



General Assembly

Seventy-sixth session

65th plenary meeting
Friday, 1 April 2022, 10 a.m.
New York

Official Records

President: Mr. Shahid (Maldives)

The meeting was called to order at 10.05 a.m.

Agenda item 35 (continued)

Prevention of Armed Conflict

(a) Prevention of armed conflict

Note by the Secretary-General (A/76/690)

The President: Pursuant to resolution 73/182, of 17 December 2018, I now give the floor to Ms. Catherine Marchi-Uhel, Head of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, to present the report of the Mechanism.

Ms. Marchi-Uhel (*spoke in Arabic*): I am honoured to come before the General Assembly today. I thank the President of the Assembly for the invitation extended to me to give an overview of our work under agenda item 35, entitled “Prevention of armed conflict”, and present the eighth report of the International, Impartial and Independent Mechanism for Syria (see A/76/690).

The Mechanism was created by the General Assembly in December 2016, pursuant to resolution 71/248, to assist with the investigation and prosecution of persons in relation to the most serious crimes committed in the Syrian Arab Republic since March 2011. We are not a court, but we are mandated to assist competent jurisdictions in their pursuit of justice for the victims and survivors of those crimes. We assist national

courts that exercise jurisdiction for such crimes, and we will assist national, regional and international courts that may become seized of the situation in Syria in future. Our work is both immediate and long term. I am pleased to report about our work in person today.

(*spoke in English*)

The atrocities in Syria are among the most devastating and barbaric since the end of the Second World War, given the grave violations of international humanitarian law and gross human rights violations committed by a range of actors. Those actions undermine the Charter of the United Nations and threaten our rules-based international order.

After 11 years, while the media headlines have moved on, the international community has failed to deliver comprehensive justice to the Syrian people. After 11 years, violence continues and has become entrenched. We clearly see the ripple effect of pervasive impunity for war crimes and crimes against humanity today. Law has a deterrent effect only if those in power believe that they may have to explain their actions in front of a court of justice one day, whether it be at the national, regional or international levels. We need such justice avenues because, otherwise, those who are more powerful and higher up the chain of command are less likely to answer for their actions.

For critics, it has become increasingly easy to argue that the United Nations is no longer fit for purpose to address atrocities, that international laws are interesting theoretical constructs but unenforceable, and that hard power is all that matters. The problems we are facing

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org>).

22-30670 (E)



Accessible document

Please recycle



are not about legal challenges, but about the inability of the international community to speak with one voice to address atrocities.

Historically, comprehensive justice or accountability has rarely been achieved while a conflict is ongoing, especially when big Powers disagree. Refugees and internally displaced persons are not able to return safely to their homes if they continue to fear persecution. While hostilities continue, unlawful detention and related crimes persist, and it remains challenging to provide families with credible information about their missing relatives and loved ones.

Without a cessation of hostilities, without a peace process, without justice, including transitional justice, and without reconciliation, none of this is possible. I cannot tell members of the Assembly how much longer the crimes in Syria will continue. I cannot tell Assembly members whether the general public will grow increasingly indifferent to images of bombed out Syrian cities or shift its attention to a different situation in which similar offences are being committed as we gather in this Hall today. The big test for this Assembly is twofold: first, how effectively it has dealt with the ongoing situation in Syria, and secondly, how it will ensure that those most responsible for this catastrophe answer for their actions.

It is hard to dispute that, notwithstanding the tireless efforts of many States and individuals, our response to the Syrian crisis has been inadequate. With regard to accountability, however, I am in this Hall to tell the General Assembly that there is still an opportunity to work towards a future for Syria based on justice and the rule of law. I am in this Hall to tell Assembly members that justice efforts, even if small in scale and not yet targeting those most responsible, are progressing and give us cause for hope. International justice may be imperfect, but it is still a force to be reckoned with — once it is set in motion.

The Mechanism was created to collect, consolidate and analyse information and evidence of core international crimes committed in Syria with two objectives, namely, to assist jurisdictions currently investigating and prosecuting such crimes, and to support future justice avenues, if and when available. Since the creation of the Mechanism in 2016, such justice opportunities have increased. We are currently cooperating with 13 different jurisdictions and have received more than 180 requests for assistance. These

requests relate to over 150 distinct investigations, of which we have already supported close to 100 of them.

Most of these processes are still at the investigative stage and are not public. Others have proceeded to trial or have led to convictions, such as in Germany, Sweden and the Netherlands. A German court in Koblenz made headlines worldwide when it established, in two separate verdicts, that crimes against humanity were committed as part of a widespread and systematic attack against the civilian population by the Syrian State through its security forces and secret services between April 2011 and September 2012. We contributed evidence in support of these cases. A court in Frankfurt established that crimes against the Yezidis amount to genocide. A Swedish court in Stockholm recently found a woman guilty of a war crime committed against her own child as part of the non-international armed conflict.

We cannot underestimate the importance of such legal findings. They might not be binding on other jurisdictions, but they provide authoritative guidance. They establish facts beyond doubt that cannot easily be disputed or interpreted differently for political ends.

And more is on the way. Several States, including Austria, Belgium, France, Germany and Switzerland, have released information about their ongoing proceedings. Judicial authorities of States are also making increased use of joint investigative teams and are cooperating more closely. The Netherlands, joined by Canada, has initiated a process in which it argues that the Syrian Arab Republic has breached its obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The list of relevant judicial developments grows each year. Demand for our work grows accordingly.

To assist such processes, we search for and retrieve relevant material from our central repository of information and evidence, develop analytical work product, interview witnesses and collaborate with a large network of partners: States, United Nations entities, international organizations, non-governmental organizations and individuals. In our work on detention-related crimes, we continue to examine the composition and functioning of organizational structures and focus on the experiences of individual detainees to identify patterns reflected in their mistreatment and the objectives of the underlying criminal conduct.

Our work on unlawful attacks has advanced and enabled us to open two new case files during the reporting period. They focus on events in Syria in 2015 and 2017, which involved the alleged use of chemical and conventional weapons, including against medical facilities.

The Mechanism also finalized and shared an evidentiary module focusing on the Islamic State in Iraq and the Levant /Da'esh, establishing the existence of a systematic attack against a civilian population to support charges of crimes against humanity. This module also demonstrates how intersecting discriminatory grounds, such as religion, gender and age, were exploited by perpetrators as part of a persecution campaign.

All our work is underpinned by a commitment to a victim/survivor-centred approach, which aims to make visible the diverse of experiences of Syrians, including in relation to gender, age, sexual orientation, minority or disability status or other intersectional characteristics. Our gender strategy aims to counter the adverse impact of discriminatory gender hierarchies on prospects for justice by incorporating gender analyses and fostering gender competence in each of the Mechanism's sections and workflows. Following a similar rationale, the Mechanism's work on crimes against children and youth aims to counter an adult-centric approach to accountability by integrating a child-sensitive perspective into our work, which will enable jurisdictions to charge and prosecute the full range of offences committed against children and youth. Both approaches benefitted from intense consultations with expert groups and peer groups during the last year, including with representatives of Syrian civil society.

The Mechanism is continuously refining its work and trying to identify additional ways and means to facilitate justice. We focus on supporting investigations and prosecutions but also contribute to other elements across the justice spectrum, such as clarifying the fate and whereabouts of missing persons in the Syrian conflict. The Mechanism has developed a preliminary system to tag and capture information related to missing persons and regularly shares such data with one of the entities mandated to search for them. However, we understand the demands of Syrian civil society for new solutions to tackle this issue. I am regularly asked what else should be done and how the international community could better tackle it. As far as the Mechanism is concerned, we are assessing how best to contribute further.

We are following the broader United Nations discussions closely. However, I believe we need to be honest with ourselves as to what can be achieved at this moment, assuming circumstances do not change, and adjust expectations accordingly. This is independent of the options that States may decide to pursue, whether it is creating a new entity, increasing capacities of existing actors, or otherwise.

Meanwhile, we can and should prepare for the time when access to more detention facilities will be possible — a time when those held in camps in the north-east of Syria, such as Al-Hol, are presented with charges, where appropriate, and are no longer interned indefinitely, especially women and children, and a time when mass graves become accessible to forensic experts. By doing so, the international community can truly assist the efforts in relation to missing persons and all those whose fate and whereabouts are currently unknown.

I am a lawyer and a judge by training, not a political scientist. Nevertheless, it is difficult to consider events in Syria in isolation, and not to ask whether and to what extent they have affected other conflict situations. As I stated earlier, I believe that the relevance of the General Assembly, and the legitimacy of our international system, will not only be judged by the last 11 years of atrocities in Syria, but it will also depend on whether and how we can build on existing efforts and judicial developments to pursue comprehensive accountability.

We must close this chapter and lay the foundation for a future Syria based on the rule of law. I would like to echo the words of Benjamin Ferencz, prosecutor at the Nuremberg War Crimes Trials, who recently turned 102 and keeps saying “law not war.” I hope that we have learned the lesson that no law leads to more war — in Syria and beyond.

The President: I thank Ms. Marchi-Uhel for her briefing.

I now give the floor to the Minister for Foreign Affairs of Guatemala, His Excellency Mr. Mario Adolfo Búcaro Flores.

Mr. Búcaro Flores (Guatemala) (*spoke in Spanish*): Allow me to thank Ms. Catherine Marchi-Uhel, Head of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011. These

terrible crimes have affected the lives of millions of people. The report on this important Mechanism, which Ms. Marchi-Uhel has just presented (see A/76/690), updates the work carried out by it and shows us that together we can protect those who are suffering from war today.

Owing to its aspiration for peace, the State of Guatemala organizes its relations with other States in accordance with international principles, rules and practices. We are committed to respecting a State's sovereignty, which contributes to the maintenance of peace and freedom, respects and defends human rights and supports the strengthening of democratic processes and international institutions that guarantee mutual and equitable benefit among States. That is why our legislation, which also guarantees due respect for international law and above all human rights, highlights the great work of this Investigative Mechanism in Syria and calls for all of us to join together to find the truth.

We are pleased to know that this Mechanism, five years since its creation, has made significant progress in revealing truths that we all now know, and that it continues to show its value by supporting judicial actions in relation to the most serious crimes committed in the Syrian Arab Republic. As my country, Guatemala, is a State party to the International Criminal Court, we recognize that, based on respect for and observance of human rights, the Mechanism will allow us to examine the experiences of victims the most affected by a conflict that has been going on for more than eight years, in particular the civilian population; the internal violence that has displaced thousands of persons, and disproportionate attacks in urban areas and against civilians. It continues to show that violence continues to rob us peace — that peace that we all yearn for.

Guatemala has supported the Mechanism since its creation through resolution 71/248 in order to help secure investigations and consolidate evidence so that perpetrators will be held effectively to account. As we have done in other forums, we call on the General Assembly to uphold obligations under international law, particularly in relation to human rights, and to do everything we can do to protect currently affected civilian populations. In this regard, and in order to support the protection of these vulnerable people, Guatemala is honoured to be a country that contributes to United Nations peacekeeping. Based on our history, we recognize that dialogue and mediation alone will bring about the strong and peaceful coexistence for

which we can all feel pride, as we have contributed to ending violence and aggression.

When speaking of the protection of the rights of civilian populations, my delegation cannot fail to mention how imperative it is to implement the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, particularly in Syrian territory. Guatemala condemns any violation of this international instrument or any use of this type of weapons by any actor, which under all circumstances constitutes a flagrant violation of international criminal law, international humanitarian law and international human rights law. In the light of this, we reiterate that those responsible for these acts must be held accountable and cannot go unpunished.

In conclusion, in the difficult times in which we live, we call for peace, reconciliation and the use of legal means to find peaceful solutions within the framework of international law, especially for international disputes, so that we can achieve the peace for which we have all been yearning.

The President: I now give the floor to the representative of the European Union, in its capacity as observer.

Mr. Gonzato (European Union): I have the honour to deliver this statement on behalf of the European Union (EU) and its member States. The candidate countries Turkey, North Macedonia, Montenegro and Albania, the country of the Stabilization and Association Process Bosnia and Herzegovina, as well as Ukraine, the Republic of Moldova, Georgia, Andorra and San Marino, align themselves with this statement.

We welcome today's debate on the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM). This important exchange underlines the continued principled commitment of United Nations States Members to justice for the most serious crimes committed in Syria.

We would like to thank the Head of the Mechanism, Catherine Marchi-Uhel, and her team for the latest report of the IIIM (see A/76/690) and for their leadership. We are pleased to see the progress that the Mechanism made during the reporting period and the IIIM's continued efforts to engage and coordinate with

all stakeholders, as well as its willingness to assist in national investigations.

