

The New Syria Will Need Human Rights, Not Reprisals Kenneth Roth Human Rights
Watch 4 February
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It has been two years since the Arab uprisings began, and those early, heady days of euphoria seem a thing of the distant past. Since then, we have seen the rise of Islamist political forces that many fear will cite religion to threaten the rights of women, minorities and dissidents. Security forces continue to overreach, as in Egypt's response to recent rioting. It turns out that, difficult as it is to end abusive rule, it is perhaps still harder to build a rights-respecting democracy on a legacy of repression.

Perhaps the greatest danger is majoritarian hubris. It is no surprise that a revolution's victors, long repressed by the old regime, do not want to hear about new restraints once they finally achieve power. But a rights-respecting democracy is different from unrestrained majority rule. Frustrating as it can be, majority preferences must be constrained by respect for the rights of individuals and the rule of law. Yet Egypt's new constitution, for instance, is filled with loopholes that can be interpreted as jeopardising basic rights.

Women's rights have been a particular source of contention. Across the region, some argue women's rights are a western imposition, at odds with Islam or Arab culture. However, international human rights law does not prevent women from leading an Islamic or conservative lifestyle if they do so voluntarily. Calling women's rights a western imposition does nothing to disguise the domestic oppression involved when women are compelled to assume a subservient role.

The new governments have also been tempted to suppress speech that criticises the government, insults certain groups or offends religious sentiment. (...) Strong, independent judiciaries with a healthy respect for free speech are needed to counter these temptations.

Governments must also refrain from suppressing speech for supposedly provoking violence when it is really those who object to the speech who are violent. Governments have a duty to stop that violence, not censor the offensive speech. Activists should be wary of advocating otherwise, lest they find themselves charged with "provoking" attacks by pro-government thugs. (...)

The challenges facing the new governments of the region highlight the importance of planning for the future in Syria. Today, the top priority must be bringing an end to the slaughter that, according to the UN, has already taken 60,000 lives, most by forces loyal to President Bashar al-Assad.

But it is not too early to work towards influencing a successor government, to ensure that they

respect rights. The international community should start by pressing Syrian armed opposition groups to respect rights now – to refrain from torturing or executing prisoners or fomenting sectarian strife. And it should actively support international criminal court (ICC) involvement in Syria (the US has been reluctant) precisely because it would apply to government and opposition abuses alike.

The armed opposition must also be pressed to articulate a vision that has a place for all Syrians. The desire for revenge should be channelled into individual prosecutions, with full due process and focus on the most senior officials responsible for atrocities. Reprisals on broad sectarian grounds must be avoided.

The international community can help achieve positive rights outcomes in the region by addressing its own conduct as well. It should be principled in its support for democracy, ending the double standard that ignores repression in places such as Bahrain or Saudi Arabia.

It should insist on justice wherever mass atrocities occur, unlike its seeming indifference in Libya once Gaddafi fell, the impunity deal it accepted for the former Yemen president Ali Abdullah Saleh and the pressure by some western governments, including the UK, on Palestine not to join the ICC for fear the court would be called to address alleged Israeli war crimes.

Perhaps most important, governments should respect rights themselves, since it is difficult to preach what one does not practise. The US remains handicapped in pressing to bring torturers to justice because President Obama refuses to allow the investigation of Bush officials implicated in torture. The UK has also refused to properly investigate its role in sending two suspects to Gaddafi's Libya, where they were tortured.

The future of the Arab spring lies foremost with the people of the region. But how the rest of the world responds, and acts, will contribute to the outcome. We all have a responsibility to produce a positive outcome from this extraordinary opportunity.

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