



Security Council

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Identical letters dated 10 September 2019 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

I write with regard to report of the Secretary-General on children and armed conflict ([A/73/907-S/2019/509](#)). The Syrian Arab Republic finds it regrettable that the Special Representative for Children and Armed Conflict, Ms. Virginia Gamba, has persisted with her approach of putting political considerations before children's rights, leading to a subjective assessment of the situation in the Syrian Arab Republic.

The most recent report contains a number of misconceptions. Most significantly, it displays a flawed understanding of legal issues by conflating the counter-terrorism operations conducted by the Syrian Arab Army and its allies, in exercise of a legitimate right under international law, with the Turkish attack on and occupation of Syrian territory, which are plainly a brazen violation of international law.

In a related context, the report characterizes the field operations to liberate the eastern Ghutah as a siege. We reject that categorization. The opposite is true: the eastern Ghutah has suffered for years because terrorist groups detained its inhabitants in order to further the political goals of their State sponsors.

Once again, we reject the report's characterization of the groups fighting alongside the Syrian Arab Army as militias. These are individuals who have organized themselves into groups in order to defend their villages and towns. They were brought together by love of their country and determination to take a stand alongside the Syrian Arab Army in its battle against terrorism. The groups' own families and villages had fallen victim to the attacks of the terrorist groups.

We categorically reject the figures set out in the report regarding the purported violations imputed to Syrian national institutions. Those figures are merely recirculated claims that serve no purpose other than to tarnish the image of the Syrian Government.

When discussing recruitment, deprivation of liberty and sexual violence, the report once again seeks to accuse the Syrian Government of committing such violations. We have long called for the Special Representative of the Secretary-General to provide us with names and details regarding the alleged cases, so that they can be investigated and prosecuted, if they occurred. However, the Special Representative has continued to ignore that request and persisted with her approach based on misinformation.



We wish to recall that all Syrian laws are grounded in the principle that children require special protection in accordance with the Syrian Constitution. We have made that point repeatedly to the office of the Special Representative of the Secretary-General in response to her reports. Pursuant to the legal framework set forth in Act No. 11 (2013), the Syrian Government continues to work on a national basis to reach children who have been recruited by armed terrorist groups in order to save them from recruitment to the groups and ensure their rehabilitation and reintegration into society.

The investigation and detention of children are governed by the Juveniles Act (Act No. 18 (1974)) and based on rehabilitative measures. The Act includes several procedural rules and provides for special courts and treat children as victims, regardless of the action that led them to come into conflict with the law. The rules set forth in the Act are intended to serve the best interest of the child in terms of physical and psychological care and reintegration into society.

All forms of violence, physical abuse and sexual assault are punishable by enhanced penalties, most of which pertain to criminal law.

As regards the conduct of military operations, we wish to reaffirm that the Syrian Arab Army is committed to the rules of international law when combating terrorism. In particular, it maintains the distinction between civilian and military targets and refrains from using prohibited weapons. Those rules are taught at military and police academies, and are therefore part of the code of conduct followed by commanders and troops in military operations.

The national committee for international humanitarian law cooperates with the International Committee of the Red Cross to raise awareness and improve knowledge of the rules of international humanitarian law at the national level, including by organizing awareness-raising courses for Syrian Arab Army officers as part of an annual plan consisting of ongoing training and programmes.

As is patently clear from her reference to the crimes of the so-called international coalition, the Special Representative of the Secretary-General deliberately ignores the fact that the coalition has massacred civilians who were escaping from the terrorist organization Islamic State in Iraq and the Levant (ISIL) and has shown contempt for the victims, mostly children, of what were plainly war crimes. It is fair to ask why Ms. Gamba ignores the children who met their fate when the coalition bombarded the Baghuz area of Dayr al-Zawr governorate and the surroundings, not to mention the 100 children who died of asphyxiation while being transported by truck to the Hawl camp. One might also ask why she reprehensibly, indeed disgracefully, ignores the fact that many States have refused to take back the children of their citizens who joined ISIL and were killed in Syria. The bodies of the children from the city of Raqqah who were killed by the American aggressors and the so-called international coalition are still under the rubble of that city, where anyone who wants to see them can do so.

In dozens of documents transmitted to the Secretariat, the Syrian Government has detailed the human and material losses inflicted by those savage atrocities, and their profound effect on the situation of Syrian children. Unfortunately, the Special Representative of the Secretary-General shows no interest in those facts, preferring to continue with her biased and one-sided approach to her sources of information.

As regards claims of denial of humanitarian access, the Syrian Government has continued to endeavour to ensure that humanitarian assistance can reach all beneficiaries without distinction, wherever they may be. It is fully determined to guarantee the safety and security of humanitarian aid workers in accordance with its international obligations. It has maintained that commitment despite considerable challenges owing to difficulties in the field associated with the practices of armed

terrorist groups, and other difficulties such as unilateral coercive measures and politicization. Those factors have hindered humanitarian activities in the Syrian Arab Republic and affected the humanitarian situation, including the implementation of annual response plans agreed with the United Nations.

Numerous humanitarian organizations active in the Syrian Arab Republic have noted that implementation rates for their programmes have increased. This is because the security situation has improved and the armed terrorist groups have retreated owing to the counter-terrorism efforts of the Syrian State.

The report seeks to obfuscate those facts and offer a fictional image of the true cause of the hardship in Syria, using misinformation provided by certain parties hostile to Syria, whose views she accepts uncritically.

We strongly deplore the fact that the Special Representative of the Secretary-General has signed plans of action with illegal armed groups in an attempt to recognize them as political or legitimate actors, something that poses a threat to the territorial integrity and unity of States. The conclusion of a plan with the so-called Syrian Democratic Forces is an alarming step that confirms our assessment of Ms. Gamba's approach to the Syrian crisis, as reflected in all her reports and briefings. That step impedes any prospect of building bridges of cooperation and understanding with her in the area of her mandate.

We find it regrettable that the report gives positive signals regarding groups that have committed the most horrific acts of terrorism against Syrian civilians. These include the so-called Army of Islam and other groups that have adopted similar terrorist methods. Children account for a large proportion of those groups' victims.

In view of those points, the section of the report concerning the Syrian Arab Republic is marred by significant flaws and misconceptions in fact and law. It therefore fails to fulfil the intended purpose of the mandate of the Special Representative of the Secretary-General on children and armed conflict, which requires her to take an objective stance and avoid adopting a narrative approach consisting of repeating claims without objectively assessing the situation of the States under examination. Accordingly, the Syrian Arab Republic rejects the report and believes that it is not worthy of the requisite serious attention.

I should be grateful if the present letter could be issued as a document of the Security Council.

(Signed) Bashar **Ja'afari**
Ambassador
Permanent Representative