The Mechanism's eighth report to the General Assembly highlights the progress made in various Member States to hold individuals criminally accountable for atrocities committed in the Syrian context. The report also contains the analyses of the Mechanism regarding unlawful attacks against civilians and civilian objects, detention-related crimes and crimes by individuals associated with Da'esh. Those are all valuable contributions to existing and possible future legal action.

Prosecutions have been brought and final judgments have been obtained against perpetrators in several EU countries, and those efforts are being pursued in a number of jurisdictions. The Netherlands and Canada are engaged in an important initiative to hold Syria to account for breaching the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The EU is convinced that accountability and justice for victims will remain essential for a stable, peaceful Syria, based on a credible, inclusive and viable political solution, in accordance with Security Council resolution 2254 (2015).

The EU continues to call upon the Security Council to refer the situation in Syria to the International Criminal Court.

The EU will remain at the forefront of the fight against impunity in Syria — all those responsible for war crimes or crimes against humanity must be held accountable. The EU will continue to support efforts to gather evidence into those atrocities, regardless of who may have committed them.

We will therefore continue to support the International, Impartial and Independent Mechanism as well as the work of the Independent International Commission of Inquiry on the Syrian Arab Republic and the Investigation and Identification Team of the Organization for the Prohibition of Chemical Weapons, member of the International Partnership against Impunity for the Use of Chemical Weapons, in order to ensure that the facts surrounding the crimes committed in the course of the conflict in Syria, including the fate of missing persons — as described in the reports of the IIIM — are documented, with a view to taking future legal action. We reiterate our support for the work of

non-governmental organizations in collecting evidence and supporting victims and their families.

It is necessary to ensure justice for the atrocities for which the regime and its supporters bear the main responsibility, including the tragedy of the disappeared. Attacks on civilians and civilian objects must cease. The Syrian regime must comply with its obligations under the Chemical Weapons Convention. It is essential to hold perpetrators of core international crimes committed in Syria accountable. It is crucial that the United Nations dedicate the energy and resources required to pursue and to ensure accountability for those crimes. That is our common responsibility. In that respect, let me recall November's Arria Formula meeting on accountability in Syria, organized by Estonia, which granted Syrian briefers an opportunity to share their experiences and experts to provide updates on recent judicial developments.

The EU promotes a global order based on the rule of law in which there is no shelter for the perpetrators of the most serious crimes under international law. There cannot be sustainable peace without justice, in Syria or elsewhere.

In March 2011, 11 years ago, Syrians took to the streets to demand democracy and respect for their human rights and fundamental freedoms and were met with merciless repression. Since then, the humanitarian situation in Syria has been dire, with millions of civilians in need of assistance. The EU is determined that the crimes perpetrated in the past 11 years will not go unpunished, as the Syrian people deserve justice, dignity and peace.

In conclusion, allow me to draw the Assembly's attention to the sixth Brussels Conference on Supporting the Future of Syria and the Region, which the EU will host on 10 May, co-chaired with the United Nations. With the organization of this new Conference, we will continue our efforts to ensure that neither Syria nor the Syrian people are forgotten.

Ms. Rainne (Finland): I have the honour to speak on behalf of the five Nordic countries — Denmark, Iceland, Norway, Sweden and my own country, Finland.

The conflict in Syria has been one of the bloodiest in recent history. Starting out as a peaceful popular uprising, the escalating violence over the past 11 years, caused by the regime's brutal crackdown, has led to the disappearance or death of hundreds of thousands of Syrians. Thousands more have been subject to torture,

rape or other forms of cruel and degrading treatment. Millions have fled their homes. Towns and cities have been left in ruins.

All parties have committed countless atrocities during the protracted conflict. It is well documented, not least by the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM), that the Syrian regime bears the main responsibility for most of the flagrant violations of international law, including international human rights law and international humanitarian law.

There can be no impunity. All perpetrators must be brought to justice. That is necessary not only to ensure justice for victims but also to prevent and deter future violations. Ensuring accountability is also an integral part of our obligation to respect and ensure compliance with international law.

I wish to thank the Head of Mechanism, Ms. Marchi-Uhel, for presenting the latest report (see A/76/690) today. The report shows that, despite the many ongoing challenges to its work, the Mechanism has been very successful in continuing to implement its vital mandate.

The number of States cooperating and requesting assistance from the Mechanism continues to increase. We welcome the extensive cooperation by the Mechanism with other parts of the United Nations system, the Organization for the Prohibition of Chemical Weapons and civil society. It is harnessing new technologies to fight impunity. We also welcome that the Mechanism has opened two new case files focusing on unlawful attacks, including conventional and chemical attacks. It has made significant headway in its analytical work on detention-related crimes, as well as cross-cutting thematic work on gender, children and missing persons.

The Nordic countries highly appreciate all the work undertaken by the Mechanism. We also commend the ongoing efforts in the courts of a number of countries to prosecute, on the basis of universal jurisdiction, crimes committed in Syria. However, we need to do more. In that regard, we also reiterate our call to the Security Council to refer the situation in Syria to the International Criminal Court.

The collaboration of Member States with the IIIM is key to achieving accountability. We call on all Member States to cooperate with the Mechanism in

information-sharing and to provide it with the necessary operational support.

The important work of the IIIM necessitates sustainable and predictable resources. The Nordic countries remain convinced that this can be guaranteed only through funding from the United Nations programme budget. Assessed contributions may be supplemented, but never subsidized, by voluntary funding. We call on all Member States to ensure that the Mechanism has the necessary funding to carry out its mandate.

In conclusion, the Nordic countries remain fully committed to the IIIM and its mandate.

Mr. Carazo (Costa Rica), Vice-President, took the Chair.

Mr. Simcock (United States of America): It has been 11 years since the start of the Al-Assad regime's brutal war on the Syrian people — 11 years of death, 11 years of damage, 11 years of injustice. Now more than ever, we are witnessing the effects of impunity for the actions of the Al-Assad regime and its enablers. Now more than ever, we see the need for justice and accountability.

The International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM) is at the forefront of that effort. Its work to collect, consolidate and analyse evidence of violations of international humanitarian law, as well as human rights violations and abuses, is an integral part of the accountability framework for Syria.

The United States is proud to support those efforts. And we are proud to see that the Mechanism's work has had a direct impact on holding former officials of the Al-Assad regime accountable. Recently, in Koblenz, Germany, the Higher Regional Court delivered two verdicts that established that crimes against humanity had been committed as part of a widespread and systematic attack against the civilian population by the Syrian State and its security forces. We thank the Head of the IIIM, Catherine Marchi-Uhel, and her team for their tireless efforts in that regard.

We also thank the IIIM for the careful way in which it conducts its work. It has established strategies on gender, children and youth. It continues to deepen cooperation with civil society groups and it engages

in an inclusive manner, underpinned by the promotion of respect for human rights. Those initiatives are all-the-more important given the Syrian conflict's disproportionate impact on women, children and other marginalized populations.

We owe it to ourselves to be clear about the drivers of this conflict. Russia has fuelled and perpetuated the war in Syria through reckless and barbaric attacks, impacting civilians and civilian infrastructure. We are alarmed, but not surprised, to see that it is now using some of the same tactics in its unprovoked and unjustified war against Ukraine. Based on information currently available, we assess that members of Russia's forces have committed war crimes in Ukraine. Putin's forces used similar tactics in Grozny and in Aleppo during the intense bombardment of those cities. We are deeply concerned about reports that Russia has now recruited Syrians to fight in its war of choice against Ukraine.

Russia's actions in Ukraine are being documented. We intend to share information about Russia's atrocities with our allies, partners and international institutions and organizations, as appropriate, going forward.

Against that backdrop, it is predictable that Russia continues to challenge the validity of the IIIM and its important work. Russia cannot hide the truth, so it seeks instead to distort it. It will not succeed.

The reason it will not succeed is because of the bravery of the Syrian people themselves. We acknowledge the courage of those Syrians who have come forward to share information about crimes committed in Syria. We know that sharing that information may come with risk. We categorically condemn any efforts by the Al-Assad regime to threaten or harass the families of those who are participating with the IIIM or other investigations.

Let me conclude by thanking those who share our commitment to accountability in Syria. As Ambassador Thomas-Greenfield stated in this Hall not long ago:

"the Syrian people should be heard, and every individual Syrian should have an opportunity to seek justice. Without accountability, there will be no justice, and without justice, there will be no peace." (A/75/PV.60, p. 9)

Mr. Ghorbanpour Najafabadi (Islamic Republic of Iran): The Middle East, the region where I am from, has been one of the most active hotspots for geopolitical games. For decades, the peoples in my region have

suffered from suppression, exploitation, sanctions, war, aggression, foreign occupation and terrorism. They continue to face that today.

As individuals from and in the Middle East, we are victims of geopolitical rivalries, expansionist policies and imperialism. We have been the subjects of theories of international relations that have been studied, developed and taught by outside players and their think tanks. The attainment of power and superiority, instead of the preservation and protection of human values, has shaped the backbone of their ideology, while human rights serve as a mere apparatus towards the achievement of narrow political agendas. Those theories have been manifested into doctrines and secessionist policies such as the Sykes-Picot Agreement, the "greater Middle East" and so on. The long-protracted occupation of Palestine, deteriorating humanitarian situations in Yemen and Afghanistan, as well as the foreign terrorist fighter projects in Iraq and Syria, among other things, are the result of their plots and presence within our vicinity.

We express our regret about the politicization of justice, the weaponization of human rights, the misuse of United Nations entities for narrow political agendas, the cherry-picking of international law violations and discrimination in addressing humanitarian and human rights violations in some parts of the world, while ignoring other highly sensitive ones. We express our deep sorrow when we see that life, human dignity and the rights of our people, women, children and girls in the Middle East and Africa are not considered as equal and important after recent developments in Eastern Europe.

The Islamic Republic of Iran condemns in the strongest terms all violations of international humanitarian law and international human rights law, committed wherever and by whomever. It is our unwavering and principled position that the perpetrators of such violations must be held accountable and face justice.

We express our regret that the Human Rights Council failed to adopt the mandate renewal for the Group of Eminent Experts on Yemen on 7 October 2021 because of the votes of staunch supporters of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

My delegation reiterates its principled position regarding the Mechanism — the same position expressed during the previous General Assembly sessions under the same agenda item, including in A/75/PV.60. Unfortunately, as has been the practice in previous years' reports, the work of the Mechanism and its outcomes have been conducted under the pretext of confidentiality. That practice seriously undermines transparency and accountability, which is a feature of United Nations entities. The report (see A/76/690) also fails to share information regarding the cases it is working on. In addition, we have not received any information over the sources of evidence, the procedures for their collection and processing, as well as the identity of the actual individuals who are cooperating with the Mechanism.

Furthermore, the report does not hesitate to reference cooperation between the Mechanism and the Governments that are parties to the Syrian crisis and conflict, and their detrimental roles are not hidden.

Finally, the Islamic Republic of Iran expresses its support for the Astana process and United Nations-led facilitation to advance the only solution to the Syrian crisis, which is a Syrian-led and Syrian-owned political process.

Mr. Bručić-Matic (Croatia): Croatia aligns itself with the statement delivered on behalf of the European Union, and we would like to add some remarks in our national capacity.

We would like to thank Ms. Catherine Marchi-Uhel, Head of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, for introducing the eighth report on the implementation of the Mechanism's mandate (see A/76/690).

The Mechanism has proved to be an important tool of international criminal justice for ensuring that the atrocity crimes committed in Syria will not be forgotten. The collection, consolidation, preservation and analysis of evidence of international humanitarian law and human rights violations and the preparation of case files are all indispensable steps in the fight against impunity.

The work of the Mechanism is crucial to supporting accountability efforts at the national, regional and international levels. We welcome the progress that

the Mechanism made during the reporting period despite the fact that it has operated in a challenging environment since its creation. We note the steps taken to ensure accountability at the domestic level outside Syria. The growing number of requests for assistance made to the Mechanism shows its critical relevance to fighting impunity.

We thank the Mechanism for making an effort to pay attention to sexual and gender-based crimes and crimes against children. We encourage the Mechanism to continue its work on the overarching gender strategy and the victim/survivor-centred approach. Croatia also appreciates that the Mechanism is looking into the increasing transfer of information to actors mandated to search for missing persons.

We commend the Mechanism's efforts to deploy new technologies to better exploit the central repository and enhance methodology and investigative capacity to fill identified evidentiary gaps. Such efforts could also prove to be a useful practice when establishing similar mechanisms in the future.

