

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

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Monsieur le Président, Excellences,

I would like to thank Ambassador Jürgen Shultz for convening this important event. Today's meeting offers a vital forum to discuss one of the most horrific aspects of the enduring conflict in Syria, the impact on children. This meeting follows the recent release of our report entitled: 'They have erased the dreams of my children: children's rights in the Syrian Arab Republic.'

That report documents how all parties operating in the Syrian Arab Republic have committed flagrant violations of international law during the nearly nine year conflict. War crimes and crimes against humanity are ubiquitous, and boys and girls – in addition to their family members - have been affected on a vast scale.

Children have been killed and maimed due to deliberate attacks against civilians. Boys as young as six have been recruited to participate in the hostilities. Schools and hospitals have been destroyed, used for military purposes and looted. Over forty percent of educational sites in Syria have been damaged. Half of all healthcare facilities in the country have been affected. Teachers and doctors have been killed, arrested and harassed.

Sexual violence against women, men and children has been a persistent feature of the conflict. Chronic under-reporting has made judging the magnitude of this violation difficult, but not impossible. In 2018, the Commission released a report on sexual and gender-based violence, which sheds light on how parties to the conflict resort to this abhorrent practice as a tool to instil fear, humiliate and punish. Regrettably, these trends continue. The fear of rape has been a driving motivation for parents to remove their daughters from school or flee their homes. It has also compelled parents to marry off their young daughters to ensure that they, or their honour, is "protected".

Terrorist groups such as ISIL and Hay'at Tahrir al-Sham (HTS) have imposed edicts that disproportionately affect adolescent girls. They have enforced strict dress codes and restricted their freedom of movement. This has resulted in discriminatory treatment on the basis of sex, in breach of fundamental international human rights norms. At its peak, ISIL sold Yazidi girls – some as young as nine - like chattel in slave markets in Syria and

subjected them to brutal gang rapes and beatings when they attempted to escape. Today, children born as a result of rape to Yazidi women are being separated from their mothers. Many of the abducted Yazidi girls remain unaccounted for. They have no protection, they have no support. Twenty years on from the efforts of the Council in resolution 1325, the situation of women and girls in the Syrian conflict is dire.

Boys, meanwhile, faced particular pressure as they attracted the attention of security forces and armed groups from the early days of the conflict. They have been routinely harassed or intimidated while crossing checkpoints. They have been recruited and used in combat by parties to the conflict. In response, many boys were relocated outside of the country by their families.

Widespread and systematic campaigns of arrests and detention have also primarily targeted males. Children have been held in the same conditions and tortured in the same way as adult detainees. Armed groups also detained children. They used them as hostages to initiate prisoner swaps or extract confession from their parents.

Excellences,

In our last speech to the Security Council in November 2018 we outlined the situation at the time in Idlib. It is shocking that nearly everything we said then remains true today. Events in and around Idlib demonstrate the same patterns as the last few years, but they are magnified and compounded. Although States have the right to defend their country and their citizens against terrorists, adherence to international humanitarian and human rights laws is paramount.

We are currently investigating a number of attacks on civilian infrastructure by aerial and artillery fire. Schools, markets and medical facilities have been affected. There are also a large number of civilian casualties, including many children. Another wave of displacement has been triggered with over half a million boys and girls displaced since the beginning of December. Some towns and villages in southern Idlib and western Aleppo governorates reportedly have been completely depopulated. History is repeating itself and the children of Syria are suffering while Member States fail to do what is within their power: stopping the carnage.

Given the recurrent nature of violations, there must be a focus on how to assist these children in practical ways. We commend the Working Group on Children and Armed Conflict and its strong conclusions, issued last July. That document largely reinforces the recommendations in our report. They must be implemented to prevent and address violations against boys and girls.

Repeated exposure to violence and insecurity has dramatically impacted children in Syria. Boys and girl exhibit signs of trauma, including psychological and behavioral disorders. They also suffer from chronic fatigue and acute stress. This applies equally to all children in Syria, including Government controlled areas.

Holistic initiatives must be put in place to support children with physical and mental disabilities. Children who have suffered violations must also be provided with support to return to their communities. It will take significant efforts to provide the necessary mental, social and psychological support to children and prepare the ground for their reintegration. We urge the international community to provide sufficient resources to facilitate this delicate process and ensure that the best interests of the child are respected.

Regarding education, the rehabilitation of schools must be prioritized and teachers should be reinstated. More than two million children are out of school and they should be able to return to class. Syria simply cannot afford to have multiple generations without education going forward.

Repeated displacement of children is a particularly pressing concern with over five million children affected. Recent events in and around Idlib have brought renewed emphasis to this lamentable situation. Boys and girls are freezing to death in fields. The situation of children in Rukban in the South is also extreme. Children are dying from the lack of medical care. This cannot be something the international community accepts.

We recommend in the report for the Government of the Syrian Arab Republic to ensure, where feasible, that civilians can return to their homes. Where it is not possible, humanitarian access should be facilitated to displaced persons. Access must be based on need and not political expediency. We urge the Council to use all its tools to ensure that appropriate humanitarian access is provided for those displaced children.

We take this opportunity to remind Member States with foreign nationals with perceived links to ISIL that it is each Government's responsibility to repatriate children in line with the best interest of the child. Children are being held together with adults in poor conditions. The failure of Member States to abide by their international obligations is putting countless girls and boys at risk of abuse and exploitation. We note that the Secretary-General issued clear guidance on this just last year.

Excellences,

The international community must find a path to peace through dialogue. The Secretary-General repeated yesterday that there is no military solution to the conflict. All parties to the conflict should come to the negotiating table and work with Special Envoy for Syria to find solutions that safeguard all civilians, in particular children. The Special Envoy has achieved some progress, but the reality on the ground shows the lack of good faith from the main parties.

In line with the Council's meeting last week on integrating child protection into peace processes, any process aimed at achieving lasting peace should include a child-centered approach. The Security Council has a key role to play in this. This body can do more to bring peace to Syria.

Ending violations of children is a key component. Those responsible for the crimes that we have outlined must be held to account. There have been so many repeated violations that impunity cannot prevail. This will help to ensure that any peace that is created is

sustainable. Let me conclude by recalling that violations against children, in particular their detention and torture nearly nine years ago, were a catalysts of this crisis. We reiterate the Special Envoy's call this morning regarding those deprived of their liberty. We urge the Security Council to exhort the Government of Syria and other parties in the conflict to release all children in detention.

Excellences,

My colleagues Karen Abuzayd and Hanny Megally look forward to your comments and question.

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