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PERMANENT MISSION  
OF THE PRINCIPALITY OF LIECHTENSTEIN

## **40<sup>th</sup> Session of the Human Rights Council**

### **Keynote Speech for the Side-Event on Death Notifications and Negation of Justice in Syria**

Delivered by H.E. Ambassador Peter Matt on 25 February 2019

Thank you, Co-Chair for giving me the floor.

Excellencies, Ladies and Gentlemen,

We all agree that this is a very concerning issue. Therefore, I am pleased to have the opportunity to share a few thoughts on the topic of the event and the over-all situation in Syria. Before I go into details, I would like to express my gratitude to all the co-sponsors of this event, in particular to Denmark who took the lead in organizing it.

As Foreign Minister Samuelson indicated, the matters concerning the death certificates are a more far-reaching issue than it looks at the beginning. It starts with the forced disappearances and arbitrary detentions, to which the Syrian Government has resorted to in a widespread and systematic way, as highlighted by the Commission of Inquiry. Forced disappearances and detentions tear families and communities apart. Family members such as spouses, children, and parents would not know where the detained loved ones are, what they are going through, and what they are facing for the future. Unfortunately, in many cases, there has been no future.

In May 2018, Syrian State entities for the first time shared information on the death of many of those disappeared individuals. It is simply not credible that so many detainees died of alleged heart attacks or strokes, as in almost all cases indicated. The notifications give no

indications on where detained and missing individuals were staying and what happened to them. But the families of the victims have a right to know the truth.

To understand the full scale of these notifications it is important to know that in Syria, families of deceased persons are obliged to acquire a death certificate – in addition to notifications - within a certain time. Not doing so is not only fined by large sums but also has an impact on housing, land, and property rights as well as inheritance or marital rights. Many affected families – often displaced - are just not in a situation that allows them to obtain a death certificate for their deceased members – if they even are certain about the death of the disappeared one. The increased rate of official death notices also reflects a policy geared towards impunity by Syrian authorities without fear of legal consequences, and may amount to tacit admission of responsibility for the death of the detainees.

For this reason, Liechtenstein, together with the State of Qatar, and on behalf of 41 other States, has addressed in August last year a joint letter to the President of the Security Council and the President of the General Assembly emphasising the flagrant violations of international humanitarian law and international human rights law. The Commission of Inquiry also noted that incidents of this nature and at this scale have amounted to war crimes and crimes against humanity. This further demonstrates the need for comprehensive investigations and accountability under international law. The unwillingness of the Syrian authorities to launch such investigations and to ensure accountability just highlights the importance of the work done by the COI and many civil society actors to bring these crimes on the agenda of the international community.

The IIIM, established with GA resolution 71/248, will be and is a key actor to bring the perpetrators ultimately to justice. The recent arrests of Syrian nationals in particular in Germany and France show the importance of the work of the IIIM and the link between the UN system and national prosecutors. While we reiterate our call on the Security Council to refer the situation in Syria to the International Criminal Court universal jurisdiction seems to be – for the time being – the only avenue for accountability in Syria. Ultimately it should, of course, be a freely elected Syrian Government that has to make accountability happen. But there is a long way to go.

Particularly in times, when discussions on the future of the Syrian Arab Republic have become more intense, we have to make clear that accountability and reconciliation has to be an integral part of a post conflict landscape for Syria. This includes in particular the right of the families of disappeared ones to know about the fate and whereabouts of their loved ones. Perpetrators of mass atrocities must be held accountable in order to create conditions conducive to a sustainable peace.

To conclude, let me welcome Denmark's generous contribution to the 2019 budget of the IIIM, still financed on voluntary contributions. Meanwhile we are working with likeminded countries to include the budget of the IIIM into the regular budget by 2020. On this occasion, I would like to recall that in two weeks there will be a Conference on Syria taking place in Brussels where there is another occasion to pledge further contributions to the 2019 budget of the IIIM which is not yet covered.

Finally allow me to make publicity for another side event Liechtenstein will be organizing next week on the cooperation between the COI and the IIIM. It will take place on Wednesday, 6 March, from 12 to 1.30 in Room 24. We would be pleased if you would show up as numerous as you did today.

With this I am looking to hear from our distinguished panellists. I thank you for your attention.