Croatia strongly supports the Mechanism's funding from the United Nations regular budget. Predictable, sustainable — and thus impartial — funding through the United Nations regular budget is essential for the implementation of its mandate.

We also reiterate our call to refer the situation in Syria to the International Criminal Court.

As today's debate continues, on the other side of the world we are again witnessing cases of atrocity crimes. The deliberate targeting of civilians in Ukraine, as well as indiscriminate attacks against them, are not only morally repugnant; they constitute war crimes and, if committed in a widespread or systematic manner, crimes against humanity. We should therefore support all efforts to establish accountability for crimes committed in Ukraine. Such efforts are important to providing justice for the victims, as well as for prevention in Ukraine and Syria, as well as elsewhere.

To conclude, Croatia remains fully committed to the Mechanism and its mandate. We are convinced that its work is critical to ensuring accountability for perpetrators of atrocities committed in Syria and justice for victims.

Ms. Brandt (Netherlands): The Kingdom of the Netherlands aligns itself with the statement made on behalf of the European Union. We welcome today's

important debate on the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM). I thank Ms. Catherine Marchi-Uhel, Head of the Mechanism, and her team for their comprehensive report (see A/76/690) and their indispensable work.

Let me start by quoting the words of a Syrian man tortured in Al-Khatib prison, speaking years later at the court case in Koblenz:

“This process... even if... nothing happens tomorrow, or even the day after tomorrow... gives... hope for justice. I am ready to testify.”

His words are important because they show us how important it is that the wheels of justice keep grinding in order to give those who seek justice hope and the determination to continue to search for it.

This year, that determination paid off. In a truly historic development, the Koblenz court in Germany convicted a senior Al-Assad Government official for crimes against humanity. The verdict provides hope, as it serves as a starting point in future cases for more justice. It also shows determination — the determination of that Syrian man and others who testified at the trial and that of those tirelessly working on fact-finding and evidence-gathering, sometimes at huge risk, because — and that is my main point today — the road to justice begins with the truth. We can only reach the truth through independent fact-finding and evidence-gathering. We therefore salute the brave people who smuggled thousands of gruesome photographs containing evidence out of Syria and the brave journalists who continue to report on the terror still taking place — people such as Mr. Ayham Ghazoul and his colleagues at the Syrian Centre for Media and Freedom of Expression and those who faced arbitrary detention and torture and still continued to investigate and preserve evidence of human rights violations.

We, of course, know that the road that evidence takes, from its collection to its presentation at trial, is long, and sometimes it does not even get there at all. We know that achieving justice and accountability requires patience and perseverance. However, we need to make sure that the wheels keep grinding so as to ensure that justice and accountability do not ring hollow and that, with patience and perseverance, our work will lead to action for the victims and the survivors.

We took an important step when we established the IIIM. Its work has proved to be crucial in supporting accountability efforts at the national, regional and international levels. Its strong focus on independence and impartiality has been key to maintaining the trust and confidence of the international community.

The Netherlands strongly believes that the IIIM is crucial to achieving the justice and accountability that the Syrian people need and deserve. That is also why the Netherlands, together with Canada, initiated a process, arguing that the Syrian Arab Republic has breached its obligations under the Convention against Torture.

We need to continue supporting the work of the IIIM and working together for justice. It is up to us to make sure that the wheels of justice keep grinding.

Mr. Altarsha (Syrian Arab Republic) (*spoke in Arabic*): At the outset, my country's delegation would like to stress that our participation in today's debate on the so-called International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM) should not be seen as recognition of the Mechanism, acceptance of its mandate or approval of its legitimacy or credibility in any way. This statement is not a statement of welcome for the relevant report (see A/76/690), and it does not reflect any readiness to discuss it.

The Syrian Arab Republic condemns the so-called IIIM and the grave violations that accompanied its formation. We do not consider it to be legitimate. It explicitly contradicts Articles 10, 11, 12 and 22 of the Charter of the United Nations and clearly politicizes human rights issues, as some countries use it as a tool to exert pressure and carry out blackmail as well as to target certain countries.

I would like to remind the Secretary-General and all delegations of documents A/75/777, A/74/518 and others, containing letters addressed by my country's delegation to the Secretary-General and successive Presidents of the General Assembly, proving the serious legal gaps and violations pertaining to the adoption of resolution 71/248, establishing the so called Mechanism. I would like to note its legal and procedural contents as follows.

First, the Government of the Syrian Arab Republic did not request any technical or legal assistance from the United Nations to establish the Mechanism. No

party from the United Nations consulted with the country concerned, Syria, on this matter or got its prior consent. We also emphasize that the Government of the Syrian Arab Republic has full capabilities, given its legal and judicial institutions, to achieve justice and accountability without external interference. We have already initiated several legal prosecutions in that regard.

Secondly, the General Assembly exceeded its mandate and violated that of the Security Council when it established an illegal organ without the mandate to do so, in grave contradiction of Articles 10, 11, 12 and 22 of the Charter. The so called IIIM cannot therefore be considered a subsidiary body of the General Assembly. It cannot be given any legal status. It cannot conclude any agreements with Member States and other entities or even sign frameworks of cooperation with stakeholders, as stated by the report. Therefore, any decision made by the Secretariat to appoint a Chair or Vice-Chair of the Mechanism was legally and gravely faulty and should not have been taken. The United Nations should not make pledges or finance the Mechanism from the budget for the same reasons.

Thirdly, all information, documents or evidence collected by the so-called Mechanism are false and baseless allegations that are promoted either directly or through open sources by Governments of countries hostile to my country. This information originates from terrorist organizations, such as the Hayat Tahrir Al-Sham, which is on the Security Council lists, and the White Helmets. That undermines the Mechanism's credibility and professionalism and renders its conclusions void. Consequently, all actions undertaken by the so-called IIIM — namely, collecting, preserving and analysing information — lack legal or judicial credibility and cannot be acted upon in the future.

Fourthly, my country's Government underscores its full rejection and reservation regarding any information and documents provided to the so-called IIIM that the Syrian Government had provided to the United Nations or to some international bodies and organizations relevant to the situation in Syria, including the Organization for the Prohibition of Chemical Weapons. We emphasize our respect for the information provided by my country under absolute confidentiality and limited circulation.

Politicization, selectivity and double standards have overshadowed the concepts of accountability and justice in our Organization. Certain delegations

have repeated and will repeat calls for investigations, accountability and prosecution. If they had true intentions, they should have called for accountability for those who have supported, funded and armed terrorism and terrorists while facilitating their arrival in my country from all over the world; those who have plundered and smuggled Syrian oil across our borders; those who have stolen and smuggled Syria's historical artefacts, which are part of the common heritage of humankind and are now being sold on black markets around the world.

Should we not hold accountable those countries that took part in a collective aggression against the Syrian people under the so-called alleged global coalition, which led to the killing of thousands of Syrians and the total destruction of Raqqa city over the heads of its inhabitants, under the pretext of combating the Da'esh terrorist organization? Should we not hold accountable the Governments of those countries whose illegal military forces are present on parts of my country's territories, killing, plundering, displacing persons and causing demographic change while sponsoring terrorist entities and separatist militias? Should we not hold accountable the Governments of those countries that practice economic terrorism by imposing unilateral coercive measures, which are illegal and outside the framework of the United Nations, against the Syrian people and deny us our basic human rights pursuant to the human rights instruments? Are those actions not considered war crimes and crimes against humanity, or is that definition just manipulated to suit the will of certain Western countries whose records at the United Nations are fraught with historical evidence of illegal military interference and acts of aggression that have killed millions of innocent people — starting with the Korean war through Viet Nam, Afghanistan and Iraq wars, and ending with the war in Libya — while imposing immoral siege on the peoples of several countries, robbing their national decisions?

Deliberately ignoring the grave defects of the Mechanism and attempting to conceal the destructive aggressions of certain Western countries highlights the falsehood of Western calls for accountability and justice. We urge the Assembly to reject the Mechanism and to address attempts by certain Governments to burden members with the financing of an illegal organ through the regular budget of the United Nations. We urge members to avoid setting a serious legal precedent that may be repeated in many countries.

Mr. Rae (Canada): I very much appreciate the opportunity to speak to the General Assembly today.

First of all, I would like to very sincerely thank Ms. Marchi-Uhel and the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, known to all of us as the IIIM, for today's briefing to the General Assembly and for the Mechanism's eighth report (see A/76/690).

I would like to start by expressing once again our steadfast support for the IIIM and stating for the record how much I frankly disagree with the statements that have been made in criticism of the establishment of the Mechanism and its operating procedures. We stand by the work of the Mechanism. I do not believe the criticisms are justified. We reaffirm its legitimacy and credibility as an independent, impartial investigative body.

I must say that I also appreciate very much not only what Ms. Marchi-Uhel had to say today, which I thought was very clear and full of integrity, vision and commitment, but also in my meeting with her yesterday, where we had an opportunity to discuss some of the challenges being faced by the Mechanism and the world in which we work today.

The IIIM, in fact, contrary to some of the rhetoric we have heard today, actually plays a very vital role in documenting and exposing the unspeakable atrocities that have been committed in Syria by the regime, its supporters and other parties to the conflict on an ongoing basis.

A year ago, as members will no doubt remember, I spoke to the General Assembly about more than 73,000 Syrian newcomers whom Canada has welcomed since 2015. I said then that those Syrian Canadians, many of whom have now become Canadian citizens — if they are there for more than three years, they are eligible to apply for citizenship — are now our neighbours, colleagues and friends. I would like to repeat once again today what I said then. I told the Assembly then that the experiences of Syrian refugees are woven into the very fabric of my country, Canada — that their stories have become part of our story. And so their pursuit of justice will continue to be ours as well.

That is top of mind for me today. I have had an opportunity to meet with many of those families in Canada. I have had an opportunity to work with

the neighbours who have helped them to make the adjustment to life in a very different country. And I am also fully aware of their own commitment to what it is we are doing today in terms of the pursuit of justice.

We commend the approach that guides the IIIM's work, precisely because — as others have said — it is inclusive and focused on victims and survivors. We will continue to collaborate with them as they collaborate with civil society in that regard. We have all been very pleased to learn about the success of the Mechanism's first in-person consultations with civil society and victim/survivor groups in Turkey in November 2021, and we hope that such meetings will be allowed to continue.

We also think it is exceptionally important that the work continue on gender, as well as on children and youth. That aligns with our own policies, which focus on the fundamental importance of the equality between women and men. We therefore look forward to the release in the coming months of the Mechanism's full gender strategy.

(spoke in French)

After 11 years of conflict — 11 years is already too much — it is important now more than ever that the international community reaffirm its support for accountability and justice initiatives in Syria. Without such efforts, lasting peace and a political solution to the conflict, which remains the overarching challenge of our time, on the basis of Security Council resolution 2254 (2015), will not be possible.

We can demonstrate our enduring commitment to Syrians and accountability by ensuring that mechanisms such as the IIIM continue to receive adequate funding and support to carry out their work. To that end, Canada supports the continued funding of the Mechanism through the United Nations regular budget.

Canada also supports other international accountability mechanisms, such as the Independent International Commission of Inquiry on the Syrian Arab Republic and international initiatives related to the use of chemical weapons through the Organization for the Prohibition of Chemical Weapons (OPCW). Canada is proud that, since 2012, we have been able to provide \$33 million to the OPCW for Syria-related efforts, such as the continued destruction of Syria's chemical-weapons stockpile and support for investigation, verification and monitoring missions,

including the Investigation and Identification Team and the Fact-Finding Mission in Syria.

(spoke in English)

In addition to supporting those traditional lines of effort — supporting the Mechanism, supporting the work of dealing with the issue of chemical weapons and other possible means of committing atrocities — we believe that we have to establish new paths towards justice and, ultimately, towards peace. That is why, in March of 2021, as my colleague and good friend from the Netherlands pointed out today, we joined with the Netherlands in invoking the responsibility of the Syrian regime under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for the breaches of human rights that we believe it has inflicted on Syrians since 2011. We will continue to pursue that, and we will continue to take it to the end of the road.

We also welcome the efforts that other Member States have made to pursue accountability in creative ways. I want to pay a special tribute to Germany and to call attention to the words spoken and the judgment made at the Koblenz trial. It is extremely important that we understand the significance of those steps going forward.

As we reflect on the briefing that we heard from Ms. Marchi-Uhel and listen to the interventions from representatives of fellow Member States in the Hall today, I think it is clear that we are making slow but steady progress on the path of accountability for the crimes that have been committed in Syria. However, after 11 years of conflict, we do also have to admit that this is only the beginning of a very long journey. Much work remains to be done.

