

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

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[Back](#)

16 September 2014

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*Monsieur le Président Monsieur le Haut-Commissaire Excellencies, Mesdames, Messieurs*

I wish first to extend my congratulations to the High Commissioner as he steps into this important role.

*Excellencies,*

Once again I appear before you. And once again, I am left with no choice but to describe a war which worsens every day. I have run out of words to depict the gravity of the crimes committed inside Syria. As the numbers of victims climb ever higher, their stories and their pain seem increasingly obscured by the extent of the tragedy.

But victims should never be anonymous. We should – after all they have suffered – at least afford them the dignity of being recognized.

While we await the implementation of our recommendations, we have continued to listen to and record the anguish of Syria’s men, women and children. During our work over the last three years, their feelings of pain, anger and disillusionment have only grown.

If you want to know the effect this war has had, you must listen to its victims. Their voices shine a piercing light upon the brutal crimes being committed daily. Today, we are releasing to you, with their consent, redacted testimonies of those who have suffered egregious violations of international law. They include a child injured in a missile attack on a school in Aleppo city, a man tortured in Damascus’ Mezzeh detention facility, and a pregnant woman left adrift after losing her husband and parents. Desperate, they remain hopeful that their stories can prompt the action and dialogue necessary to bring this hideous war to an end.

In the last two months, ISIS, operating in Syria, has continued to brutally and publicly execute civilians, as well as captured rebel fighters and Government soldiers. In August, it was designated a terrorist group by Security Council Resolution 2170. The High Commissioner for Human Rights, in his opening speech to this Council, described the world to which this group aspires as one in which “unless your view is identical to theirs –

and theirs is extremely narrow and unyielding – you forfeit your right to life.” His words echo that of one victim, held by ISIS in Aleppo city, who described men being deprived of their liberty and executed on the sole grounds that they opposed its ideology. The terror that this engenders is multiplied exponentially for individuals and communities that do not fit within ISIS’s conception of itself as a state. Recent events in Iraq lay bare the threat ISIS poses for religious and ethnic minorities inside Syria.

ISIS has committed massacres, including the killing of civilians at the Al-Shaar gas fields in eastern Homs and the execution of hundreds of captured Government soldiers in Ar-Raqqa in July and August. Captured members of other armed groups have also been executed and their bodies publicly displayed. Reports have been received of the killing of hundreds of people from the Al-Sheitat clan in Dayr Az-Zawr. In addition to the executions of two journalists and an aid worker, ISIS has continued to subject scores of Syrians to the same fate in public squares in the north and east of the country.

Women living in ISIS-controlled areas have been banned from public life. They may not walk in the streets unaccompanied or work without the supervision of male relatives. Education for girls after primary school level has been curtailed and early marriage is on the rise. Some women have been stoned to death, ostensibly for adultery. Others have been lashed for leaving their homes without a male relative or with their hair and faces uncovered.

ISIS deliberately exposes children to violence. Children are encouraged to attend executions. Later they wander past corpses displayed on crucifixes in public squares. ISIS has prioritized the indoctrination of children. The group teaches children ideology under the guise of education, trains them in the use of weaponry and uses them to participate in hostilities. As recently as last month, armed children were seen at ISIS checkpoints in Al-Hasakah governorate.

Anti-Government armed groups continue to commit crimes with no regard to international law. In the last two months, armed groups launched attacks on villages in Hama and Al-Suweida, killing men, women and children. Jabhat Al-Nusra, also labeled a terrorist group under Resolution 2170, claimed responsibility for exploding two car bombs, killing civilians in an Ismaili village in eastern Hama in early August. Al Nusra also attacked and took UN peacekeepers, stationed in the Golan Heights, hostage. They have now, thankfully, been released safely.

ISIS and the anti-Government armed groups are not, however, the sole agents of death and destruction inside Syria. The Syrian government remains responsible for the majority of the civilian casualties, killing and maiming scores of civilians daily – both from a distance using shelling and aerial bombardment and up close, at its checkpoints and in its interrogation rooms.

Checkpoints are often the starting point of a horrific journey of disappearance, torture, sexual abuse and, for many, death.

