

**High-Level Panel Discussion on the Situation of Human Rights in the
Syrian Arab Republic**

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Statement by Mr. Paulo Sérgio Pinheiro

**Chair of the Independent International Commission of Inquiry
on the Syrian Arab Republic**

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*Distinguished President of the United Nations General Assembly,
Monsieur le Président de l'Assemblée générale Conseil des Nations Unies,
Excellencies, Colleagues,
Mesdames et Messieurs,*

We are here on the cusp of the 10th grim anniversary of the conflict at the Syrian Arab Republic. One decade in, it is abundantly clear that it is the children, women and men of Syria who have paid the price when the Syrian Government unleashed overwhelming violence to quell dissent. Opportunistic foreign funding, arms and other support to the warring parties poured fuel on this fire that the world has been content to watch burn. Terrorist groups proliferated and inflicted their ideology on the people, particularly on women, girls and boys, as well as ethnic and religious minorities and dissenting civilians. Pro-Government forces have deliberately and repeatedly targeted hospitals and medical facilities, decimating a medical sector prior to the arrival of the most catastrophic global pandemic in a century. The use of chemical weapons has been tolerated, the free flow of humanitarian aid instrumentalised, diverted and hampered – even with Security Council authorisation.

Half the pre-war population has been displaced, many repeatedly. Numerous Member States have intervened directly and indirectly, including through the imposition of unilateral sectoral sanctions that have worsened an already hobbled economy. There are basic human rights and humanitarian needs

– food, water, health care, and education – that must be met regardless of which entity controls a given territory.

Warring parties' attempts to resolve the conflict militarily over the past decade have enabled the violation or abuse of nearly every core human right. Parties to the conflict have cumulatively committed almost every crime against humanity listed in the Rome statute and nearly every war crime applicable in a non-international armed conflict.

Yesterday, we launched another report concluding that no warring party in Syria has respected the rights of detained persons. The Government of Syria's forces arbitrarily arrested, tortured and summarily executed detainees, committing both war crimes and crimes against humanity. Male and female prisoners were also raped. Other warring parties perpetrated similar war crimes in their detention facilities – with UN-designated terrorist organizations such as HTS and ISIL also engaging in crimes against humanity while ISIL carried out a genocide against the Yazidis, in part through detention.

Tens of thousands of people who were detained remain disappeared, many since nearly ten years. The Government on a massive scale, but also other parties on a smaller scale, are deliberately prolonging the suffering of hundreds of thousands family members by withholding information. This is a national trauma that must be addressed without delay. We urge the Government, and all other

parties subjecting individuals to disappearances, to take urgent, comprehensive steps to reveal their fate.

Monsieur le Président, Excellences

While these two reports cover the crisis since the start of our mandate in 2011, these crimes, violations and abuses documented are still happening now. As much as the world wants to look away, and despite the relative calm since last year's ceasefire, this war continues. The full human impact of this catastrophe will be felt for generations. Yet, through all of this, the rights and interests of regular Syrians have never been put first.

Though justice delayed is justice denied, justice must come, and it must come in all its forms. Victims' demands for justice and accountability are a central component of any durable peace. The restorative justice measures that Syrians have called for time and again cannot be relegated to a second tier of justice. More must be done to free the arbitrarily detained, locate and identify the missing, restore vital civil documentation, safeguard human rights in relation to housing, land and property among other issues. Such measures should be designed and implemented in line with the four pillars of the Women, Peace, and Security Agenda from the outset to be truly durable. The recent history of this very body, including the establishment of the IIIM Mechanism on Syria, shows that inaction at the UN Security Council need not prevent other initiatives.

Efforts to ensure accountability for the crimes being committed are being addressed through the efforts of third state national judicial systems, most recently exemplified by the verdict handed down by a court in Koblenz, Germany last week. These efforts shows the determination of some Member States and the ingenuity of Syrian activists and victims to bring cases where they can. But it is an embarrassing indictment of both the parties to this conflict and the international community that these are the only criminal accountability avenues available after a decade of widely known abuse.

Excellences

As Dag Hammarskjöld famously said, the United Nations "was not created to take mankind to heaven, but to save humanity from hell." The entire UN system has by now produced a vast body of reports, briefings and speeches about the Syrian conflict and the litany of violations and abuses imposed on civilians – including our reports.

I invite the representatives of Member States to examine this body of documentation detailing just a fraction of the suffering of Syrians, and to ask whether it has done so for the people of Syria. As we speak, millions of Syrian civilians live in internal displacement with limited access to basic human necessities, in cities reduced to rubble, subject to predation by a constellation of armed actors, while the international community dithers.

It is far past time to finally put Syrians first – and expend every effort to support a peaceful, negotiated resolution to the conflict and to help place Syria on a path toward a stable, prosperous, and just future for all her people.

Merci.

Thank you.