I want to say just a word about one comment that has been made by both my colleague from Syria and my colleague from Iran — that is, that there is somehow something wrong with an investigation that is confidential, or with a refusal to disclose information to outsiders about the identification of witnesses. I can only tell the Assembly that I cannot imagine a criminal justice system in the world that could possibly conduct itself in any other way. Are we seriously suggesting that a district attorney — or a crown attorney or whatever prosecuting attorney — or that any investigative mechanism with any credibility would divulge the names of all of the instances taking place in the ongoing investigation of a crime? Imagine the ongoing

intimidation and harassment of witnesses that would take place. Imagine how difficult, indeed impossible, it would be to have a criminal justice system that would allow that to happen.

I fully understand the resentment about the creation of a IIIM mechanism. I can understand that. But let it be said that, if we do not want that to happen, then there are steps we need to take to ensure that impunity does not become a way of life. And we have taken every possible step not to politicize this question, but rather to depoliticize it. At the very least, what we aim to do is to gather evidence, that is it. And then we will see where that evidence could take us if we had a tribunal. That is what it is all about. The suggestion that this is some kind of politicization and interference is just not true.

And as I say, look at the Rome Statute, which makes it very clear. If there is complementarity, if they had been prepared to introduce that investigation and that mechanism themselves, there would be no need for any outside investigation. If they had been shown to be willing, we would not be here now, and we would not be doing what we are doing. And frankly, we would not be having to do it in so many other places.

Finally, I want to take the opportunity to speak directly to the question of arbitrary detention, because, as we continue to explore what more we can do to assist in clarifying the fate and whereabouts of missing persons in Syria, we are encouraged by the ongoing efforts on the part of the Mechanism on this very important issue. In that connection, we look forward to hearing from Ms. Bachelet, High Commissioner for Human Rights, in her oral update on this question in the General Assembly next week.

In conclusion, I would like to say once again that Canada is wholly and completely committed to supporting the Syrian people — all of the Syrian people — and to the pursuit of justice and accountability for crimes that have taken place in the course of an 11-year war. We cannot allow impunity to persist in Syria or anywhere else, as we know that impunity has the most serious consequences.

We have to work to continue to support organizations like the IIIM. We must also continue to explore new and innovative paths towards justice. That remains as important for Syria as it does for Ukraine — as it does for Canada or any country in the world. We do not say this as a country that is preaching to others; we say this

as a country that embraces that the rule of law applies to us as much as it applies to anyone else.

Ms. Chan Valverde (Costa Rica) (*spoke in Spanish*): Eleven years have elapsed since the start of the tragic and bloody conflict in Syria. There have been 11 years of violence, destruction and massive displacement of the population. There have been 11 years of sporadic ceasefire violations, arbitrary detentions and the continued presence of foreign forces and terrorist groups. There have been 11 years of a complex crisis, which continues to threaten the rights and the future of 5 million girls and boys born since the conflict erupted, and 11 years in which those responsible for one of the most harrowing humanitarian crises in history remain unpunished. Despite that gloomy reality, refugees, doctors, those deprived of their liberty or tortured and the economically distressed have not given up. Neither should, nor will, we.

Since its creation, the Mechanism remains an important actor in its work as a facilitator of justice for victims. The notable increase in requests for assistance from different jurisdictions, the work of collecting, selecting and analysing evidence and the expansion of the central archive demonstrate the Mechanism's role as a partner of justice.

Costa Rica welcomes the eighth report of the Mechanism (see A/76/690) and appreciates that, despite the coronavirus disease pandemic and the liquidity constraints of the United Nations, the Mechanism has worked tirelessly to advance in all aspects of its mandate, refining its working methods, adopting revised investigation and evaluation measures and strategically allocating its limited resources.

The focus on the rights of victims and survivors of such grave human rights violations confirms the Mechanism's commitment to inclusive justice that takes into account the experiences, perspectives and priorities of women, men, girls and boys, as well as systematically disadvantaged groups and individuals. In that regard, Costa Rica wishes to highlight the following additional points.

First, Costa Rica welcomes the Mechanism's commitment to including inclusive justice as a fundamental component. We believe that it is essential to maintain a perspective focused on victims and survivors that also incorporates a gender perspective that considers the strategic needs of women, children, adolescents and disadvantaged groups.

In Syria, women and girls are especially vulnerable, as they are at greater risk of being victims of different forms of violence, such as sexual exploitation, domestic and gender-based violence and early marriage, among others. In that regard, a gender-based analysis with an inclusive approach is essential to ensuring justice for the victims of serious violations of human rights and international law.

Following up on the Mechanism's commitment to effectively addressing the historical invisibility of disadvantaged individuals and groups with regard to their access to justice, Costa Rica believes it important to speak of the particular experiences of girls, as opposed to using the term "children", which runs the risk of reinforcing their invisibility.

Secondly, Costa Rica welcomes the access granted to the members of the Mechanism to consult certain material gathered by the Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism. We take this opportunity to reiterate that the use of chemical weapons is completely prohibited by the Chemical Weapons Convention in all circumstances. The use of chemical weapons is also prohibited by customary international humanitarian law, which is binding on all parties to all armed conflicts.

Thirdly, Costa Rica recognizes the fact that States have turned to the Mechanism seeking assistance in their national efforts to investigate and prosecute crimes perpetuated in Syria. However, Costa Rica regrets that the decision to include funding for the Mechanism in the regular budget was again opposed by some Member States, and that it was necessary to resort to a vote within the Fifth Committee for its approval. Costa Rica wishes to recall that the Fifth Committee is responsible for administrative and budgetary matters and should not be used to renegotiate mandates or seek to undermine them through budget cuts or insufficient funding.

The humanitarian crisis in Syria demands a focused look at the rights of victims and survivors, especially the search for truth, access to justice and reparations. The Mechanism has a key role to play not only in efforts to end impunity for crimes in Syria, but also in making visible the victims who have been forgotten along the way. States, in turn, are committed to working together to achieve inclusive and equitable justice for all victims.

Mr. Zahneisen (Germany): From the outset, let me say that Germany fully aligns itself with the statement

made on behalf of the European Union, and I wish to add a couple of comments in a national capacity.

Like many other delegations, Germany would like to thank the Head of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM), Ms. Catherine Marchi-Uhel, for her outstanding work and her unwavering commitment to contributing to justice for the most serious crimes committed in Syria and, may I add, her impartiality. We are most grateful to her and her team for their dedication. We also thank her for presenting the report (see A/76/690) to us today. Like many other delegations, we commend her for the depth and quality of the report, and we very much share her conclusions.

Germany firmly believes that accountability is the least that we can do for the victims and survivors in Syria. The basis of that is thorough investigation and documentation of the crimes committed. The IIIM is crucial in that regard, but there is also the need to create legal avenues to prosecute such crimes. Applying universal jurisdiction is one such avenue. As Members know, Germany has taken that path for quite some time, and I want to say why.

First, it is a lesson from our own tormented] history. Secondly, the degree of crimes committed in Syria by the Syrian regime and others can simply not be left unaddressed. Finally, we firmly believe that peace and reconciliation in Syria cannot be possible without justice.

As I said, Germany has found universal jurisdiction to be an effective tool in pursuing accountability for the worst international crimes. Ms. Marchi-Uhel and many of the representatives who spoke today already mentioned the two recent court cases in Germany. I have a little to add to their conclusion. I will simply say that, without the Mechanism and its support, the Office of the Federal Prosecutor of Germany would not have been so successful in those two cases.

The German court will continue proceedings on the grounds of universal jurisdiction, and we encourage others to also apply universal jurisdiction or to create the necessary legal foundations. We always stand ready to share our experiences.

In conclusion, we believe that the Mechanism, its professionalism and the vast data sets are at the very

foundation of any form of judicial proceedings for Syrians and together with Syrians. We are proud to be a partner of the IIIM, and I can assure the Assembly that Germany will continue to support the IIIM and its important work.

Mr. Fifield (Australia): I thank Ms. Marchi-Uhel for her insightful briefing today.

May I say that Australia stands in unwavering support of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011. There is no prospect of credible lasting peace without justice. Accountability for serious international crimes must be a global priority. Any suggestion that international scrutiny of those most heinous violations of international law is inconsistent with the principles of sovereignty and non-interference wilfully undermines the very purpose and spirit of the Charter of the United Nations.

It is incumbent upon all of us here today to deter and disrupt atrocity crimes by holding perpetrators to account. Sadly, we do not need to search far in this world today to see that impunity breeds more violence, more conflict and more atrocities. Indeed, we need look no further than the tragic events unfolding in Ukraine. There we are witnessing Russia commit flagrant violations of international law with its unprovoked, unjustified and illegal invasion of a sovereign nation. Australia is also deeply concerned that many of Russia's actions also constitute war crimes. Russia's crimes in Ukraine must not go unpunished.

Australia welcomes the eighth report of the International, Impartial and Independent Mechanism for Syria (see A/76/690). In particular, we welcome the report's updates on the progress of national jurisdictions in investigating and prosecuting crimes committed in Syria. That is as strong an indication as any of the value of the Mechanism. It also serves as a reminder that we, the Members of the United Nations, can continue to advance accountability and justice, even in the most difficult circumstances.

That said, we know that there is still more work to be done. Allegations of extremely concerning events in Syria continue to be reported, including recent reports of hostage-taking, arbitrary detention and the continued use of siege tactics by Syrian forces.

We must continue to pursue accountability for crimes committed in Syria, and we strongly urge all Members to speak up in defence of accountability and justice in Syria. Impunity must not prevail in Syria or elsewhere.

Australia continues to call for full cooperation with the Mechanism by all parties to the conflict. As its latest report evidences, the Mechanism's work continues to be absolutely essential. We urge all Member States to support the Mechanism in that important mission.

Ms. Alnesf (Qatar) (*spoke in Arabic*): I thank the President, for convening this meeting pursuant to resolution 76/228 which reflects the interest of the General Assembly in the work of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM). I would like also to express my appreciation to Ms. Catherine Marchi-Uhel, Head of the IIIM, and to her team for their efforts in preparing the Mechanism's eighth report (see A/76/690), which is before the General Assembly today.

Accountability and prevention of impunity are very important to deter the commitment and recurrence of crimes against humanity and achieve reconciliation and lasting peace, as well as putting an end to the protracted Syrian crisis. The Mechanism's mandate constitutes a genuine commitment to uphold the principles of international law, international humanitarian law and international human rights law. It also upholds the moral and firm legal position that the international community must take against the most serious crimes and for realizing the rights of the victims.

Based on that, the State of Qatar supported the creation and operationalization of the Mechanism and will continue to support it, along with the principle of accountability. Our position on the Syrian crisis is well known, including our commitment to providing humanitarian assistance to address the humanitarian suffering of the brotherly Syrian people. From the very beginning, we stressed that a peaceful settlement of the crisis was the only way to ensure an end to the suffering of the people.

The State of Qatar, in cooperation with international partners, will continue to constructively contribute to reaching a settlement of the crisis through a meaningful political process that leads to a political transition

pursuant to the Geneva communiqué (S/2012/522, annex) and the full implementation of resolution 2254 (2015) so as to meet the legitimate aspirations of the Syrian people and maintain the unity, sovereignty and independence of Syria.

In conclusion, we reiterate the need for the IIIM to continue getting support from countries, the United Nations and other international organizations with sufficient and predictable funding from the regular budget of the United Nations. That will enhance the credibility and independence of the Mechanism.

Ms. Oehri (Liechtenstein): The Syrian war began 11 years ago — 11 years of conflict in which hundreds of thousands of people have been killed, millions have fled their homes and many have gone missing. That is a tragic state of affairs, which, in large part, has to do with impunity. When impunity reigns, conflicts descend into a downward spiral, as perpetrators feel emboldened and systematic disregard for international humanitarian law becomes a method of warfare. We meet here today as the General Assembly, which has been busy in recent weeks responding to the start of a new conflict far from Syria's shores, but with a close connection to it, namely, the brazen aggression against Ukraine, where we are witnessing a chilling repetition of the Russian playbook written in Syria.

That underlines even more strongly the need to ensure accountability for the crimes committed in the Syrian conflict. We welcome the important role that the General Assembly has played in that respect. In December 2016, Liechtenstein had the honour to introduce the draft resolution that would later become resolution 71/248, creating the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM) — a common effort to ensure accountability for the most serious crimes under international law. Its creation was driven in equal parts by the horror at the atrocities committed in Syria, our collective shame and frustration over the inaction by the Security Council, as well as our firm belief that accountability was not only necessary, but also possible.

