

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

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[Back](#)

18 March 2014

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M. le Président

Excellencies,

Mesdames, Messieurs

The harrowing violence in the Syrian Arab Republic has entered its fourth year. It shows no signs of subsiding, as is apparent not only from our most recent report but also from our update, released today.

The lives of over one hundred thousand people have been extinguished. Those freed from detention now live with the physical and mental scars of torture. The fate and whereabouts of thousands more remain unknown.

Civilians in besieged areas have been reduced to scavenging. A recent photograph showing thousands of people queuing for food at the Yarmouk camp in Damascus has underlined how desperate, and how precarious, the lives of the besieged have become. UN humanitarian agencies that gained access to Yarmouk witnessed shocking devastation, describing the buildings as “empty shells”, with people emerging from hiding “like ghosts”. In this conflict’s most recent low-point, people, including young children, have starved to death.

Nearly nine million people – a third of the population – have now fled their homes. In addition to the 2.6 million refugees, there are an estimated 6.5 million internally displaced people inside Syria. Millions more live in enclaves surrounded by violence.

This is the tragic reality of the Syrian war.

The battlefield has taken on new layers of complexity. The Government continues to rely on its superior firepower, including its control of the skies. It has benefitted from the intervention of foreign fighters, many of whom have an official presence in Syria. Others, notably insurgents crossing over the frontiers, are clandestinely fighting in concert with the army and with the pro-Government militia.

There are now hundreds of non-State armed groups. Foreign fighters have streamed into Syria, often joining the more extremist battalions. Some, notably ISIS operating in Aleppo and Al-Raqqa governorates, are imposing their radical ideologies on the civilian population. While the armed groups are organizing themselves into coalitions, tensions over political control, resources and ideological orientations remain. In January 2014, these tensions erupted into deadly violence in northern and northeastern governorates.

Civilians are repeatedly the victims of acts of terror. Car and suicide bombs targeting civilian areas by non-State armed groups have caused extensive casualties and destruction. The Government's campaign of barrel-bombing, notably targeting entire areas in Aleppo city, has spread terror amongst the civilian population. Terrorism, in all its forms, is a grave threat to international peace and security. All acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomever committed.

Save for the valiant efforts of humanitarian aid agencies and the countries providing asylum to the 2.6 million refugees, the international community has done little but bear witness to the plight of those caught in the maelstrom. Syrians feel abandoned and hopeless. The overwhelming imperative is for the parties, influential states and the international community to work to ensure the protection of civilians. In particular, as set out in Security Council resolution 2139, parties must lift the sieges and allow unimpeded and safe humanitarian access.

I have just returned from the region, where I spoke with Syrians who had fled the violence. Many had suffered unspeakable atrocities. Among victims of this terrible war, the need for accountability is deeply-rooted in the desire for peace.

The Commission's reports, thematic papers and updates are an authoritative record of incidents documented throughout the Syrian unrest and armed conflict. They act as a bulwark against the misinformation and propaganda that have come to characterise this war. It is this volume of testimony that will be the enduring legacy of the Commission: an archive of Syrian voices and a resource for future prosecutions.

As is well-known, we have established a list of individuals and entities – military units and security agencies as well as armed groups and their battalions – responsible for violations and crimes we have documented throughout our reports.

This “perpetrators list” contains names of persons criminally responsible for hostage-taking, torture and executions. It also contains names of the heads of intelligence branches and detention facilities where detainees are tortured, names of military commanders who target civilians, airports from which barrel bomb attacks are planned and executed, and armed groups involved in attacking and displacing civilians.

We have an enormous volume of testimony – over 2700 interviews as well as a wealth of documentary material. We do not lack information on crimes or on perpetrators. What we lack is a means by which to achieve justice and accountability.

In resolution 2139, the Security Council unanimously stressed the need to end impunity for violations of international law and reaffirmed “that those who have committed or are otherwise responsible for such violations and abuses in Syria must be brought to justice”. It is for the Security Council to make this pursuit of justice possible.

It is incumbent on all Member States, particularly those with influence over the warring parties, to carve out a path to peace. A part of this responsibility is to adhere to your obligations not to transfer weapons where those arms will be used in the commission of war crimes or crimes against humanity. Our reports document these crimes. No one can claim ignorance of what is occurring in Syria. Those that believe in the illusion of a military solution to the Syrian war – or to the proxy wars being fought inside Syria - are seriously compromising the prospect of a political solution.

Compassion does not and should not suffice. We cannot continue to sit for years in these rooms, writing and presenting reports and making speeches lamenting the blood that is running in Syria’s streets.

A negotiated political solution, an inclusive political solution which the commission has consistently held to be the only solution to this conflict, must be pursued with renewed vigour both by the parties and by influential states.

The Syrian government and the opposition forces must rise to the difficult challenge that reaching such a settlement requires. The regional and international community must take clear steps to revitalise the Geneva negotiations.

Working with Joint Special Representative, Lakhdar Brahimi, the warring parties and the regional and international actors, must assume their mantles of responsibility and bring this war, and its many horrors, to an end.

[Back](#)