

**Statement by Mr. Paulo Pinheiro, Chairperson, Independent
International Commission of Inquiry on the Syrian Arab Republic**

19th Session of the Human Rights Council

Monday, 12 March 2012

Distinguished Members of the Human Rights Council,

Ladies and Gentlemen,

A year has passed since the beginning of the unrest in the Syrian Arab Republic.

The intensification of armed confrontations has widened the trail of suffering.

The human rights and humanitarian situation becomes bleaker day after day in

neighborhoods in Homs, Idlib, Hama, rural Damascus and Dar'a. In the

devastated district of Bab Amr (Homs) a month of unrelenting shelling brought

death, misery and destruction. Those who fled the area reported summary

executions and mass arbitrary arrest campaigns.

Since March 2011, it is estimated that more than 70'000 people have been

internally displaced in the country, while thousands have sought refuge in

neighboring countries. The exodus continues to Lebanon, Jordan and Turkey. The

desperate situation of civilians needs to be addressed as a matter of utmost urgency. Syrians everywhere demand an immediate end to violence and alleviation of their worsening plight.

After months of obstruction, the Government has given limited access to humanitarian organizations. Yet, time has been lost and opportunities missed to assist those in need, due to the delaying stance of the Government. Many died in the absence of proper medical treatment and essential supplies. Unimpeded humanitarian access should be granted as a rule, rather than an exception.

Madame President,

The Commission regrets having no access to the country. We acknowledge the effort made by the Government to respond to some of the Commission's queries by providing numerous documents. This material conveyed information regarding the funding and arming of what the Government describes as terrorist organizations. Further, the Government provided details on the effects of sanctions and terrorist acts on the country's health sector, infrastructure and economy.

However, such information does not replace the need for investigations and access to first-hand testimony on the ground.

Excellencies,

What is clear is that civilians continue to bear the brunt of violent strife. More than 500 children have been killed since March 2011 and the toll is mounting. This is a tragic indicator of the human rights conditions in areas of unrest. Some children were targeted by snipers; others were victims of indiscriminate shelling. Children continue to be injured, detained and tortured. In many cases they are treated as adults, in disregard of the provisions of the Convention on the Rights of the Child.

Force used by the Government against armed groups often led to collective punishment of civilians. Today, Syrian communities live in despair. They ask: When will violence come to an end? Will Syria be engulfed in a full-fledged armed conflict with no end in sight? How can the bloodshed be stopped? Will human rights and the rule of law ever prevail?

All Syrians deserve answers to these questions. Stoking violence, increasing militarization and supplying arms are not the right responses. The unrest began with peaceful demonstrations calling for fundamental freedoms and democracy. These aspirations were met with force. Violence begets more violence, and more bloodshed will make it harder for human rights and peace to prevail. Anti-Government groups have also committed abuses, although there is a great disparity between the means they use and those deployed by Government forces. It is imperative to break this cycle of violence to avert escalation of the armed confrontations into civil war.

This leads me to the fundamental issue of accountability. Impunity for human rights violations must come to an end.

The reliable body of evidence from our investigations indicates that particular individuals may reasonably be suspected of bearing responsibility for international crimes. The Commission is not a judicial body and cannot make final determination as to criminal guilt. However, our findings may assist future independent and credible investigations by competent authorities.

On their part, the Syrian Government, in a note verbale of 1 March related that it has gathered information on 4800 cases of human rights violations. Thus far, 74 “elements and members of public forces” have been sanctioned. The Government further stated that two Brigadiers General and other officers, as well as police and security officers/members were arrested. We look forward to receiving further information about this process.

Ladies and Gentlemen,

Full accountability requires fundamental reforms in the Syrian justice sector, including the repeal of laws that shield armed and security forces from justice. Removing systemic obstacles to justice, human rights, democracy and the rule of law can be effective only in the context of a national, broad-based negotiated settlement. While such a settlement may not fully respond to the expectations and demands of all parties concerned, a national and inclusive dialogue is essential to overcome the current tragic impasse and build a democratic society that respects and ensures the rights of all Syrians.

The whole international community must work with unity of purpose to meet the legitimate aspirations for human rights, dignity and justice of all communities in the country. It is important that the mission of the Joint Special Envoy of the UN and the League of Arab States, Kofi Annan, be supported to help bring an end to violence and to promote a peaceful solution to the Syrian crisis.

Ultimately, it will be up to the Syrian people to determine the process and mechanisms to achieve reconciliation, truth and justice.

The challenges are immense. Yet, there exists a window of opportunity for the Syrian people to decide collectively on the way forward. Their demands are visible for the all world to see. Let us no longer ignore them.