We commend the important work that the International, Impartial and Independent Mechanism has done so far, and thank Ms. Catherine Marchi-Uhel for her strong leadership as Head of the IIIM since its creation. As we have just heard from Ms. Marchi-

Uhel, the International, Impartial and Independent Mechanism continues to demonstrate the value that it adds to justice efforts concerning the most serious crimes committed in Syria. In response to requests for assistance, the Mechanism aided 91 distinct investigations conducted at the national level, some of which concerned cases in which a suspect was in detention or led to trial proceedings.

We are encouraged to see that this novel accountability mechanism, created by the Assembly, is working. The IIIM has firmly established itself as a successful model for accountability work, replicated by the creation of a nearly identical mechanism by the Human Rights Council for the situation in Myanmar. The IIIM's success and political acceptance have been further expressed through the Assembly's decision to secure its funding through the United Nations regular budget. We fully expect it to receive sustainable funding from the regular budget moving forward. Indeed, the IIIM's mandate and the manner in which it has been doing its work have been so persuasive that calls to establish a generic entity with an identical mandate are growing louder. We look forward to participating in those reflections.

Despite such successes, the IIIM is only a partial answer to the accountability challenge that we face in Syria. It is not a court. Important accountability gaps must therefore be filled, and we thank States that have stepped up to undertake criminal proceedings in their national courts on the basis of the principle of universal jurisdiction. We very much hope that such proceedings, including the successful conclusion of recent cases in Koblenz, Germany, are only the beginning. We continue to call on the Security Council to refer the situation in Syria to the International Criminal Court, an effort that has been blocked in the past by the veto of two permanent members despite the wish of the overwhelming majority of the United Nations membership.

The creation of the IIIM is undeniably an expression of the important role that the Assembly can play with respect to accountability. We are seeing investigations and prosecutions in a variety of national courts. States are sharing information with the IIIM, and accountability for the crimes committed in Syria is within reach. We hope to see that type of action replicated in other challenging situations in which the Council is deadlocked.

Most importantly, discussions on accountability must be part and parcel of our overall conversation

on Syria. Syrian civil society in particular has made it clear time and again that there can be no stable and peaceful future for the country without accountability for the past atrocities. We have an obligation to turn that call into practice, in line with our often-stated belief that there can be no sustainable peace in Syria without justice.

Mr. Kulháněk (Czech Republic): First of all, let me express our thanks to Ms. Marchi-Uhel for her eighth report of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (see A/76/690). With reference to the statement of the European Union, I would like to add a few remarks in my national capacity.

This debate is particularly important, as it clearly demonstrates that we do not forget any of the conflicts that continue to rage around the globe. The most important imperative to investigate and prosecute violations and abuses of international law must be upheld irrespective of wherever, whenever and by whomsoever the crimes were committed.

The Mechanism was created by the General Assembly almost six years ago. Since then, it has proved itself to be a vital and useful tool. It serves as an example of the exercise of powers vested in the General Assembly by the Charter of the United Nations and significantly contributes to the rule of law.

Let me draw the Assembly's attention to the persisting problem that there has been a lack of willingness in the Security Council to apply an equal approach to all situations in which crimes under international law are committed. It is regrettable that the situation in Syria has not been referred to the International Criminal Court due to the use of the veto. Unfortunately, not much has changed.

The report that we are discussing today clearly shows that the Mechanism has been working effectively and without political interference to provide cooperation to relevant jurisdictions. The Czech Republic is ready to cooperate with the Mechanism within the framework of its internal laws.

Last but not least, we have always strongly advocated for funding from the United Nations regular budget. Regular and predictable funding is an essential prerequisite for all the Mechanism's activities. Given

the importance of the Mechanism's mandate, we will provide a voluntary contribution again this year, as we did in previous years.

Mr. Massari (Italy): Italy aligns itself with the statement delivered by the representative of the European Union, in its capacity as observer. I wish to add some remarks in my national capacity.

Let me first thank Ms. Catherine Marchi-Uhel for presenting the eighth report (see A/76/690) on the work of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM), which we wholeheartedly support.

Syria continues to represent the gravest security and humanitarian crisis of the past decade, with a devastating impact on the entire Middle East and beyond. Those who have suffered the most are the Syrian people, facing systematic human rights violations, often as a result of attacks on civilians and civilian infrastructure perpetrated in breach of international humanitarian law. The only way out of such a prolonged crisis is to advance the implementation of Security Council resolution 2254 (2015) and its provisions, charting a path towards a peaceful solution to the conflict. We therefore fully support the efforts of Special Envoy Geir Pedersen.

In that context, we believe that, to attain lasting peace, we must ensure full accountability for the most serious crimes committed by any party during the conflict, in particular war crimes and crimes against humanity. That is not only a moral imperative, but also a deterrent against future violations and a fundamental step in any reconciliation process. Impunity in Syria, as everywhere, cannot go unpunished. Impunity should end. Justice for victims is an essential condition for sustainable peace in Syria.

It is in that spirit that Italy has strongly supported the IIIM since its inception, together with the other United Nations bodies established for the purpose of accountability in Syria. It is a key mechanism for the collection, consolidation, preservation, analysis and sharing of evidence of grave violations of human rights law and international humanitarian law.

Italy is particularly appreciative of the progress achieved by the Mechanism during the reporting period, and we welcome the growing cooperation between the

Mechanism and the national authorities in investigating and prosecuting the gravest crimes committed in Syria. Italy has consistently held that domestic prosecutions and trials should be complemented by a Security Council referral of the situation in Syria to the International Criminal Court.

The pattern observed in Syria over the past 10 years has been shocking, with indiscriminate violence often targeting the most vulnerable, such as women, girls, children and minorities. Italy also remains deeply concerned about the large number of extrajudicial executions and missing or illegally detained persons, as well as the cases of torture and gender-based violence occurring in detention centres. It is in that context that Italy wishes to express its appreciation for the efforts made by the Mechanism to develop thematic strategies focused on those vulnerable categories on the basis of a victim/survivor-centred approach. Inclusive justice for the Syrian people can be achieved only if the stories and perspectives of those who have suffered the most from the conflict are fully taken into account.

Finally, let me take this opportunity to reiterate Italy's support for the IIIM's funding through the regular United Nations budget. It is of the utmost importance that the Mechanism be able to count on a regular United Nations financial endowment in order to plan and progress in its work. Italy will continue to support, within the competent United Nations bodies, the regular and adequate provision of funds for the Mechanism.

Mr. Camilleri (Malta): At the outset, we echo the words of appreciation expressed by many countries for the work of Catherine Marchi-Uhel, Head of the International Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM), and her team. Their efforts offer hope to the victims of the devastating conflict in Syria, and their dedication and determination are truly commendable.

Malta aligns itself with the statement delivered by the observer of the European Union and would like to add a few additional remarks in its national capacity.

We welcome today's discussion, which once again provides us with an opportunity to remember the serious crimes committed in Syria and reiterate our call for justice and accountability. At the Arria

Formula meeting organized by Estonia and other co-sponsors last November, we had the opportunity to hear directly from Syrian victims. Mr. Omar Alshogre gave a heartbreaking account of the physical and psychological torture he had to endure at the hands of the Syrian regime, including the brutal massacre of his family. We heard from Ms. Waad Al-Kateab, who spoke about her experience as a refugee and called on the international community to ensure that those responsible for bombing schools and hospitals are held accountable for their crimes. Those chilling personal accounts must serve as a reminder of our responsibility as members of the international community and our role in contributing to international peace and security. Listening to the victims is not enough. We must also strive and persevere to give them justice.

The collection and preservation of information and evidence is crucial, and Malta will continue to support the IIIM in those efforts. Furthermore, we welcome the continued engagement of the IIIM with States, international organizations, United Nations entities, non-governmental organizations and individuals and its cooperation with the Independent International Commission of Inquiry on the Syrian Arab Republic and the Organization for the Prohibition of Chemical Weapons.

We underline the need for United Nations agencies and other international organizations to cooperate with the Mechanism and for Member States to continue to provide their support. We greatly value the victim/survivor-centred approach, which focuses on the experiences and views of various communities of Syrian victims and survivors, and we commend the efforts undertaken to clarify the fate of missing persons. Their families deserve to know the truth.

In closing, Malta emphasizes once again the need for a nationwide ceasefire in Syria and a political solution based on resolution 2254 (2015). That is the only way forward. Our message must be strong and clear. War crimes and crimes against humanity cannot and must not go unpunished. Malta will continue to push for justice and accountability and will continue to call on the Security Council to refer the situation in Syria to the International Criminal Court. Perpetrators must never forget that justice will ultimately prevail.

Mrs. Baeriswyl (Switzerland) (*spoke in French*): Switzerland thanks the Head of the International Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible

for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM), Ms. Catherine Marchi-Uhel, for presenting her report (see A/76/690), and congratulates the Mechanism on its unwavering commitment and the results it has obtained over the 11 years since the beginning of that terrible conflict, which day in, day out makes millions of people suffer.

I believe that the words of my colleague from the Netherlands, who spoke of a young Syrian who said that this process gives hope for justice, are important because it expresses the hope that impunity will end in Syria and elsewhere. It is therefore commendable that during the period under consideration, the Mechanism's efforts have resulted not only in the opening of two new case files but have also provided greater support to the work of national jurisdictions entrusted with investigating the crimes committed in the Syrian Arab Republic.

In that regard, Switzerland calls on all Member States to cooperate closely with the Mechanism. The judicial proceedings opened in several States demonstrate the relevance of its work and the importance of the principle of universal jurisdiction, as evidenced by some encouraging recent judgments in Europe.

In Switzerland, amended legislation on international mutual legal assistance came into force in June 2021, which will allow Switzerland to step up cooperation with the Mechanism and other international criminal justice mechanisms. However, in order for the Mechanism to continue its work, it is also essential to ensure that it is funded sustainably. That is why it is crucial for the Mechanism to continue being included in the regular United Nations budget.

Accountability is vital to the creation of a lasting peace in Syria. Justice must be achieved for all individuals whose rights have been violated. The Mechanism plays a crucial role in those efforts, which is why Switzerland supported its establishment and will continue to support it fully.

However, the Mechanism's mandate opens up the possibility of going beyond accountability alone and, for example, contributing to the search for missing persons, thereby strengthening a victim-centred approach to justice that prioritizes their needs. Generally speaking, the Mechanism is a part of a broader set of measures aimed at strengthening efforts to deal with the past.

Finally, active participation by civil society is essential for the promotion of peace in Syria. The documentation of the crimes committed in Syria is mainly the outcome of the work of civil-society organizations, whose efforts enable us to overcome the lack of access to the territory by the Mechanism and the Human Rights Council Independent International Commission of Inquiry on the Syrian Arab Republic.

Since 2017, through the Lausanne process, Switzerland and the Netherlands have been endeavouring to facilitate cooperation and the transmission of information between the Mechanism and Syrian non-governmental organizations.

Switzerland will continue to support the Mechanism and calls on all Member States to do the same. Syrian society and Syrian victims are counting on our commitment to justice and peace in their country, and the road to peace passes through justice.

Ms. Lõuk (Estonia): Estonia aligns itself with the statement delivered earlier on behalf of the European Union. I will add some remarks in our national capacity.

We are grateful for the presence of Ms. Catherine Marchi-Uhel, Head of the International Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM), here at the United Nations today and thank her for the presentation of the IIIM's eighth report (see A/76/690) and for her dedicated leadership.

The conflict in Syria began in 2011 when peaceful demonstrators demanding basic rights and dignity were met with a violent crackdown by the Syrian regime. The ensuing and ongoing atrocities have displaced almost 7 million Syrians internationally as refugees outside Syria and another 7 million in their own country. The war has uprooted about two thirds of Syria's population. The situation remains desolate. It remains of the utmost importance for the Security Council to renew the cross-border aid mechanism.

We note that Russia, complicit with the Syrian regime in creating and sustaining the humanitarian crisis and responsible for attacks against civilian infrastructure and loss of life in Syria, is following the same pattern of violations against civilians and is responsible for the massive humanitarian crisis and loss of life in Ukraine brought about solely by Russia's aggression against Ukraine in a blatant contravention

of international law, including the Charter of the United Nations. The impact of its actions is felt by people around the world, including through increased food insecurity, especially for the most vulnerable.

The only solution to the situation in Syria can be political, in line with Security Council resolution 2254 (2015). However, it is clear that there can be no long-term peace without justice. Estonia welcomes steps taken domestically in several countries to uphold accountability. At the same time, we deplore that the Security Council has continued to collectively fail to do anything significant towards ending the conflict in Syria and establishing justice.

During our Council membership, which ended last year, Estonia, together with 12 other Member States convened a Security Council Arrria meeting (S/2021/1112) on 29 November in order to highlight the role of the Council and the international community in advancing comprehensive and impartial accountability in Syria. The meeting provided an opportunity to hear about the situation in Syria from Syrian civil society as well.

