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Human rights situations that require the Council's attention

Letter dated 19 July 2019 from the Permanent Representative of the Syrian Arab Republic to the United Nations Office at Geneva addressed to the President of the Human Rights Council



I am writing to you, on the instructions of my Government, concerning the interactive dialogue held on 2 July 2019 with the Independent International Commission of Inquiry on the Syrian Arab Republic regarding item 4 of the agenda of the forty-first session of the Human Rights Council. My purpose is to provide clarifications regarding the situation in my country, in response to the allegations made in the Chair's briefing and in the prepared statements delivered by certain States during the dialogue. We could not respond to those allegations adequately during the meeting, owing to the artificial time limits that are unfairly imposed on States' interventions and that meant that such discussions lack the characteristics of dialogue and interaction.

1. The Chair's briefing followed the same biased approach as that taken in all the reports and statements the Commission has produced since 2011 when it was established pursuant to a non-consensual resolution proposed by the United Kingdom on behalf of a group of States involved in the war in Syria, and without the agreement of the Syrian Arab Republic itself. The reports and statements of the Commission have reinforced our conviction that we were right not to recognize the Commission or its politically motivated mandate, which exists only to further the political agendas of the aforementioned States. Let it be absolutely clear that this letter and the information it contains in no way imply recognition of the Commission's mandate or any of its reports.

2. Any discussion on the situation in the Idlib de-escalation zone and the surrounding areas necessitates a recognition of the right of the Syrian State to combat terrorism and protect civilians on its own territory. In fact, the terrorist organization Jabhat Al-Nusra and its terrorist allies have taken control of most of the governorate of Idlib and its surrounding areas with the full support of the Turkish regime, which continues to supply them with weapons and equipment of all kinds in contravention of its commitments under the de-escalation agreement concluded as part of the Astana talks and the Sochi Agreement, signed with Russia. The situation in Idlib has been brought about by the existence of a pocket containing thousands of foreign terrorists whom the Turkish regime brought into the region to fight alongside Jabhat Al-Nusra; by the use of hundreds of thousands of citizens in the area as human shields in violation of their rights; and by provocations by terrorist organizations which, with Turkish protection, are committing indiscriminate attacks against citizens in the governorates of Hamah, Aleppo and Latakia.

3. The allegations that the State has responded disproportionately to terrorist attacks and has targeted hospitals, schools and residential areas in Idlib are unfounded and are based on dubious and biased sources of information. The Syrian Government has taken all possible measures to protect civilians and preserve infrastructure. All strikes on terrorists are accurate and carefully calculated, and hospitals, schools and infrastructure are never targeted. No health facilities in the governorate of Idlib have been usable since falling under the control of terrorist groups, which vandalized them and looted equipment. All four hospitals in the governorate – Idlib National Hospital, Ibn Sina Hospital, Ma'arrat an Nu'man Hospital and Jisr ash Shughur Hospital – in addition to the Polyclinics Centre and 114 other health centres, have closed down and are no longer being used for their intended purpose. Instead, armed terrorist groups have converted them into military headquarters, prisons, weapons and ammunition depots, sharia courts and platforms for the random firing of shells at nearby neighbourhoods and safe zones, including hospitals and health centres in Masyaf, Muhradah and Al-Suqaylibiyah.

4. Allegations that the Syrian Government has refused to allow the delivery of humanitarian aid to those in need represents a return to the systematic campaigns of misinformation and the intentional politicization of humanitarian issues in the Syrian Arab Republic. Such allegations are disproved by the Government's continued cooperation with United Nations humanitarian agencies and other relief organizations which, according to those groups' own figures, have been allowed to deliver aid to millions of individuals each month. It is surprising that, in commenting on the humanitarian situation, the Chair of the Commission continues to fail to acknowledge the unilateral coercive measures imposed on Syria or to demand that such measures be lifted, even though they now amount to economic terrorism and war against the Syrian people and their living conditions. It goes without saying, moreover, that the expressions of concern regarding the humanitarian situation in Syria made by the European Union and by those States that have imposed unilateral coercive measures on Syria and have attempted to attach political conditions to the provision of humanitarian aid and relief are pure political hypocrisy. Likewise, it is reprehensible that the Commission's reports should continue to endorse the campaign to

