Letter: Fighting impunity with regard to the crimes committed in Syria (Avvenire)

2021-03-31

Ten years ago, millions of Syrians took to the streets of Dara’a, Aleppo and Damascus, calling for democracy and respect of their fundamental rights and basic freedoms. The brutal response by the regime triggered over the span of a decade one of the most serious criminal enterprises and humanitarian crises since the Second World War resulting in more than 400 000 deaths and in countless violations of human rights. More than half of the Syrian population have had to leave their homes, and more than 6 million have fled their country to escape the regime’s atrocities. Tens of thousands have been forcibly disappeared, their families left without any information as o their fate or whereabouts.

The Syrian regime has used chemical weapons against its own people repeatedly, as the United Nations (UN) and the Organisation for the Prohibition of Chemical Weapons (OPCW) have proven beyond doubt. The regime has consistently refused to provide explanations to international investigation teams. But the survivors of its attacks are here to bear witness to what they have seen and suffered. We will not remain silent in the face of the atrocities that have taken place in Syria, for which the regime and its external supporters bear the main responsibility. Many of these crimes, including the ones committed by Daesh and other armed groups, may amount to war crimes and crimes against humanity. It is everyone’s responsibility to fight impunity and demand accountability for the crimes committed in Syria regardless of the perpetrator.

It is a matter of justice for victims. Given the seriousness of the crimes, we continue to call for the International Criminal Court to be allowed to investigate crimes alleged to be committed in Syria and prosecute the perpetrators. To thwart the strategy of those blocking Security Council referral to the Court, we are working to ensure the facts are documented, pending examination by the competent judges. We therefore supported the creation of the International, Impartial and Independent Mechanism, which collects and preserves evidence for future proceedings. These efforts are essential. We also support the work of the Independent International Commission of Inquiry, which documents human rights violations in the Syrian conflict.

It is critical that these violations, which have been documented so thoroughly, come to an end immediately. We are also determined to enforce all international norms to protect the rights of

all Syrians, as demonstrated by the recent action initiated by the Netherlands to hold Syria to account for breaching the UN Convention Against Torture. National courts, some of which have already opened judicial proceedings, play an important role in this. Prosecutions and final judgements have already been brought against perpetrators in several of our countries. Already in 2016, courts in Sweden started prosecuting grave crimes committed in Syria. Last month, a court in Koblenz, Germany, handed down a historic first judgment against a former member of the Syrian intelligence services for abetting crimes against humanity. Judicial proceedings are also underway in France, and a complaint was recently filed in Paris for the chemical attacks committed by the Syrian regime against its people.

The European Union has adopted targeted sanctions against individuals and entities close to the regime that are behind the repression of the Syrian people. We reject the regime's narrative that these sanctions are to blame for the suffering of the Syrian people. It is the regime's blatant neglect and mismanagement of the economy, which has led to the current economic crisis facing Syrians.

Today, we also need to provide solutions to the tragedy of detainees and more than 100.000 disappeared. It is essential for the United Nations to dedicate all the energy required to achieve tangible results, first and foremost from the Syrian regime.

Fighting impunity is not only a question of principle, it is also a moral and political imperative, and a matter of security for the international community. The use of chemical weapons, in any circumstances, is a threat to international peace and security. In response to chemical attacks, we have mobilized all competent institutions, guardians of the CW prohibition norms. OPCW teams have carried out fully independent investigations. To complete this considerable work, we launched the International Partnership against Impunity for the Use of Chemical Weapons, bringing together 40 States and the European Union. This initiative has made it possible to condemn those involved in the development or use of chemical weapons. And we will not rest until they have been punished for their crimes.

Lastly, the fight against impunity is a prerequisite for rebuilding lasting peace in Syria. Without a complete and verifiable end to human rights violations and abuses, the people of Syria cannot look forward to a bright future. Without accountability for the crimes committed, Syria will be unable to reconcile with its past. We commend the heroic efforts of human rights defenders, NGO personnel and civil society who risk their lives to bring to light the truth about the crimes committed in Syria. We offer them protection, where possible, and our legal systems are working actively to prosecute those responsible for serious crimes.

Full light must be shed on this decade of atrocities. Justice for victims is essential to rebuild a stable, peaceful Syria, based on a credible and viable political solution in accordance with UN Security Council Resolution 2254. Our countries are committed to ensuring that war criminals

and torturers will not go unpunished. Their crimes will not win over the Syrian peoples' aspirations for dignity and for justice.

Letter signed jointly by the Foreign Ministers of: Austria, Alexander Schallenberg, Belgium, Sophie Wilmès, Bulgaria, Ekaterina Zaharieva, France, Jean-Yves Le Drian, Denmark, Jeppe Sebastian Kofod, Finland, Pekka Haavisto, Germany, Heiko Maa, Ireland, Simon Coveney, Italy, Luigi Di Maio, Latvia, Edgars Rinkevics, Lithuania, Gabrielius Landsbergis, Luxembourg, Jean Asselborn, Malta, Evarist Bartolo, Netherlands, Stef Blok, Poland, Zbigniew Rau, Portugal, Augusto Santos Silva, Slovenia, Anie Logar, Sweden, Ann Linde

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Source : https://www.esteri.it/en/sala_stampa/archivionotizie/interviste/2021/03/di-maio-lotta-decisa-contro-l-impunita-per-i-crimini-commessi-in-siria-avvenire/