Estonia continues to call for the Security Council to step up its efforts to ensure accountability, including by referring the situation of Syria to the International Criminal Court.

Investigative mechanisms, such as the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM), established by the General Assembly, the Independent International Commission of Inquiry on the Syrian Arab Republic of the Human Rights Council, and the Investigation and Identification Team of the Organization for the Prohibition of Chemical Weapons play a central role in collecting evidence of the crimes committed.

Estonia remains highly supportive of the work and mandate of the IIIM, and welcomes the Mechanism's latest, now annual, report (see A/76/690). The important work of the IIIM on developing its central repository and enhancing its analytical output is invaluable for a number of investigations regarding crimes committed in Syria.

We welcome the efforts of the Mechanism to ensure victim/survivor-centred and inclusive justice by paying attention to sexual and gender-based crimes and crimes

against children. We look forward to the publication of the gender strategy of the IIIM.

Considering the gravity and scale of the issue of missing persons, Estonia further appreciates the Mechanism's work on increasing the transfer of information on missing persons.

We also welcome the continued engagement by the IIIM with Syrian civil society actors to better understand and reflect the needs of the local communities through its work.

Estonia highlights the latest efforts by the Mechanism to employ innovative technological solutions for its analytical processes. Finally, we continue to support the financing of the IIIM from the United Nations regular budget and take this opportunity to call on all States to do so.

In closing, allow me to reiterate that Estonia remains committed to the rules-based international order. We cannot look away while atrocities continue to be committed with impunity in many parts of the world. We call on all States and the international community to support all available accountability efforts, including the important work of the IIIM in Syria. Justice has to prevail. In the face of growing turmoil, we cannot fail or forget the Syrian people.

Mr. Keçeli (Turkey): We have marked the eleventh anniversary of the start of the war in Syria. For more than a decade now, the Syrian people have been paying a very high price in their unrelenting quest for freedom and dignity. They have gone through unimaginable suffering, misery and loss due to the brutal attacks of the Al-Assad regime and its friends. Hundreds of thousands have been killed. Many more have been gassed, besieged, abducted, forcibly disappeared, tortured, sexually abused, recruited as child soldiers and denied food and medicine. Tens of thousands have perished in prisons. Millions have been internally displaced or have sought refuge in the neighbouring countries.

Throughout the conflict, the use of chemical weapons has been part of the regime's ruthless war against its own people. Most recently, the Syrian regime's atrocities and crimes against its own people were confirmed by the eye-witness account of the gravedigger.

It is our legal and moral duty to protect Syrian civilians from the regime's grave crimes and hold those who are responsible accountable. We applaud the

International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM) and Ms. Marchi-Uhel for intensifying their efforts, as evidenced by the opening of two new case files. We also note with great appreciation that the Mechanism's central repository is being enhanced and its structure augmented with new technologies.

In order for the Mechanism to continue and sustain these commendable achievements, predictable funding for the IIIM must be ensured. In that regard, we reiterate our strong support for the allocation of adequate resources from the Organization's regular budget.

We are also pleased that the internationally recognized legitimate Syrian opposition, namely the Syrian Interim Government and the National Coalition for Syrian Revolutionary and Opposition Forces, are in close cooperation with the IIIM and other international mechanisms to ensure accountability. We encourage the IIIM to continue and enhance its dialogue with the legitimate representatives of the Syrian people.

The Syrian people need accountability and impartial and inclusive justice in order to ensure a long and sustainable peace. We cannot change the past, but we can take action today to ensure that we uphold the rights and dignity of the Syrian people. We therefore call upon all Member States to continue supporting the International, Impartial and Independent Mechanism.

Mr. Maes (Luxembourg) (*spoke in French*): Luxembourg fully subscribes to the statement made by the representative of the European Union. Let me now complement it with some considerations in my national capacity.

Luxembourg welcomes the organization of today's debate, which allows us to reaffirm our support for the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, tasked with facilitating investigations into the most serious violations of international law committed in Syria since March 2011 and with helping to bring to justice those responsible for them. Luxembourg is proud to have supported the Mechanism since its creation in 2016.

Current events, in particular Russia's aggression against Ukraine, show us once again the importance of the fight against impunity for the prevention of conflicts and crimes. One can only wonder about the link between impunity for the crimes committed in Syria and Russia's aggression against Ukraine, which we condemn in the strongest terms.

Luxembourg would like to thank the Head of the Mechanism, Ms. Catherine Marchi-Uhel, for the presentation of her report (see A/76/690) and for the commitment of her and her team. The ever-increasing number of requests for assistance from national jurisdictions shows that the Mechanism continues to demonstrate its effectiveness as an instrument of justice. We welcome the concrete recommendations in the report to strengthen the Mechanism's cooperation with United Nations entities, States and civil society, whose role remains crucial.

We appreciate that the Mechanism's work on accountability is rights-based, with victims and survivors at the centre. In that context, we welcome the thematic gender, children and youth strategies that the Mechanism is implementing, as well as the Mechanism's efforts to clarify the fate of missing persons.

For 11 years, Syria has been plunging deeper and deeper, day by day, into the horror of indiscriminate violence that kills in a climate of impunity. That impunity is one of the reasons that the Syrian regime, its supporters and other parties to the conflict in Syria continue to commit crimes in which civilians are the first victims.

The establishment in 2016 by the Assembly of the International, Impartial and Independent Mechanism has been a decisive step towards identifying those responsible for these crimes, including through the collection, preservation and analysis of evidence and the sharing of data and expertise, including with national jurisdictions. The important documentation work under way is crucial to ensure that, in due course, justice can be done. The establishment of the Mechanism has illustrated the important role that the General Assembly can play when the Security Council is paralysed by the veto.

At the outset of its mandate as an elected member of the Security Council for the period 2013 to 2014, in January 2013, Luxembourg, together with 56 other States, advocated for the Security Council to refer the situation in Syria to the Prosecutor of the International

Criminal Court (ICC). The ICC was created precisely to put an end to impunity for the perpetrators of the most serious crimes affecting the international community as a whole and to ensure the effective punishment of those crimes when a State is unwilling or unable to do so. That is indeed the case with Syria. We strongly regret that the Security Council was unable to adopt a draft resolution (S/2014/348) referring the situation in Syria to the ICC on 22 May 2014 due to the negative vote of two permanent members of the Council. Almost eight years later, there is no denying that the crimes continue.

More than half of all Syrians have been forced to leave their homes, and more than 6 million have fled their country. Tens of thousands of people have been victims of enforced disappearances, leaving their families uncertain of their fate to this day.

To end the conflict and atrocities in Syria, it is essential to work towards a political solution. Fighting impunity is not incompatible with the search for such a political solution, on the contrary. Fighting impunity means fighting against precisely what fuels war and violence. That applies to Syria as well as to other conflicts in the world.

Finally, we must also continue to meet the enormous humanitarian needs in Syria. In that regard too, Luxembourg will continue to do its part. In the face of war crimes and crimes against humanity in Syria, we will continue to call for justice for the Syrian people.

Mr. Tau (New Zealand): I would like to start by thanking Ms. Marchi-Uhel, Head of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, for presenting the eighth report of the Mechanism (see A/76/690). New Zealand appreciates the opportunity to discuss the important work of the Mechanism in this plenary meeting of the General Assembly.

Like many others who have spoken today, New Zealand reiterates its strong support for the value and integrity of the Mechanism and its work. We continue to stress the importance of working collectively against impunity for the horrific crimes committed in Syria and to highlight the critical role of the Mechanism in those efforts and in seeking accountability. If there is no justice for the victims of crimes committed in the Syrian Arab Republic, the rule of law and its fundamental importance will be eroded for everyone.

The rule of law, accountability and respect for the basic tenets of international law are particularly important to reflect on and protect for those reasons — and in the wider circumstances of the day.

New Zealand is pleased to observe from the report of the Mechanism that progress is being made towards the fulfilment of its mandate, notwithstanding the challenges posed by the coronavirus disease pandemic. The opening of two new case files during the reporting period, together with the growing number of requests for assistance that it is receiving, highlights the important work that the Mechanism is undertaking to establish individual criminal accountability.

New Zealand also commends the Mechanism's growing collection of evidence with the assistance of new technologies and expanding engagement with States, international organizations and civil society. We welcome the Mechanism's procurement and deployment of new software and its development of new technology partnerships.

We further welcome the commitment by the Mechanism to a holistic and inclusive approach to justice, including the integration of thematic gender, children and youth strategies into its work. We welcome the application of that approach in the inquiry into crimes by individuals associated with the Islamic State.

As the report makes clear, the scale and importance of the work to be undertaken by the Mechanism is immense. We will continue to follow the work of the Mechanism closely. The General Assembly can count on New Zealand's full support.

Mrs. Dime Labille (France) (*spoke in French*): France aligns itself with the statement made by the representative of the European Union (EU).

We thank Ms. Catherine Marchi-Uhel, Head of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, and her team for their important work, and welcome the progress made during the most recent reporting period, covered by the eight report (see A/76/690).

Despite the difficult context, the perpetrators of crimes committed in Syria must not go unpunished. Every effort must be made to ensure justice for all victims and for the perpetrators of atrocity to be held

accountable. Since the Mechanism's creation, France has fully supported the pre-court Mechanism, which plays a central role in the collection, analysis and preservation of evidence. That support is apparent in the signing, on 29 June, of the international judicial cooperation agreement between France and the Mechanism.

In addition, we welcome the systematic consideration of issues related to sexual and gender-based violence throughout the Mechanism's work.

We commend Syrian civil society activists for their great courage and urge them to work with the Mechanism. Their contribution to justice is essential.

France will also continue to mobilize alongside its partners in order to ensure that the investigative Mechanism is included in the regular United Nations budget, pursuant to the Secretary-General's recommendations. We call on all States involved in the fight against impunity in Syria to cooperate with the Mechanism and to support it.

In addition to its support for the Mechanism and the approximately 40 proceedings under way in French courts in order to prosecute the most serious crimes committed in Syria, which were the subject of the report, France is engaged in the Organization for the Prohibition of Chemical Weapons in order to ensure that we condemn the use of chemical weapons by the Syrian regime against its people.

France also launched and presides over the International Partnership against Impunity for the Use of Chemical Weapons, which today is made up of 40 States and the European Union.

In conclusion, let me reaffirm that there can be no sustainable peace in Syria and that refugees and displaced persons cannot return without justice and a political solution. Only a credible, lasting and inclusive political solution, in accordance with Security Council resolution 2254 (2015) will allow Syria, as a whole, to recover and avoid another lost decade.

It is more urgent than ever to implement all elements of the resolution, which was adopted unanimously by the members of the Council and today remains the Council's road map. We support the work of the Special Envoy in that connection. France is determined to advance each element of the resolution and, in particular, on the issue of people currently detained by the Syrian regime and those forcibly disappeared.

At their 24 January meeting with the Special Envoy at the Foreign Affairs Council of the European Union, the Foreign Ministers of the European Union reaffirmed that there can be no normalization of relations with the Syrian regime, no reconstruction and no lifting of sanctions until a political solution based on resolution 2254 (2015) is firmly under way.

Ms. Dautllari (Albania): In the past eleven years, the Al-Assad regime has disfigured Syria. Hundreds of thousands of Syrians have been killed, forcibly disappeared or detained. The regime has wiped out the spontaneous, civic and hopeful spirit of the revolution that started 11 years ago. Today Syria is hell on Earth. We, the international community, have let it happen. We have not found the unity and resolve within the United Nations to stop atrocities and the banality of evil that has taken root in Syria. Holding those responsible to account is vital — not only to bring justice to the victims and survivors but also to help prevent such atrocities from being committed again in Syria and elsewhere.

That is why we greatly value and strongly support the efforts of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM) to advance the cause of justice in Syria by assisting actors of goodwill to investigate those crimes. We value the commendable work delivered by IIIM and the responsive methodology that it adopts in pursuit of justice. Its inclusive, rights-based, victim/survivor oriented, structural and intersectional approach put the IIIM in a strong position to address obstacles to bring justice to those who need it most, especially women, children, minorities and marginalized groups.

The engagement in continuous dialogue with victims/survivors and the deepening and widening of structured cooperation with civil society, especially Syrian civil society actors, and a growing number of States of goodwill is commendable.

We are encouraged by the progress made by the IIIM in recent months, especially in integrating a child- and youth-sensitive approach into its investigative and analytical work, as well as the work done in clarifying the fate of missing persons — an unending tragedy for nearly every Syrian family.

