



Catherine Marchi-Uhel Remarks – Brussels VI Conference – 10 May 2022

Excellencies, Ladies and Gentlemen,

The European Union, its Member States and other States participating in previous Brussels conferences have recognized the importance of accountability for core international crimes committed in Syria. The invitation to join you today reinforces that position. It acknowledges that justice, in all the forms it may take, is a foundational building block in the work for sustainable peace.

Here, in Brussels, the objective is to continue supporting the Syrian people in Syria and the region and mobilize support for a comprehensive and credible political solution to the conflict. After more than 11 years of devastating violence and suffering, the needs of the Syrian people are yet to be met. But peace cannot be built on impunity for atrocity crimes. Without impartial accountability, any conversation about a future Syria becomes meaningless. Pervasive impunity for these crimes is not only a tragedy for the victims and survivors of this conflict but for all. The precedent of unchecked brutality and violations in Syria risks becoming the norm for conduct in conflicts around the globe.

We have seen some significant judicial developments led by European justice actors with support from Eurojust. Landmark judgements have been issued in Germany. They establish that crimes against humanity were committed as part of a widespread and systematic attack against the civilian population by the Syrian State and that crimes against the Yezidis amount to genocide. The number of individuals brought to justice for war crimes and crimes against humanity committed in Syria is growing, involving state and non-state actors, including members of terrorist groups and foreign fighters. Since 2016, over 35 verdicts involving such crimes have been issued in Germany, Hungary, Sweden and The Netherlands. Many more investigations are on-going in a growing number of states and international arrest warrants against senior Syrian officials have been issued in France and Germany. War crimes units are cooperating with each other including in joint investigative teams. Other accountability efforts are on-going, including the process the Netherlands and Canada have initiated on the basis of the UN torture Convention. And we expect in June the publication of a study mandated by the General Assembly on how to bolster efforts

to clarify the fate and whereabouts of missing people in Syria and to provide support to their families. It will offer concrete responses to their pressing legitimate demands.

As they pursue their efforts, justice actors increasingly rely on the assistance of the IIIM. It was created by the General Assembly in 2016 and conceived as a facilitator of justice, now and in the future, for core crimes committed in Syria. To date, we have received 190 requests for assistance from 14 competent jurisdictions. We have supported over a hundred investigations through sharing of information, evidence and/or analytical products.

More efforts are needed because impunity for many of the international crimes reported in Syria prevails and comprehensive justice remains out of reach - for now. We need to expand the range of jurisdictional pathways available, including avenues permitting to bring the most responsible for these crimes to justice. The IIIM takes concrete steps to support such future avenues and I would like to offer Ministers and other State representatives five actions they may consider committing to:

- Reiterate the call for the Syrian situation to be referred to the International Criminal Court and explore opportunities to expand the range of jurisdictional avenues available;
- Lift obstacles preventing national justice actors from investigating core international crimes in Syria and increase the capacities of existing war crimes units to prosecute such crimes, including by charging them cumulatively or instead of terrorism affiliated charges;
- Consider joining existing joint investigative teams or creating new ones;
- Make clear statements, as some of you did today, in support of accountability ;
- Cooperate directly with entities such as the IIIM by providing information, operational assistance and sustained financial support and continue to support Syrian civil society actors documenting crimes or advocating for the rights of victims and survivors;

Committing to these actions will help pave the way for impartial, comprehensive and inclusive justice for Syria. This is not a question of politics but a necessity for any processes aiming for sustainable peace without which, we will continue to see more conflicts and tragedies unfold, and will no doubt be returning to discuss the same challenges for years to come.