Checkpoints are used to enforce sieges and to trap civilians in areas under indiscriminate bombardment. Ubiquitous and often unavoidable, they are a source of terror to the civilians they encircle.

More families have come forward to tell of the disappearance of relatives. People, mainly men, have been arrested from their homes or at Government checkpoints, and never heard from again. These numbers include journalists and human rights defenders. One such man is Mazen Darwish, president of the Syrian Center for Media and Freedom of Expression, who was arrested on 16 February 2012. Designated a prisoner of conscience by Amnesty International, Darwish's fate and whereabouts, like the fate and whereabouts of thousands of others, remains unknown. The fear of male relatives being disappeared has led to Syrians fleeing over the border into refugee camps.

Many of the disappeared, if they survive long enough, are likely to have been detained in government detention facilities. For many years, the government has overseen a system of widespread torture in its detention facilities. Thousands of men, women and children have been beaten, electrocuted and hung for hours by their wrists from walls. One victim, whose testimony has been released to you today, gives a graphic account of the physical, sexual and mental abuse he suffered in Government detention.

Female detainees, who largely did not consent to their statements being released, gave shattering testimonies of being subjected to torture, rape and sexual assault by Government security forces. In some cases, pregnant women were forced to give birth in dirty, overcrowded cells. In such conditions and without the provision of any medical care, some of the infants did not survive.

Many of those detained in Syrian prisons have died. Some were killed by their government interrogators during questioning. Others succumbed from a lack of medical treatment or as a result of inadequate food. These deaths occur behind locked doors and are deliberately shrouded in official silence. They are hidden but they are real. And they continue to occur, with impunity.

The Government is maintaining sieges on civilian-inhabited areas of Al-Ghouta area of Rif Damascus. Yarmouk camp in Damascus city has been besieged for over 400 days. Indiscriminate attacks, including aerial bombardments on residential areas have continued across the country. In the last two months, Dara'a has been heavily bombarded with little sign of the Government's attempting to distinguish between civilians and members of armed groups. The Dara'a Palestinian camp has come under severe attack, with resulting civilian casualties. Civilians are fleeing the area, but Palestinians have found it difficult to find safe haven and welcome in other countries.

Many of the areas under bombardment or siege are yielding to local truces. These truces may provide a level of peace and stability, marking as they do a cessation in attacks and the movement of food and medicines into these communities. Nevertheless, they are also a measure of the success of the Government's 'starvation or submission' strategy.

We have charted the descent of the conflict into the madness where it now resides. We have implored the parties and influential states to forge a peaceful settlement. We have asked the Security Council to refer the situation in Syria to the International Criminal Court. But we have been faced with inaction. This inaction has allowed the warring parties to operate with impunity and nourished the violence that has consumed Syria. Its most recent beneficiary is ISIS.

In failing to search for peace, Syria has been moved further and further into a war that has spilled over into Lebanon and Iraq and is threatening the entire region and beyond. Recent attacks on Aarsal endanger Lebanon's stability. As military action on ISIS positions seems increasingly likely, we remind all parties that they must abide by the laws of war and most particularly, the principles of distinction and proportionality. Serious efforts must be made to preserve civilian life.

The Syrian conflict will not be resolved on the battlefield. The only avenue to putting an end to the conflict and violence is dialogue and negotiation between the Syrian Government and the mainstream opposition, with the support of influential states and the United Nations. We are at a critical moment in the conflict. While the immense human suffering has long demanded diplomatic action, the rise of ISIS has emphasised the need for the Government and mainstream opposition to find common ground and to commit to making compromises needed to reach a comprehensive political settlement. The Commission welcomes the efforts being made by Special Envoy Staffan Di Mistura as he seeks to move the parties towards such a settlement.

I cannot bring myself to repeat the statistics of this war. I no longer have faith that enumerating the thousands of dead and displaced will provoke you to act. Read instead the stories of the victims. The paper before you contains the voices of 12 people. The Commission has thousands more, sealed in our database, demanding to be heard. What they want – these people who disappear, who are tortured, who starve – what they want is to return to what is left of their lives, in peace, in their country. How much longer will we deny them this?

[Back](#)