The work of the IIIM deserves the support of all people of goodwill. We must do everything in our

power to mobilize the international community to put pressure on the Al-Assad regime to cooperate with the Mechanism and strengthen cooperation and coordination with United Nations organs, Member States and civil society organizations in order to galvanize our collective strength in the service of justice. Albania will continue to use its voice in the Security Council to advance accountability for the atrocities committed in Syria, including by referring the case to the International Criminal Court.

There can be no peace without justice, in Syria or anywhere else, and fighting impunity is a small but necessary step for justice to prevail, in Syria and elsewhere. And that includes the ongoing crimes committed by Russia in Ukraine, which are of concern to the entire international community. We will not be silent. Last week, Albania, together with other Member States, launched the Group of Friends on Accountability in Ukraine for that reason. We must make impunity history.

Mr. Marschik (Austria): Austria welcomes today's debate on the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM), and we thank Ms. Marchi-Uhel and her team for the Mechanism's eighth report (see A/76/690).

Austria aligns itself with the statement delivered by the representative of the European Union. Allow me to add a couple of remarks in our national capacity.

An international order based on international law and the rule of law are indispensable preconditions for lasting peace and security. We all know that. We all say it and we all repeat it — again and again. And yet, again and again, we witness how international law is violated, how civilians suffer and how perpetrators go unpunished.

The Russian aggression against Ukraine is the most recent example, dramatically reminding us of the importance of adhering to international law and the need for accountability for violations of international human rights law and international humanitarian law. That is true for Ukraine. It is true for Myanmar, Afghanistan, the Sudan and Yemen. It is true everywhere. It is also true for Syria, where serious crimes have been committed since March 2011 and continue to this day.

Today's discussion is an important reminder for all of us here in this Hall and back home in our capitals that we have to do more to ensure accountability in Syria. Thanks to its professional competence and technical expertise, the IIIM makes a substantive contribution in that respect. There is abundant evidence of crimes committed in Syria — numerous crimes, including war crimes and crimes against humanity. It is essential that all the relevant documentation be handed over to our colleagues at the IIIM.

Accountability for the most serious crimes under international law constitutes a priority of Austrian foreign policy. We therefore fully support the IIIM and similar mechanism and instruments, such as commissions of inquiry, in Syria and in other instances. Their work in collecting, consolidating, preserving and analysing evidence of violations of international humanitarian law and international human rights law, in Syria and elsewhere, is crucial for international and national criminal justice, under the principle of universal jurisdiction.

In order to support the IIIM, Austria provided financial means in 2017 and 2019, before full funding from the regular budget was achieved. We very much welcome the Mechanism's inclusion in the regular budget for the period 2020 to 2021. In view of the fact that the IIIM was created by the General Assembly, full funding should continue to come from the regular budget. In addition, Austria also knows that it is important to make voluntary contributions, which we did last year as well.

In order to allow cooperation with, and legal assistance to, the IIIM through Austria's judicial authorities, we adopted specific national legislation in 2020. We understand that this cooperation is a prerequisite for the fulfilment of the mandate of the IIIM, but also, frankly, it is a real advantage for national authorities when prosecuting atrocity crimes at the domestic level. We can only urge other States to adopt similar legislation, because it makes their life, and our life, so much easier.

The General Assembly created the IIIM because the organ primarily responsible for upholding international peace and security — the Security Council — failed. Our disappointment with the Council, however, does not deter us from repeating our call on the it to refer the situation in Syria to the International Criminal Court, which was created specifically to prosecute high-level perpetrators of the most serious crimes. Even with the

war in Ukraine now in the spotlight of international attention, serious violations and abuses of human rights still occur in Syria. It remains one of the bloodiest conflicts in history. And, as in Ukraine, civilians suffer the most when international law is violated. We need to remind the Syrian Government and its allies of their obligations under international humanitarian law and international human rights law.

And we will not tire of repeating our call for the end of the civil war in Syria and for an inclusive political process that ensures justice for all victims. That process will be able to rely on the crucial contributions of the Mechanism.

National reconciliation cannot be achieved without accountability, and there is no sustainable peace without justice. We have heard that over and over again; we just heard it from colleagues. Those responsible for war crimes and crimes against humanity must be held accountable. It is not for our sake; it is for the people of Syria, who deserve it, and for people elsewhere in the world, who deserve it as well.

Over the past years, I have noticed that we have had a growing recourse to such mechanisms as the IIIM in similar situations, and I think that is a very welcome development. Perhaps we should start thinking about the possibility of establishing a permanent abstract shell for such mechanisms. This structure would enable, first of all, increased speed of operationality, that is, improving the speed at which a mechanism becomes operative, but it would also ensure a uniform process and methodology. We look forward to exploring possibilities in this regard with colleagues and other delegations.

Mr. Osuga (Japan): As the Syrian conflict enters its twelfth year, Japan deplores the immeasurable suffering of the Syrian people, in particular the most vulnerable, including women and children. We are deeply concerned about the long-standing stalemate and the loss of momentum in the pursuit of political settlement of the crisis, even as the humanitarian and socioeconomic situation worsens.

Japan urges all parties to the conflict to immediately stop the violence and respect international human rights law and humanitarian law in all areas of Syria. Human rights and fundamental freedoms of all people in Syria must be respected and fully protected without delay. In this respect, accountability is critical for lasting peace in Syria.

Japan remains deeply concerned about the fate and whereabouts of missing people and those who have been arbitrarily detained in Syria. The use of chemical weapons is impermissible under any circumstances. The international community will not tolerate impunity for gross human rights violations during conflict anywhere in the world. A situation where the perpetrators of such acts are overlooked and left without being identified and held accountable will have ripple effects elsewhere in the world and seriously undermine the stability and prosperity of the international community.

Japan welcomes the progress made by the International, Impartial and Independent Mechanism during the past year in implementing its mandate of assisting in the investigations and prosecutions of most serious crimes committed in the Syrian Arab Republic. We encourage the Mechanism to continue to collaborate closely with the United Nations and other international organizations, Member States and civil society in the pursuit of inclusive justice through its victim/survivor-centred approach.

Finally, the Syrian crisis will never end without a political solution in line with Security Council resolution 2254 (2015). Continued dialogue among the Syrian people is essential to advancing the political process. Japan reiterates its commitment to supporting international efforts towards achieving a lasting solution to the Syrian crisis.

Mr. Kim Song (Democratic People's Republic of Korea): My delegation expresses hope that the current meeting on the agenda item entitled "Prevention of armed conflict" will be an important opportunity to contribute to safeguarding the purposes and principles of the United Nations Charter and international law as well as supporting and promoting the process of finding a political solution to the Syrian issue.

I would like to take this opportunity to clarify my country's position with regard to the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

First, the establishment and the activity of the Mechanism both constitute a clear violation of the purposes and principles of the United Nations Charter and of respect for sovereignty, territorial integrity and non-interference in internal affairs of States, which

are basic principles of international relations. We take note that resolution 71/248 on the establishment of the Mechanism is non-transparent and non-consensual. It is well-known that legal technical assistance by the United Nations to any Member State should be provided in accordance with a request by the concerned State. However, resolution 71/248 was adopted and has been enforced without prior consultations or agreement with the Syrian Arab Republic.

Furthermore, based on the principles and relevant Articles of the United Nations Charter, the General Assembly does not have a mandate to establish any investigative or judicial organ, as such mandate is vested solely in the Security Council. Consequently, the adoption of the resolution 71/248, on the establishment of the Mechanism, has become a precedent for approving a practice that is not permissible within the framework of the United Nations.

What cannot be overlooked is that the Mechanism, which advocates independence and impartiality, is actually engaged in interfering in the internal affairs of Syria while carrying out its activity on the basis of fabricated information and false testimonies offered by some countries and individuals against Syria. The establishment of the Mechanism is nothing but an ordinary example of politicization, double standards and selectivity in the handling of human rights issues. Nothing can justify the acts allowing this illegal Mechanism to carry out its activity under the United Nations umbrella or sponsoring and funding its activity from the United Nations regular budget.

Secondly, the United Nations should give priority to supporting and promoting the political process in Syria, and Syrian issues should be addressed in the interests of the Syrian people. The stabilization of the situation and the peace process in Syria should be driven by the Syrian people without any interference from outside forces. The United Nations should not be subjected to political pressures from some countries and must preserve its impartiality, objectivity and credibility as a facilitator of the process for a political solution to the Syrian issue.

In conclusion, my delegation extends our unwavering support for and solidarity with the Government and the people of the Syrian Arab Republic in their struggle to defend the sovereignty and territorial integrity of their country and the human rights of its people and sincerely hopes that the Syrian issue will be addressed in a peaceful way, that is, by political means without

foreign interference, in accordance with the demand and interests of the Syrian people.

Mr. Malovrh (Slovenia): Slovenia aligns itself with the statement delivered by the representative of the European Union, in its capacity as observer, and would like to add a few remarks in its national capacity.

We would like to thank the Head of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, Ms. Catherine Marchi-Uhel, for presenting the eighth report of the Mechanism (see A/76/690) and for her dedicated and strong leadership since the creation of the Mechanism.

The Mechanism continues to serve as an indispensable tool for the preservation and analysis of evidence and as a necessary link to the criminal proceedings in cases of serious breaches of international law committed in the Syrian Arab Republic. We welcome the progress made by the Mechanism with regard to its mandate. In particular, we welcome the efforts aimed at building up the central repository, encouraging further use of modern technologies, and improving its capacities.

During the reporting period, the Mechanism advanced its structural investigation, opened two new case files, provided greater support for the work of jurisdictions investigating and prosecuting crimes committed and sharing of information, which has allowed the Mechanism to provide vital evidence to courts exercising universal jurisdiction. In order to ensure justice in Syria, we call on all relevant stakeholders to continue engaging with the Mechanism. Joint investigative teams and cooperation with the Syrian civil society are important for facilitating justice and paving the way for progress in national jurisdictions. However, despite its success, the Mechanism remains only a partial answer to the accountability challenge of the Syrian conflict. While the Mechanism continues to demonstrate its value as a justice actor, it is at the same time not a court.

A crucial void therefore remains to be filled. We welcome the fact that several States have stepped up and undertaken criminal proceedings in their national courts based on the principle of universal jurisdiction. These proceedings are a step closer to closing the impunity gap. However, more is needed to ensure

justice for the victims of the conflict in the Syrian Arab Republic.

Although requests have increased exponentially for assistance and a response from the Mechanism, national proceedings in third States have limited capacities. To enhance this, national courts could make use of another tool: a prospective multilateral treaty on mutual legal assistance and extradition for domestic prosecution of the most serious international crimes. The initiative would additionally contribute to the shared goal of promotion of effective international criminal justice. Furthermore, to ensure accountability for international crimes committed in Syria, we repeat our call to the Security Council to take effective action and refer the situation in Syria to the International Criminal Court, in order to guarantee that all victims receive justice.

In conclusion, Slovenia has supported the Mechanism since its inception. It constitutes a collective commitment to ensuring credible and comprehensive accountability. Impunity for atrocities is not acceptable, and perpetrators should be held accountable. Slovenia will continue to support the Mechanism in its role as a justice facilitator and in pursuit of effective inclusive justice in the conflict in Syria. I wish every success to Ms. Catherine Marchi-Uhel and her team in continuing their valuable work in investigating the most serious crimes committed in the Syrian Arab Republic.

Mr. Lagatie (Belgium) (*spoke in French*): First of all, I would like to emphasize that Belgium fully aligns itself with the statement made by the representative of the European Union, in its capacity as an observer. I would also like to thank Ms. Catherine Marchi-Uhel for her enlightening briefing, which showed the progress made by the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM). Belgium salutes her work and that of her team.

My statement will focus on three points: justice as a key element of the process leading to peace in Syria; the cooperation and support needed more than ever from all stakeholders in the IIIM; and, finally, the importance of holistic and inclusive justice.

First, I would like to reiterate the relevance of the IIIM's mandate. Since the beginning of the Syrian conflict more than 10 years ago, the parties have repeatedly violated international humanitarian

and human rights law. The victims number in the hundreds of thousands. Their relatives and survivors continue to demand that perpetrators on all sides be held accountable for their actions, many of which may constitute the most serious crimes. There is one constant in the drama unfolding before our eyes in Syria, as is also the case in other conflicts: there can be no lasting peace without justice for the victims. This is the meaning of the crucial role played by the IIIM. And it is the reason why Belgium continues to advocate that the Security Council refer the situation in Syria to the International Criminal Court.

