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Note verbale dated 29 October 2019 from the Permanent Mission of the Syrian Arab Republic to the United Nations Office at Geneva addressed to the secretariat of the Human Rights Council

The Permanent Mission of the Syrian Arab Republic to the United Nations Office and other international organizations in Geneva presents its compliments to the secretariat of the Human Rights Council, and has the honour to attach herewith a letter dated 29 October 2019 addressed to the President of the Human Rights Council by the Permanent Representative of the Syrian Arab Republic, and kindly requests that the present note verbale and the letter be translated into the official languages of the United Nations and circulated as a document of the forty-second session of the Human Rights Council, under agenda item 4.



Annex to the note verbale dated 29 October 2019 from the Permanent Mission of the Syrian Arab Republic to the United Nations Office at Geneva addressed to the secretariat of the Human Rights Council

[Original: Arabic]

Letter from the Permanent Representative of the Syrian Arab Republic to the United Nations Office at Geneva to the President of the Human Rights Council

I am writing to you on instructions from my Government concerning the interactive dialogue held on 17 September 2019 with the Commission of Inquiry on the Syrian Arab Republic pursuant to agenda item 4 of the forty-second session of the Human Rights Council, with a view to clarifying the situation in my country and responding to allegations contained in the briefing by the Chair of the Commission and in the statements prepared in advance by some States during the above-mentioned dialogue. We were unable to respond adequately owing to the artificial and unfair time constraints imposed on statements by the States concerned. Accordingly, the terms dialogue and interactive are not applicable to such a discussion.

The Human Rights Council continues to discuss the situation in the Syrian Arab Republic from a standpoint outside its real context and to ignore the grounds for the human suffering of the Syrian people, in particular terrorism, unilateral coercive measures, and foreign aggression and occupation, and therefore fails to present a realistic image of the situation in my country. In light of the politicized and non-consensual resolutions adopted by the Council, the reports of the International Commission continue to distort the facts, to apply double standards and to adopt a selective approach to the implementation of its mandate. The report submitted to the Council at the current session is replete with fallacies, selectivity and inconsistency in its application of the evidentiary standards that the Commission claims to respect. It applies double standards to a hypocritical degree and seeks to reinvent the wheel in its characterization of and attempts to seek legal excuses for the full-scale war crimes committed by the illegal American coalition and its proxy militias against civilians and civilian facilities on Syrian territory. This behaviour, coupled with false allegations that the Syrian armed forces and their allies are deliberately targeting civilians and civilian facilities, is explicable solely as a means of conducting campaigns aimed at preventing the Syrian State from liberating all Syrian regions from terrorism, restoring normal life and enabling displaced Syrians to return to the country. The expulsion of terrorist organizations, the elimination of aggression and occupation from the territory as a whole, and the restoration of security and stability constitute a sovereign right guaranteed by international law. Their continuous discussion in a provocative manner within and outside this conference room can only be interpreted as an attempt to derogate from that right and to undermine Security Council resolutions on combating terrorism. It is deplorable that the Commission's reports fail to express any aspiration to promote the rule of law at the international level. Its reports, which boost American, Turkish and Israeli proposals to violate Syrian territory, disregard the resolutions adopted by United Nations bodies concerning the situation in the Syrian Arab Republic, all of which begin by underscoring the need for strict respect of its sovereignty, unity and territorial integrity.

The provision of impartial and objective information is a vital prerequisite for the credibility of international action in the area of human rights. We wish to make the following points in order to clarify the inaccuracies in the Commission's report:

I. The aim of the **military operations in Idlib** is to expel the terrorist organizations that are spread throughout the Governorate and surrounding areas in the countryside of Hama, Latakia and Aleppo. The Syrian Government allowed sufficient time for persons bearing arms in Idlib to lay them down and join the reconciliation process, and for the expulsion of non-Syrian terrorist groups from Idlib Governorate through Turkey, which opened its borders to provide logistic support for the groups and which bears primary

responsibility for training, arming and financing them and for transporting them to Syria. The talk of halting military operations in **the Idlib de-escalation area** and maintaining the Sochi memorandum is somewhat unorthodox and fraudulent, since it ignores the continuous provocation of innocent civilians by terrorist groups in the Governorate of Aleppo, the Governorate of Hama and the Governorate of Latakia. Hundreds of civilians were killed and facilities providing economic and other services were destroyed by armed combatants and their supporters, who also attacked positions of the Syrian military and their allies. That discourse also ignores the failure of the Turkish sponsor of armed terrorist groups to implement the obligations and actions set out in the Sochi memorandum. As the Turkish regime continues to shirk its commitments and to supply armed terrorist groups with weapons and ammunition, the Syrian Arab Army will fulfil its national duty to confront and eliminate terrorists in the region.

