

Statement by Mr. Paulo Sérgio Pinheiro Chair of the Independent International Commission of Inquiry on the Syrian Arab Republic

 [ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx](https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx)

[Back](#)

14 July 2020

United Nations Human Rights Council 44st Session of the UN Human Rights Council Geneva, 14 July 2020

Mme. la Présidente
Excellences,

It is a pleasure to be here today to deliver an **oral update** on the situation in the Syrian Arab Republic and on our special report on Idlib and surrounding areas.

In **Idlib**, millions of civilians live largely under the control of the terrorist group Haya't Tahrir al-Sham (HTS, designated as such by the UN).

As the Commission has said repeatedly, States have the full **right to defend their country and their citizens against terrorists**, but they must do so in compliance with international humanitarian and human rights law.

That was clearly not the case in Idlib this winter and spring. All sides committed war crimes. **Children were bombarded at school, parents were bombarded at the market, and sick and injured were bombarded at the hospital.** Entire families were bombarded even while fleeing these attacks.

The widespread aerial bombardments in parts of southern Idlib and Western Aleppo left civilians with no choice but to flee. Nearly **one million people were displaced** over only three months, as they fled a campaign of bombardment which in part may have entailed crimes against humanity. Government forces then engaged in looting and pillaging in their re-taken, now largely depopulated, areas.

Taking advantage of the displacement, **HTS** too pillaged vacated homes. As battles waged, they **detained, tortured, and executed** civilians. They targeted those expressing dissenting opinions, including journalists, for detention. They and other armed groups continued to systematically discriminate against women and girls, denying their freedom of movement.

Those displaced during the intense hostilities still suffer in overcrowded and underserviced vast displacement camps - **trapped** between Turkey's border wall and the Syrian Government's ground forces.

Despite the risks involved, some of those displaced during the hostilities are returning, even to homes in ruins. Because the **conditions in overcrowded camps are just that dire**, and compounded by the looming threat of COVID-19 – the first case was reported last week.

The Security Council has just done the bare minimum, by reauthorizing the cross-border aid operation, allowing one crossing to be used for one year. It must do more. Aid must flow on the basis of need and not of politics. Anything else is a shameful failure, which can result in further and entirely unnecessary loss of life. **Pandemics know no borders, nor should life-saving aid.**

Mme la Présidente,

We have all witnessed how even the richest and most resourced countries around the globe have struggled to cope with **COVID-19**.

In Syria, the **healthcare system has been ripped apart** by nearly 10 years of conflict – and by a Government that has systematically bombarded hospitals. 70% of the health workforce has left the country, only two thirds of hospitals and half of primary healthcare centres are functioning. Health workers have been attacked, detained and disappeared by parties to the conflict.

While this affects all Syrians, those in detention, those interned in camps in Al Hol with limited access to medical care and the more than 6.5 million internally displaced, are **particularly vulnerable**.

Those in unlawful detention must be **released** without delay, as should all children, elderly, disabled and infirm. A recent Government amnesty decree grants pardons and reduced sentences, but unless broadly and swiftly implemented many more detainees may not survive.

To tackle the pandemic, which has compounded an already deep economic crisis, Syrian children, women and men need all help they can get. The Security Council's decision to restrict aid crossings instead of expanding them is indefensible. **All obstacles to humanitarian aid should be removed**, including those caused unintentionally by overly cumbersome humanitarian exemption procedures. We reiterate the calls made by Secretary-General Guterres and High Commissioner for Human Rights Bachelet to ease or waive sectoral **sanctions** imposed on countries to ensure access to food, essential health supplies, and COVID-19 medical support.

Excellences,

Meanwhile, in the south of the country, particularly **Daraa**, we have seen increased clashes and targeted killings, due to a toxic mix of armed actors vying for power. In **Rif Damascus**, thousands of civilians are prevented from returning to their homes.

Governmental policies appear aimed at punishing anyone who had the misfortune of living in areas where armed groups took hold. Overall **in Government-controlled areas**, after nine consecutive years of arbitrary arrests and enforced disappearances, thousands languish in incommunicado detention, and thousands of families worry every day about the fate of their loved ones.

In areas around **Afrin and Ra's al-Ayn** region, civilians suffer at the hands of the Syrian National Army – who arbitrarily detain, ill-treat, torture and rape civilians, and loot civilian property. Concurrently, mortar attacks allegedly originating from territory controlled by the Syrian Democratic Forces into Afrin continue to kill and maim civilians.

In the **North-East**, nearly 58,000 children remain confined in congested camps. More than 8,000 of these children are ‘third country nationals’, from 60 countries other than Syria or Iraq. The principle of acting in the ‘best interest of the child’ is clearly not being respected in these camps. Adequate humanitarian and medical aid must get through to all such children and they should be released as soon as possible. Foreign children who can be safely repatriated must be taken back by their countries. This is one area where other Member States can act now, even if only for the benefit of their own nationals, that could also help lessen the burden on these under-resourced camps.

Mme. la Présidente
Excellences,

The fact that grave violations in Syria are committed over and over again, speaks to the crucial importance of accountability. Syrian victims and survivors need and deserve **justice**, as defined by and for themselves, and an end to the rampant impunity. We encourage Member States to continue to seek accountability, including through effective legislation and investigative infrastructure that can enable the prosecution of individuals suspected of war crimes and crimes against humanity in Syria.

While the situation across Syria remains bleak to say the least, it was encouraging to see that the global pandemic helped ensue a pause in fighting in Idlib. Now that the initial shock of the pandemic fades, so does hope that the ceasefire would become permanent. While we welcome the recent resolution calling for a 90-day pause in fighting, yet again we call on the parties to the conflict to heed the Secretary-General's, the Special Envoy's call for a **lasting cease-fire**, and an immediate return to negotiations to end this conflict. We now need true concrete actions to end the conflict and the suffering, and begin the path to a more rights-respecting Syria for its people. Thank you.

[Back](#)