishment of new obligations for Member States of the relevant treaty, impose new explanations contradictory to the treaty, or tackle issues outside the scope of its text.
* **The importance of activating the practice of holding a meeting with the States parties to the treaty**: this would be an occasion for dialogue on the implementation of the treaty in question, and the concerns of States, including observations on procedural and substantive issues related to the committee's functioning and discussion of the report.
* **Committee chairmen and political positions issued on behalf of the Committee**: Some committee chairmen issue statements on behalf of the Committee on the human rights situation in a country based on reports from unreliable sources and without paying attention to the information provided by the state concerned. This would damage the independent and impartial nature of the members of human rights treaty bodies and would be contrary to the guidelines governing the work these experts do.
* **Regarding the conduct of dialogues with Member States on their periodic reports and the results of the discussion of reports**:
* the topics that are raised through the preliminary **list of issues** addressed to the state concerned prior to the discussion or the questions addressed during the discussion session must be within the mandate of the committee determined by the treaty texts, taking into account the different legal, social and political systems of states.
* It is particularly important to make balance in managing the time allotted for the national report discussion session in order to improve the quality and outcome of the dialogue. The inclusion in the committees' annual agendas of additional meetings that go beyond coordination issues, meetings with States parties, or the allocation of additional meetings to discuss issues beyond the committees’ mandate should not in any way induce reduction of the time allocated to State delegations in national reporting discussion sessions or affect funding for this purpose.
* Importance of the concluding observations and recommendations of the committees reflecting the dialogue with the State party concerned, and the information it has provided during the discussion process (national report, written and oral responses and subsequent comments).
* The scope for NGOs to submit submissions in the context of the national report must be based on principles agreed upon within the United Nations.
* Regarding the follow-up procedure after discussion (follow-up reports), the procedure used by some committees must take into account that some of the recommendations of the Committee sometimes need time to be implemented at the national level. Therefore, the content of additional follow-up reports could be part of the state party's next periodic report, without the need to create new duplication or complications in reporting procedures, with the emphasis on the need for follow-up reports to create new obligations for the State party beyond the treaty texts.
* We stress the importance of providing support to the Member States facing exceptional challenges and obstacles in their implementation of their obligations and commitments under relevant conventions due to the unilateral coercive measures imposed on them, in addition to the disastrous impacts of terrorism and foreign occupation on these States, as well as on the treaty bodies responsibilities in this context.
* Lastly, we emphasize the importance of ensuring that all six official languages of the United Nations are represented in the context of the working procedures in the framework of human rights treaties, leading to greater interaction between all countries and these bodies. This is one of several issues that must be considered in allocating adequate funding to the work of these bodies.