Secondly, the effective implementation of the IIIM's mandate depends on the effective cooperation of all Member States, civil society, the United Nations system and other international organizations. Accordingly, first of all, Belgium encourages States that have not yet done so to adopt a framework for cooperation with the IIIM, as my country did in 2019 by updating its legislation in this regard. Since then, cooperation with the IIIM has been growing, and more than 20 requests for assistance from the IIIM, mostly from Belgian authorities, have been launched. Furthermore, my country, which is one of the main initial voluntary contributors to the IIIM, in the amount of approximately \$1.6 million, will continue to support it being adequately funded from the United Nations regular budget.

Finally, we welcome the IIIM's extensive contacts with Syrian civil society. In addition, the good cooperation between the IIIM and the Human Rights Council's Commission of Inquiry on the Syrian Arab Republic and the Organization for the Prohibition of Chemical Weapons (OPCW) should be highlighted. In this respect, Belgium continues to advocate that the IIIM be given full access to the documents of the joint United Nations-OPCW investigation mechanism.

In conclusion, I would like to commend the IIIM's commitment to a global and inclusive concept of justice, in particular with regard to the different categories of victims and survivors. Belgium welcomes the development of specific strategies with regard to sexual and gender-based crimes and crimes against children. This approach supports the recognition of all victims and will therefore make a useful contribution to the process of achieving lasting peace in Syria.

Mr. Mlynár (Slovakia): Slovakia aligns itself with the statement made by the representative of the European Union, in its capacity as observer, and I would like to make a few further remarks in my national capacity.

Allow me, at the outset, to thank the Head of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM), Ms. Catherine Marchi-Uhel, for introducing the eighth report on the implementation of the mandate of the Mechanism (see A/76/690), which underscores that the Mechanism has established itself as a competent and trusted partner in justice efforts.

We cannot proceed with our statement without expressing Slovakia's commitment to ensuring accountability for crimes under international law, including in the context of the ongoing unprovoked and unjustified military aggression by the Russian Federation against Ukraine.

Turning back to the IIIM, on 21 December 2016, the General Assembly emphasized the importance of ensuring "credible and comprehensive accountability" for serious international crimes as part of any political process to end the crisis in Syria (resolution 71/248). Today, the mandate and functioning of the Mechanism remain as relevant as ever in terms of closing the impunity gap and ensuring accountability for crimes committed by any party in the Syrian conflict.

The Mechanism is a unique and pioneering structure in international efforts to ensure accountability. By collecting, analysing and preserving evidence, it assists and facilitates criminal proceedings carried out by national authorities, as well as regional or international courts. By requiring the receiving jurisdiction to respect international human rights law and standards, including the right to a fair trial, the IIIM contributes to strengthening rule of law and due process.

A total of 173 requests for assistance received from 13 jurisdictions, representing almost twice the number in comparison to the previous report (see A/75/743), clearly manifests the value of the Mechanism. Moreover, a total of 112 processed requests assisting in 91 district investigations underlines the Mechanism's practical, tangible and extensive contribution to accountability in Syria. As far as the use of the evidence gathered by the IIIM is concerned, all potential jurisdictional grounds, including universal jurisdiction, should be taken into account by national authorities. We also reiterate our call on the Security Council to refer the situation in Syria to the International Criminal Court.

In order to benefit from the full potential of the Mechanism, States have to assist it in carrying out its mandate. Besides that, the cooperation of the Mechanism with the entities of the United Nations system and other international bodies is of utmost importance. In that context, Slovakia fully supports the recommendations contained in the report (see A/76/690), whereby the United Nations and other international organizations are requested, *inter alia*, to ensure full access for the Mechanism to materials that are held within the United Nations system concerning crimes in the Syrian Arab Republic and to initiate necessary arrangements to that end, as well as to ensure the full cooperation and coordination of United Nations agencies with the Mechanism, including through the timely execution of requests for information and assistance.

In the same vein, States have to make sure that national investigative and prosecutorial authorities can smoothly cooperate with the Mechanism, thereby helping advance its mandate and, at the same time, benefiting from its work. Considering the fact that an Organization needs predictable, stable and sustainable financing, Slovakia supported the inclusion of the Mechanism in the United Nations regular budget in previous years and will continue to support the provision of the required funds therefrom.

Last but not least, I wish to underline my profound appreciation to Ms. Catherine Marchi-Uhel and her team for all the work accomplished so far in making the IIIM a fully functional and operational institution. Their task has been made even more demanding owing to the ongoing pandemic and its various consequences.

In conclusion, Slovakia continues to be a firm supporter of the Mechanism. We are convinced that bringing perpetrators of international crimes to justice, while having a victim-centred approach, is a basic requirement for the solution of conflicts and subsequent reconciliation efforts, wherever and whenever that may be the case. Effective accountability mechanisms should also serve as a standing warning to any potential perpetrators of crimes under international law that their acts will not go unpunished.

Mr. Pedroso Cuesta (Cuba) (*spoke in Spanish*): During the adoption of resolution 71/248, my delegation stated that Cuba would not support any mechanism that deliberately failed to recognize the principles on which the Charter of the United Nations was based. The adoption and implementation of the International, Impartial and Independent Mechanism to Assist in the

Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, mandated by the aforementioned resolution, have no precedent in the history of the United Nations. The deliberate undermining of the primary responsibility of the Syrian Arab Republic and its judicial system in the investigation and prosecution of any crimes that may have been committed on the territory of that country is a violation of the norms and principles of international law and a dangerous course of action in the practice of the Organization.

The mandate of the Mechanism in question has no legal basis and exceeds the competence and functions accorded to the General Assembly in Articles 10, 12 and 23 of the Charter of the United Nations. Moreover, in being designated as a subsidiary body of the Assembly, the Mechanism and its staff are endowed with a legal capacity, immunities and prerogatives that do not pertain to them. In addition, the basic terms of reference of the Mechanism were not even defined, and Member States were not in any way able to provide their opinions on the Mechanism, much less to make decisions about its terms of reference prior to their adoption.

Furthermore, the Mechanism is attributed with functions similar to those of a prosecutor's office, with a view to establishing a connection between the evidence of crimes and those who may be responsible for them, in order to share information with national, regional or international courts or tribunals that, in its opinion, may have jurisdiction over those crimes. This is arbitrary and has no legal foundation, since even in the conventional legal system, the same body cannot be both judge and party to a case.

The change of the funding model for the Mechanism was also not consensual, as has been demonstrated in several votes on the issue, both in the Fifth Committee and in the General Assembly itself. Mechanisms of this nature should not be financed through the assessed contributions of Member States, in particular if they do not enjoy the consent or participation of the concerned State.

For all of these reasons, we believe that this Mechanism was doomed from the start. The inconsistencies and contradictions reflected in the report (see A/76/690), which was presented today, confirm that.

It unjustly singles out a sovereign Member State, the Syrian Arab Republic — a practice that we categorically reject and calls into question the credibility of the Organization and the objectivity and impartiality of its mechanisms.

We therefore reaffirm our opposition to the Mechanism established by resolution 71/248 and reiterate that it will prove impossible to prevent conflicts and guarantee international peace and security without the prerequisite of strict compliance with the Charter of the United Nations and international law.

Mr. Xing Jisheng (China) (*spoke in Chinese*): The Syrian crisis has dragged on for 11 years and the Syrian people have suffered great harm caused by illegal invasion, external occupation, terrorism and unilateral coercive measures.

The future of Syria must be decided by the Syrian people themselves. China supports the good offices of the United Nations, in accordance with Security Council resolution 2254 (2015), to promote a Syrian-owned and Syrian-led political process in which the purposes and principles of the Charter of the United Nations are observed and the sovereignty, independence, unity and territorial integrity of Syria respected.

We encourage the League of Arab States and the relevant regional countries to strengthen dialogue and contacts with the Syrian Government and play a constructive role in resolving the Syrian issue.

For some time now, the Syrian Government has been working actively in governance, undertaking national reconstruction in many areas, and is committed to restoring the economy and improving people's livelihood, which China commends. China believes that these relevant efforts will help Syria restore normal order at an early date.

Years of unilateral coercive measures have violated international law, caused serious harm to Syria's economic and social development, exacerbated the humanitarian crisis in the country and weakened its ability to respond to the pandemic. We once again urge the countries concerned to lift the illegal unilateral coercive measures against Syria.

China has always opposed all violations of international humanitarian law and human rights and advocated compliance with international law, including international humanitarian law, by all parties in Syria. At the same time, in addressing impunity, we should

respect the judicial sovereignty of the country in question, give full play to its leading role and coordinate in the general direction of political settlement.

Action within the United Nations framework should help maintain the unity of Member States and help all parties in Syria enhance mutual trust and build consensus. The discussion of accountability should not be politicized. Blindly imposing sanctions and pressure on the Government in question will not only be detrimental to achieving a solution, but will also prolong the suffering.

China's position on the establishment of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 remains unchanged. The establishment of the Mechanism was controversial. Full consultations with the country in question were not conducted and it was not supported in any way by the Government concerned. Member States have different views on the work of the Mechanism and the reports submitted. China does not support the inclusion of the Mechanism in the regular budget of the United Nations.

Mr. Guerra Sansonetti (Bolivarian Republic of Venezuela) (*spoke in Spanish*): The Bolivarian Republic of Venezuela is committed to the fight against impunity and to accountability for the most serious crimes, including crimes against humanity, which, in their brutality and magnitude, violate human dignity and the fundamental values of coexistence in our societies. That is why our country is actively fighting against impunity for these crimes, not only to ensure the maintenance of international peace and security, but also to preserve and strengthen the rule of law at both the national and international levels.

With regard to the issue before us today, we recall that our delegation voted against resolution 71/248, which led to the irregular and controversial establishment of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, which contradicts and flagrantly violates the purposes and principles enshrined in the Charter of the United Nations, as well as the most fundamental norms of international relations. In this regard, we also recall that, in establishing the Mechanism, the General Assembly

was forced by a circumstantial majority to usurp the remit of the Security Council, which is not only the only organ with the authority to establish investigative mechanisms or tribunals with binding legal authority over individuals and States, but also currently performs functions with regard to all issues pertaining to the situation in the Syrian Arab Republic.

The establishment of the Mechanism, endowing it with functions that correspond to judicial and investigative bodies and ignoring the primary responsibility of sovereign States to investigate and prosecute those responsible for any crimes that may have been committed on their national territory, and which was broadly rejected by the State concerned, set a negative precedent for the work of the General Assembly.

With resolution 71/248, the General Assembly sought to establish a Mechanism with competence that corresponds only to a judicial or investigative body, which is why any hypothetical evidence that it may gather during its alleged mandate has no validity or legal basis for potential criminal prosecutions against Syria, whose national institutions are fully capable of rendering justice and ensuring accountability for atrocity crimes. There is no need for other parties to interfere or provide any assistance.

Therefore, it is safe to say that we are dealing with an investigative body that, under a pretext of rendering justice, actually seeks to advance the agenda of a small group of Governments that are trying to exert pressure on the Syrian Government, thereby violating, among others, the principle of non-interference in the internal affairs of States. We therefore reject any attempt to legitimize and finance that political operation of destabilization with resources from the regular budget of the Organization.

We are faced with a clear example of selectivity and double standards, which we have grown accustomed to seeing on the part of Western Powers, especially in the area of human rights. These are the same Powers

that today criminally, systematically and deliberately impose economic terrorism measures to suffocate the very Syrian people to whom they claim to want to bring justice.

This so-called Mechanism, flawed from the outset and financed by the voluntary contributions of donor countries, is neither impartial nor independent, as it responds to the petty national interests of other actors and not the interests of the Syrian people. This is demonstrated by the Mechanism's reports, which lack methodological rigour and are based on secondary and even tertiary sources.

The Bolivarian Republic of Venezuela calls for an end to the attempts to instrumentalize the General Assembly to attack independent sovereign States. If we are genuinely interested in achieving a lasting and sustainable peace in Syria that ensures the well-being of its people, we are obliged to stop resorting to divisive approaches that can complicate the situation and even threaten to compromise the neutrality and impartiality of the United Nations in its role as facilitator of the political process in Syria, which we, as responsible members of the international community, are called on to support.

To conclude, we hope to be able to work in the future in a consensual manner on initiatives that, in accordance with the inescapable objective of the search for peace, stability and justice in Syria, allow us to support the ongoing efforts in favour of national reconciliation and of a political solution through a political process led by the Syrians themselves, without interference of any kind, in faithful correspondence with the spirit and letter of the Charter of the United Nations.

The Acting President (*spoke in Spanish*): We have heard the last speaker in the debate on this item for this meeting. We shall hear the remaining speakers this afternoon in this Hall.

The meeting rose at 1.10 p.m.