discourage displaced Syrians from returning to their homes and their country by spreading misleading information – which we have refuted in previous communications – that aims to spark fears of possible arrest or alleges an absence of rule of law and a lack of protection for property rights over homes and lands, despite the fact that such rights are unequivocally guaranteed under Syrian law. As we have already stated, the Syrian Government is reviewing existing legal norms with a view to removing the obstacles that hinder the return of Syrian citizens and to simplifying the relevant procedures, with a focus on meeting vital needs. As part of that process, the Government has provided facilities at border control points and has adopted simplified procedures, including the acceptance of all forms of documentation, even if expired, as proof of Syrian nationality. Subsequently, assistance is provided both through the agencies responsible for civil status registration and documentation within the Ministry of the Interior and through other health and humanitarian service providers. Moreover, under Legislative Decree No. 11 of 2019, citizens who are late in registering civil status events or in obtaining a personal or family card are exempt from the applicable fees and fines, if the delay was caused by terrorist activity in their region or by displacement within or outside the territory of the Syrian Arab Republic because of terrorist activity. The Government continues to run its plans and programmes for humanitarian and general development, and to ensure that vital needs are met in areas that have been liberated from terrorism. This includes providing housing, creating suitable employment opportunities and ensuring an adequate standard of living. The Syrian Constitution guarantees the same rights and freedoms for persons returning from abroad and for internally displaced persons as for all other Syrian citizens, without discrimination. There is no truth in the allegations that persons returning to their homes have been arrested or detained; nonetheless, misinformation and deception at the service of obvious and well-known objectives have become hallmarks of the work of certain United Nations bodies.

5. Certain facts have remained absent from the briefing of the Chair of the Commission of Inquiry and from statements made by the States that created the conditions in Rukban camp, crucially the illegal presence of United States forces who are occupying the region. Control by United States proxy groups, who prevent any sustainable solution for the camp from being found and who prevent citizens from leaving to return to their homes, is the main reason why residents of the camp are now facing such a desperate humanitarian situation. While the Syrian Government believes that a radical solution involving the dismantlement of the camp is necessary to put an end to the humanitarian suffering of the citizens forcibly detained there, it nonetheless granted the United Nations and the Syrian Arab Red Crescent permission to send two humanitarian aid convoys to the camp. However, that aid never reached its intended recipients, as armed terrorist groups control the camp and the surrounding area. For its part, the Syrian Government has helped and continues to help more than 20,000 residents leave the camp, providing them with all basic needs and, once they have been vetted through a process commended for its speediness and efficiency by the United Nations country team, allowing them to return to their homes without interference.

6. It is unfortunate that the Commission's reports and the Council's discussions continue to disregard the responsibility that rests with the United States and its proxies, including the Kurdish militia, for the humanitarian suffering inflicted on the women, children and older persons living in Al-Hul camp. They have also overlooked the efforts made in that regard by Syria, which opened the gates of the camp to the International Committee of the Red Cross, United Nations humanitarian organizations and other relief organizations, in particular the Syrian Arab Red Crescent, in order to provide the humanitarian aid and health care required by residents. Syria recently facilitated the transportation of an entire field hospital from Norway to the camp, including numerous doctors and technicians. The suffering experienced in the camp, whose residents include a number of foreign nationals, is evidence of the involvement of Western States and of States that support terrorism in the region and beyond. Each of those States has either turned a blind eye to the activities of terrorist groups or has colluded with them in bringing their members into the country, and is therefore responsible for the extent of the suffering experienced in the camp and for the failure to find a solution.

7. The Commission, in its reports, remains determined to exonerate the occupying Turkish State from all responsibility for its connections to and control over armed terrorist groups and for its control over areas of Syrian territory where such groups maintain an

illegal presence. This, despite having acknowledged the crimes and violations that these groups have committed and despite the many examples that demonstrate the extent of Turkish control. In recent months, these groups have killed dozens of innocent citizens and destroyed infrastructure in the governorates of Hamah, Aleppo and Latakia. Yet the Commission has taken an unprofessional approach and, rather than condemning the attacks, has chosen to paint an unrealistic picture of the situation. The suffering of citizens will end only when the areas in which they live are freed from the grip of terrorist groups, when the States that support such militias end their illegal presence on Syrian lands and when the Syrian State is able to regain control over its entire territory.

The Syrian Arab Republic remains convinced that, if the Commission continues to operate on the basis of the biased and politicized resolutions that govern its work and the renewal of its mandate, and if it continues to apply selective, subjective and arbitrary evidence standards, such actions will serve only to deepen the suffering of the Syrian people and encourage armed terrorist groups, and the States that support them, to continue violating human rights. They will not help to provide redress for victims of the terrorist attacks and coercive measures that Syria is suffering under daily.

(Signed) Hussam Edin Aala
Ambassador and Permanent Representative
