



**PERMANENT MISSION
OF THE PRINCIPALITY OF LIECHTENSTEIN
TO THE UNITED NATIONS
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CHECK AGAINST DELIVERY

GENERAL ASSEMBLY

AGENDA ITEM 30(A) – PREVENTION OF ARMED CONFLICT

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

STATEMENT BY H.E. CHRISTIAN WENAWESER

PERMANENT REPRESENTATIVE OF THE PRINCIPALITY OF LIECHTENSTEIN TO THE UNITED NATIONS

Mr. President,

The international community has borne witness to 12 years of atrocities in Syria as violence and violations of fundamental norms of international law have continued with relative impunity. Indeed, the OPCW Investigation and Identification Team (IIT)'s recent third report concluded that there are reasonable grounds to believe that the Syrian Arab Air Forces were the perpetrators of the chemical weapons attack in Douma. During the course of the conflict in Syria, over 300,000 civilians have lost their lives, millions have fled their homes in search of safety, and many families face the uncertainty of missing loved ones. The humanitarian crisis in Syria was tragically amplified earlier this year by a devastating earthquake in February. The need to hold perpetrators of atrocity crimes in Syria to account for their crimes is as clear now as ever. Both for the countless victims and survivors of those crimes, and for the international community as a whole. The

ongoing Russian aggression against Ukraine and regular reports of atrocity crimes serve as a stark reminder of the importance of reinforcing our commitment to international rule of law. When impunity becomes the default response to international crimes, perpetrators are dangerously emboldened to journey further away from the rules we have established for peaceful existence. The same actors that have fostered impunity for atrocities in Syria now seek to benefit from the impunity in respect of their own transgressions.

In 2016, this Assembly took an important step towards ending this culture of impunity, stepping into the breach in the face of ongoing inaction by the Security Council. Liechtenstein was proud to introduce the draft resolution that would later become resolution 71/248 creating the IIIM. The adoption of this resolution demonstrated this Assembly's common commitment to ensure accountability for the most serious crimes under international law.

As its most recent report highlights, the IIIM has demonstrated its valuable role as a "justice facilitator in the accountability ecosystem" for the most serious crimes committed in Syria. The IIIM is developing an important repository of information and evidence through its frameworks for collaboration with other stakeholders and its own proactive efforts to collection activities. The IIIM has been able to respond to requests for assistance in relation to 130 distinct investigations conducted at the national level. Liechtenstein commends the IIIM's work to date and thanks Ms. Catherine Marchi-Uhel for her capable leadership of the Mechanism. We also welcome the steps taken by the IIIM in the past year to operationalize its commitment to put victims and survivors at the center of its work, and to strengthen engagement with civil society organizations.

At the time of its creation, the IIIM represented a novel model for advancing accountability. This model has stood the test of time and has been successfully replicated by the Human Rights Council as an accountability mechanism for the situation in Myanmar. There has also been growing interest in creating a standing body based on the mandate and working methods of the IIIM. The importance of the ongoing work of the IIIM in Syria has been affirmed by the decision to secure its funding through the regular UN budget. We welcome the continued support of the IIIM through sustainable funding from the regular budget moving forward.

It is important to recall, however, that the IIIM is only a partial answer to the accountability challenges we face in Syria, and in other contexts. The IIIM is not a court. We thank the States that have taken on an important role within the “accountability ecosystem” by undertaking criminal proceedings in their national courts on the basis of the principle of universal jurisdiction, as exemplified by the recent cases successfully concluded in Koblenz, Germany. The exercise of universal jurisdiction in cases like these has proved an important – though incomplete – antidote to the accountability deficit resulting from the failure of 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 overwhelming support of a majority of the UN membership. We continue to call upon the Security Council to exercise this important function vested in it by the States Parties to the Rome Statute.

Mr. President,

The success of the IIIM is an important reminder of the essential role this Assembly can play in advancing accountability. We must maintain this commitment to accountability when faced with other challenging situations in which the Council is deadlocked, and in continuing to engage with the situation in Syria going forward. As Syrian civil society have emphasized, a sustainable peace in Syria must be built on the foundation of justice for past atrocities. As an international community, we must heed this call in Syria and elsewhere.

I thank you.