

Statement by Mr. Paulo Sérgio Pinheiro, Chair of the Independent International Commission of Inquiry on the Syrian Arab Republic, at 43rd Human Rights Council session

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9 March 2020

43rd Session of the UN Human Rights Council

Geneva, 9 March 202

*Mme. la Présidente,
Excellencies,*

This update marks the 27th time I have addressed this body.

The images of Idlib speak for themselves. Schools, hospitals, bakeries, markets and homes have been obliterated. Civilians are fleeing either on foot or crammed onto trucks, heading north. Families burn clothes and remaining belongings in an attempt to keep their children from freezing to death. Since December, nearly one million people have been displaced, stranded in a rapidly shrinking enclave: 80% are women and children – they bear the greatest burden.

Concurrent with these developments, the terrorist group Hayat Tahrir Al-Sham (or HTS) have carried out attacks on civilian inhabited areas under the control of the Government. They have killed dozens of women, men and children, spreading fear amongst the civilian population and pushing many to flee. They are also detaining activists, journalists and other individuals criticising the group.

The response by pro-government forces has been disproportionate. Hundreds of Syrians have been killed in near-constant bombardments during the period under review. Their aerial attacks and ground offensives led to displacement on an unparalleled scale, and were characterised by the failure to abide by the legal obligation not to direct attacks against civilian targets. These attacks appeared intended to terrorize civilians in an apparent effort to depopulate parts of Idlib and accelerate its capture.

More than 3 million people remain trapped in northern Idlib. The near absence of humanitarian aid is causing a severe shortage of food and basic necessities. Children have frozen to death for want of shelter, pregnant women are left without enough food and medical care.

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The situation in Al-Hol camp remains desperate. One year after the territorial defeat of the Islamic State, women and children with familial links to terrorist fighters continue to be interned in camps. They remain in a legal limbo. Children should first and foremost be seen as victims. Member States must respect the principle of the best interest of the child and urgently repatriate girls and boys.

Aside from warfare, violations by all parties to the conflict continue to be committed throughout the country. Those in previously besieged areas, including Ghouta, Dar'a or Douma, are straining for basic resources amid widespread lawlessness and insecurity. Arbitrary arrests and cumbersome administrative procedures, in addition to the combination of complex changes to property legislation and myriad movement restrictions, have been used to punish and ensure obedience.

The launch of Operation "Peace Spring" in north-eastern Syria has caused another wave of displacement. More than 100,000 civilians fled within 24 hours, between 10 and 11 October. As aerial and ground offensives intensified, armed groups operating under the umbrella of the Syrian National Army engaged in looting and property confiscation of residences, schools, land and civilian vehicles.

In Afrin and adjacent areas, armed groups operating under the umbrella of the SNA regularly arrest, detain, torture and extort residents of Kurdish origin in addition to looting and confiscating their properties in a widespread manner.

In areas affected by Operation "Peace Spring", as well as in Afrin, armed groups generate a fear of violence and duress among the female Kurdish and Yazidi population, confining women to their homes and forcing others to relinquish their jobs.

Excellencies,

M. le Président, The ceasefire announced by Presidents Putin and Erdogan in the northwest of Syria should bring reprieve to the civilian population, and provide space for desperately needed humanitarian aid to reach civilians. This can be a path to ensure a permanent cessation of hostilities, unfettered access to humanitarian assistance and enhanced human rights protection for all. At the very least, this agreement is an opportunity that should not be missed. Time and again, Syrians have paid the price for the continuation of this war. What Special Envoy Brahimi said four years ago remain valid. Many States still provide support in furtherance of competing agendas, but none of their priorities include the needs of the Syrian survivors.

To heal the divides that have torn the Syrian society apart, there must be meaningful accountability, justice and remedies for the myriad violations and crimes committed by all parties to the conflict. The complete disregard for international norms must not continue, nine years after the beginning of the conflict. States are the guarantors of international human rights and humanitarian law. Failure to respect this body of law erodes protection everywhere in Syria.

The war decimated a significant number of the male Syrian population. One year after the unanimously adopted Resolution 2474 (2019), the State has not yet taken measures to search for the missing, enable the return of their remains or to account for their disappearance. The anguish that families endure as a result of the enforced disappearance of their relatives is a grave human rights violation in itself.

Tens of thousands of Syrians are languishing in secret detention. It is long overdue that families are informed of their fate and whereabouts and allowed to visit them. International humanitarian organisations must be allowed access to them, and those who are arbitrarily detained must be released. Such basic respect for human rights is not dependent on a peace agreement and should happen now.

I thank you.

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