II. The Syrian State is determined to ensure **the safety of its citizens**. It has repeatedly announced a cessation of hostilities and has taken all necessary precautions to protect and assist them, including through the opening of a humanitarian corridor on 13 September 2019 in the area of Abu al-Duhur, south-east of Idlib, in order to enable persons wishing to exit to safe areas to do so under the protection of the Syrian armed forces. Contrary to the misleading impressions that the report seeks to present about the situation in areas liberated from terrorism, thousands of displaced persons returned through a humanitarian crossing that was opened on 22 August 2019 in the Souran area of the northern countryside of Hama to their villages and towns in the northern countryside of Hama and the southern countryside of Idlib, after the Syrian army cleared the areas of the remaining terrorists.

III. The Syrian armed forces are committed to compliance with the rules of international law in their efforts to combat terrorism, especially by distinguishing between civilian and military targets and refraining from the use of prohibited weapons. It should be underscored that these rules form part of the curricula of military and police training colleges, and form part of the code of conduct observed during military operations. The Syrian National Committee for International Humanitarian Law has cooperated to that end with the International Committee of the Red Cross and held numerous events on international humanitarian law, which have been attended by many Syrian Arab Army officers.

IV. The Syrian State, which has established **medical facilities**, is determined to protect them. Public and private hospitals and health-care centres in Idlib ceased functioning at the beginning of the war on Syria owing to the use of civilian facilities, especially schools and hospitals, by terrorist groups for military purposes and as headquarters and bases for attacks on safe areas adjacent to the combat lines. As the facilities ceased to perform their humanitarian tasks and their role as medical and health-care facilities, the tasks are now performed by so-called field hospitals, which are used for purposes that fall outside all protective frameworks prescribed by the rules of international law.

V. Syria demands that all unilateral coercive measures imposed by the United States and the European Union be repealed, since they violate all fundamental human rights, including the right to life. It also reiterates its request to human rights mechanisms to break their silence, which is entirely unacceptable, especially since such measures have escalated to the point where they constitute economic terrorism and a blockade aimed at depriving the Syrian people of their basic needs, including heating fuel, life-saving medicines and baby milk.

VI. Since the entry of the Syrian armed forces and the resolution of the militants' situation, the Governorate of Dar'a continues to witness killings, abductions and attacks on the army's positions, on mayors, school principals and teachers, and on employees of government departments and members of former armed groups who have joined the reserve forces of the Syrian Arab Army. These are documented cases and we have already provided examples thereof to the Office of the United Nations High Commissioner for Human Rights (OHCHR), but the Commission and OHCHR staff continue to ignore them.

VII. Contrary to the fallacies contained in the report, the Syrian Government has frequently facilitated the operation of relief convoys, most recently on 6 September on behalf of the remaining civilians in **Rukban camp** in the Tanf region. American forces and terrorist groups bear primary responsibility for the humanitarian crisis in the camp. With a

view to ending the tragedy in the camp, the Syrian State opened two humanitarian corridors to enable the camp residents to leave and to facilitate the return of more than 30,000 of them to their towns and villages. Although United Nations teams verified their conditions at the shelters following their return, the Commission continues to disseminate fabricated rumours concerning them. The human suffering of internally displaced persons in the Rukban camp and elsewhere could be terminated by halting the practices of the groups who control the camps, by ensuring the departure of States who support them on Syrian territory, and by returning the camps to the care and sponsorship of the Syrian State.

VIII. The Syrian Arab Republic rejects the so-called **safe zone** in its territory and underscores the fact that the conduct of joint patrols by the American administration and the Turkish regime in the Jazira region of Syria constitutes a flagrant violation of international law and of the sovereignty and territorial integrity of the Syrian Arab Republic, and an aggression whose sole purpose is to prolong the crisis in the area.

IX. Syria deplors the Commission's unwillingness to use the correct legal specifications to denote the **crimes and infringements perpetrated by the United States** and the aircraft of the illegal international coalition and the militia of the separatist Syrian Democratic Forces (SDF), and its attempts to ignore the war crimes that they have perpetrated. For example, they have targeted civilians and civilian infrastructure in Syrian territory, toppled buildings on the heads of civilian residents in Raqqah and Dayr al-Zawr by means of prohibited incendiary weapons in coalition airstrikes, and terrorized civilians, forcing them to flee from aerial bombardments to the camps, which the Commission likes to call settlements, where they are arbitrarily detained and denied access to basic needs and to health and medical care. The United States and its agents in the separatist SDF militias are responsible for the human tragedy faced by more than 70,000 residents of **Al-Hol camp** and for the suffering of the women and children who reside there. Syria has opened the door wide to United Nations and other relief organizations in order to enable them to reach the camp and provide assistance to the residents. It continuously provides humanitarian and health-care services through the Syrian Arab Red Crescent and it facilitated the delivery to the camp of the comprehensive field hospital provided by Norway. The persistence of the humanitarian tragedy in the camp and the failure to resolve the problem testifies to the involvement of Western States and States that support terrorism in the region and beyond. Some have turned a blind eye to the problem and others have colluded with terrorist groups, enabling their members to enter Syria.

In light of the foregoing, the Commission's current report is based, just like previous reports, on factual errors and errors in the legal methodology underlying its analysis, first and foremost the adoption of selective and capricious evidentiary criteria. This being the case, we again fully reject this report and its results.

Hussam Edin Aala
Ambassador and Permanent Representative