

As delivered

UNITED NATIONS SPECIAL ENVOY FOR SYRIA GEIR O. PEDERSEN
BRIEFING TO THE SECURITY COUNCIL ON SYRIA
27 October 2021

Thank you, Mr. President (Ambassador Martin Kimani - Kenya)

1. Last week, between 18 and 22 October, I convened the Sixth Session of the Small Body of the Syrian-led, Syrian-owned, UN-facilitated Constitutional Committee in Geneva. In accordance with the agreement I facilitated between the two Co-Chairs, titles of constitutional principles were submitted before departure to Geneva by the three delegations – the delegation nominated by the Government of the Syrian Arab Republic, the delegation nominated by the Syrian Negotiations Commission, and the Middle Third civil society delegation.
2. Joined by my Deputy Khawla Matar, I convened the first Co-Chairs meeting in advance of the session, and they met in that format as required throughout the week. The Co-Chairs’ interactions were frank, and businesslike and open. With UN facilitation, they agreed how titles would be selected and when they would be discussed during the first four days. They also met together with me the Middle Third civil society delegation.
3. Accordingly, draft constitutional texts on four titles were presented in advance of each meeting as follows, and then discussed in the Committee:
 - On Monday: the delegation nominated by the government submitted a draft constitutional text on “Sovereignty, independence and territorial integrity of the Syrian Arab Republic”.
 - On Tuesday: the delegation nominated by the SNC submitted a draft constitutional text on “The Army, Armed Forces, Security and the Intelligence”.
 - On Wednesday: some members of the Middle Third civil society delegation submitted a draft constitutional text on “The Rule of Law”.
 - And, on Thursday: the delegation nominated by the government submitted a draft constitutional text on “Terrorism and extremism”.
4. Let me note that the Co-Chairs had agreed on this distribution for this Session, with the understanding that in the next two Sessions, other delegations would take their turn in presenting draft constitutional texts on two titles during the week.
5. Each principle was the subject of discussion for one day. However, the Co-Chairs were not able to agree on the mechanisms for progressing the discussion further during the final day on Friday. The Co-Chair nominated by the SNC made proposals on this, but there was no Co-Chair agreement. The Co-Chairs however agreed that delegations who had further material to present regarding the texts discussed to date should be free to do so in the plenary meeting on Friday.

6. In that meeting, the delegation nominated by the government stated that it had no revisions to present of its draft constitutional texts and that it did not see any common ground. The delegation nominated by the SNC, and some members of the Middle Third delegation, each presented revised versions of their respective draft constitutional texts, stating that these were attempts to build common ground in light of discussions earlier in the week. The delegation nominated by the SNC also presented comments and proposed amendments of the texts that had been presented by the other delegations, for the same stated purpose. The meeting concluded without any points of consensus or provisional agreement in the Committee.
7. Let me remind you, Mr. President, that the Constitutional Committee's mandate, as agreed by the parties, is to prepare and draft for popular approval a constitutional reform, and in accordance with its mandate, it may amend the current constitution or draft a new constitution. That is what constitutional reform means in this setting. Last week, for the first time, all delegations submitted draft constitutional texts.
8. But in the absence of an agreed mechanism to revise the drafts and begin to identify commonalities, the 45 members of the Small Body were not able to move from submitting and discussing initial draft constitutional texts to developing a productive textual drafting process. The Co-Chairs also discussed during the week possibilities for dates for the Seventh and Eighth Sessions before the end of the year, but an agreement on dates and a commitment to meet twice before the end of the year was regrettably not possible. It was for these reasons, Mr. President, that I viewed the outcome, particularly the last day's discussions, as a disappointment.

Mr. President,

9. It is important that the Constitutional Committee continues its work with urgency and purpose – indeed that it works, as its Terms of Reference say that it should, “expeditiously and continuously to produce results and continued progress”. This is indeed what we have agreed upon between the two parties. I will continue my active consultations with the Co-Chairs, and also engage the Middle Third, to address the challenges that have arisen. We need a common understanding on a working mechanism to help the Constitutional Committee discharge its drafting mandate, and we need to set the dates of forthcoming sessions. I remain convinced that progress on the Constitutional Committee could, if done the right way, help to build some trust and confidence. But let me stress that this requires real determination and the political will to try to build some common ground.

Mr. President,

10. As you know, the Constitutional Committee has approximately 30% women among its members, and the Civil Society delegation is indeed comprised of nearly 50% women. We continue to stress the importance of their full participation in the Committee's work.
11. On top of that, and as a part of our continuing commitment to ensure that peacemaking efforts provide real openings for Syrian women to participate meaningfully in all facets of the political process, we convened near Geneva, in parallel with the Constitutional Committee, the Women's Advisory Board. The discussions among this diverse group of women from inside

and outside Syria brought real insights on the impact of the conflict on Syrians from all backgrounds, both inside and in the diaspora. They showed a sense of common purpose and urgency about the need for the political process to move. They also stressed the need for effective institutional arrangements to guarantee the protection and full participation of women in the future of Syria. And they gave me and my Deputy valuable ideas and advice. We will continue to consult them closely.

Mr. President,

12. Let me also stress a third focus of our diplomacy last week. On the sidelines of the Constitutional Committee, I raised with the representatives of the three Astana guarantor states – Iran, Russia and Turkey – the need to accelerate collective efforts on the crucial file of detainees, abductees and missing persons. As part of this, I called for convening more frequent meetings of the “Working Group on the Release of Detainees/Abductees, the Handover of Bodies and the Identification of Missing Persons”. As you know, Mr. President, tens of thousands remain detained, abducted or missing. I continue to press this issue in all my engagements.

Mr. President,

13. Today, I will not elaborate on a range of other issues, but I want to stress that as we facilitate this difficult work, we never lose sight of the deep suffering of the Syrian people in all its dimensions.

14. As our efforts were underway in and near Geneva, violence continued on the ground in Syria. We saw terrorist attacks, airstrikes and heavy shelling that all led to casualties – including dozens of civilians. Some of these incidents also underlined the constant risks of regional escalation. The violence must stop. I continue to call for a nationwide ceasefire, and to stress that the obligations under international humanitarian law to protect civilians and civilian infrastructure must be respected. I also reiterate my call for international cooperation to counter terrorist groups effectively and in a manner that strictly adheres to international humanitarian law.

15. Martin will soon update you on the grave humanitarian situation. For my part, let me simply remind you here today that more than 12 million Syrians remain displaced – either as refugees or as internally displaced – and poverty levels [are] in the vicinity of 90%.

16. The current trajectory of developments in Syria is deeply concerning. We have to break out of this dynamic. As part of this, I am continuing to ask key states to work with me in exploratory discussions on concrete, mutual and reciprocal steps that are defined with realism and precision, and that are implemented in parallel and are verifiable. We need, Mr. President, a constructive Syria diplomacy to help save lives, ease suffering, promote stability and further the implementation of resolution 2254.

17. I will shortly be embarking on consultations in a number of capitals, as well as engaging the Syrian parties directly, as I seek both to facilitate the Constitutional Committee and

develop a wider political process, step-for-step, step-by-step, to promote the implementation of Security Council resolution 2254.

Thank you, Mr. President.