



**PERMANENT MISSION
OF THE PRINCIPALITY OF LIECHTENSTEIN
TO THE UNITED NATIONS
NEW YORK**

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CHECK AGAINST DELIVERY

INFORMAL MEETING OF THE GENERAL ASSEMBLY TO HEAR A BRIEFING BY THE SECRETARY-GENERAL AND HIS SPECIAL ENVOY ON SYRIA, MR. STAFFAN DE MISTURA, ON THE SITUATION IN SYRIA

STATEMENT BY CHRISTIAN WENAWESER, PERMANENT REPRESENTATIVE

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Mr. President,

We welcome the convening of the General Assembly this afternoon and thank the SG and Staffan de Mistura for the briefings offered to us. The discussions in the General Assembly have taken on additional urgency in light of the veto in the Security Council on 8 October, which illustrated the ongoing paralysis in the Council. In our view, this situation clearly illustrates the need for the General Assembly to play the role on the maintenance of peace and security that it can play under the UN Charter. There is a strong need for the Assembly to take action on the areas where the Council has failed to do so. If the deadlock in the Council continues, there is a strong case to be made to convene this Assembly in an Emergency Special Session.

The key elements for a decision required are the immediate cessation of hostilities to be monitored by a strong and independent mechanism, the full and unhindered humanitarian access granted country-wide and by all parties to the conflict, as well as concrete measures to ensure that there will be accountability for the worst crimes under international law committed in Syria since 2011.

There has hardly been a situation in which the commission of war crimes and crimes against humanity has been documented to such a horrifying and detailed extent as is the case for the conflict in Syria. The Commission of Inquiry created by the Human Rights Council has submitted twelve reports, the Joint Inspection Mechanism established by the Security Council has confirmed the use of chemical weapons and there is plenty of other irrefutable evidence, most notoriously the shocking Caesar files. This has led to regular calls from the Secretary-General and the High Commissioner – present and former – to refer the situation to the International Criminal Court. A draft resolution submitted to that end was vetoed in the Council two years ago – had this not been the case, we might be looking at advanced criminal investigations carried out by the leading international criminal justice mechanism today and therefore at a very different framework for the discussions on Syria.

The reality today is sobering: There is overwhelming evidence for the most serious crimes committed in Syria, by different parties to the conflict, and the current levels of almost complete impunity undoubtedly fuels the large-scale commission of these crimes that we are witnessing on a daily basis. While some States have undertaken very important efforts to prosecute such crimes, the reality so far is that these efforts are not at present able to reach those with the largest share of responsibility. In simple terms: there is no Court, as we speak today, that can ensure accountability for those most responsible for war crimes and crimes against humanity. This, in our view, should prompt the General Assembly to act. First, by making it clear that there will be no peace in Syria without justice for the countless victims of the crimes committed. Second, by welcoming ongoing efforts at the national level to ensure accountability and by encouraging widening them and third and most importantly, by establishing a mechanism to gather and prepare evidence that can be used in courts that may in the future have jurisdiction over these crimes. This would be without prejudice to the question which court may exercise such jurisdiction in the future and at the same time make it clear that there will be accountability as part of a political process for Syria.

As indicated before, we believe that we should look seriously into the option of convening an Emergency Special Session, given the gravity of the crisis and the situation in the Security Council. More importantly though, we are of the view that the General Assembly should act along the lines indicated and that it should act swiftly.

Thank you.