

**Statement**

# **The UN General Assembly Should Exclude the Syrian Regime from the UN**

**SNHR**

SYRIAN NETWORK FOR HUMAN RIGHTS

الشبكة السورية لحقوق الإنسان

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The Syrian Network for Human Rights (SNHR), founded in June 2011, is a non-governmental, independent group that is considered a primary source for the OHCHR on all death toll-related analyses in Syria.



To this day, the UN General Assembly continues to open its doors to Syrian regime representatives, including the incumbent Syrian Foreign Minister, Walid Mualllem, and to their accompanying delegations. For the eighth consecutive year, each September, the Syrian regime's mission has the UN floor to speak and hold meetings inside its halls, using all of these opportunities in the service of its agenda to rationalize and defend the regime's systematic violations against the Syrian people which constitute innumerable crimes against humanity and war crimes. These egregious violations, which have been documented by the UN organs themselves, most notably include extrajudicial killing, torture, enforced-disappearance, the use of chemical weapons, siege, indiscriminate bombardment, and the bombing of hospitals and schools.

In this context, two main points need to be clarified:

A. The Security Council has taken action and adopted 18 Resolutions on Syria. The Syrian regime, however, has not categorically adhered to these Resolutions. According to the Charter of the United Nations, the UN General Assembly is within its rights to suspend a membership of a Member State and withdraw all of said state's privileges. In the event that the Charter of the United Nations has been infringed on multiple occasions, which the Syrian regime has done over the course of the past eight years, the UN General Assembly has the power to terminate this state's membership on a Security Council recommendation. While a recommendation of this sort should have been submitted in light of the fact that the Syrian regime's crimes pose a clear threat to the international peace and security, this has never come to pass.

B. The need to preserve collective security, as established in Chapter VII of the Charter of the United Nations, compels the states of the world to cooperate under the umbrella of the UN to act collectively against any state that violates the general terms of international law. SNHR calls for urgent action to provide sustained protection for the Syrian people from the current ruling regime which dedicates the Syrian state's resources and fortunes to killing Syrian people and terrorizing Syrian society. Additionally, SNHR stresses that this is a collective responsibility borne by all the world's states, rather than being solely the Security Council's responsibility. The Syrian crisis has largely impacted the entirety of the international community.



## Outline of the Security Council Resolutions violated by the Syrian regime

Since the popular uprising for democracy broke out in March 2011, the Security Council has adopted 18 resolutions on Syria. Yet, the majority of these resolutions have been treated as merely empty words on paper, including those which incorporate warnings of punitive action in the event of non-compliance; while the Syrian regime has violated those resolutions hundreds of times, the Security Council has stood idly by, and has yet to submit any recommendation to suspend or revoke the Syrian regime's Security Council membership, or to take steps to establish any sort of serious protection for the Syrian citizenry.

### **Security Council Resolutions 2042 and 2043, adopted in April 2012**

Security Council Resolution 2042 established a mission that involved sending a team of unarmed military observers to Syria, with Resolution 2043 being a complementary addition to its predecessor, which raised the number of observers to 300 for a three-month period. In addition, Resolution 2043 called for the implementation of the six-point plan established by Mr. Kofi Annan. We, at SNHR, [documented](#) the violations perpetrated by the parties to the conflict, most notably the Syrian regime, in April, May, and June of 2012, and submitted daily inventories of these violations to the office of Mr. Kofi Annan in Geneva.

The Syrian regime's actions extended beyond violations of the six-point plan, with regime forces perpetrating a number of violations that constituted crimes against humanity.

### **Security Council Resolutions 2118, 2209, and 2235 on the issue of chemical weapons usage**

The three resolutions adopted by the Security Council on the use of chemical weapons cited measures to be taken under Chapter VII of the Charter of the United Nations in the event of non-compliance, as stated in Provision 21 of Resolution 2118, adopted on September 27, 2013, and provision 7 of Resolution 2209, adopted on March 6, 2015, as well as provision 15 of Resolution 2235, adopted on August 7, 2015. Additionally, the Syrian regime ratified the CWC in September 2013 in the wake of the large-scale attack on the [Eastern and Western Ghouta areas of Damascus suburbs governorate](#).

Even though we documented the Syrian regime's repeated violations of these Resolutions through its carrying out dozens of chemical attacks, and despite the confirmations of the Joint Investigative Mechanism (JIM), which was established in accordance with Security Council Resolution 2235, of the Syrian regime's responsibility for a number of attacks that involved the use of chemical weapons, the Security Council failed to uphold its promises to the Syrian people contained in these resolutions. Meanwhile, the Syrian regime has successfully disregarded the CWC and all of the Security Council Resolutions.



The following list shows a breakdown of the Syrian regime's 216 chemical weapons attacks according to their distribution, as documented under the terms of the Security Council Resolutions on chemical weapons, as catalogued by SNHR's database.

1. Before the adoption of Security Council Resolution 2118 on September 27, 2013: 33 attacks
2. Between the adoption of Security Council Resolution 2118 on September 27, 2013, and October 2018: 183 attacks
3. After the adoption of Security Council Resolution 2209 on March 6, 2015: 114 attacks
4. After the adoption of Security Council Resolution 2235 on August 7, 2015, which provided for the establishment of the JIM: 58 attacks

### **Security Council Resolution 2139, adopted on February 22, 2014**

Resolution 2139 explicitly cited the need for cessation of the use of barrel bomb and for the immediate cessation of indiscriminate attacks against populated areas, including artillery shelling and aerial bombardment. Despite this, the Syrian regime failed to mitigate the rate of its attacks or its use of improvised weapons, with helicopters and fixed-wing aircraft continuing to drop thousands of barrel bombs on those areas that broke free of the Syrian regime's control. SNHR recorded no less than 52,064 barrel bombs dropped by the Syrian regime air force between February 22, 2014, and October 2018.

This resolution also demanded the cessation of the policy of forced disappearance and warned of punitive actions a month after the resolution was adopted in the event of any repetition of these crimes by any party. Despite this, once again, the Security Council failed to uphold its promises to the Syrian people.

### **Security Council Resolution 2165, adopted on July 14, 2014**

Resolution 2165 affirms that, **“the United Nations humanitarian agencies and their implementing partners are authorized to use routes across conflict lines and the border crossings of Bab al-Salam, Bab al-Hawa, Al Yarubiyah and Al-Ramtha, in addition to those already in use, in order to ensure that humanitarian assistance”** is delivered.

SNHR's team has recorded on many occasions and in numerous reports that the Syrian regime violated this resolution and others addressing the issue of humanitarian aid delivery, also including Resolution 2268, adopted on February 24, 2016, and Resolution 2191, adopted on December 17, 2014. The Syrian regime has consistently obstructed the delivery of food and medical aid into besieged areas.



## **Security Council Resolution 2401, adopted on February 24, 2018**

Resolution 2401, which was adopted in tandem with the brutal offensive carried out by the Russian-Syrian alliance on Eastern Ghouta, called for “... **a durable humanitarian pause for at least 30 consecutive days throughout Syria, to enable the safe, unimpeded and sustained delivery of humanitarian aid and services and medical evacuations...**” This resolution didn’t apply to areas under the control of extremist Islamic groups. However, the Syrian regime failed to adhere to the provisions of the resolution, which were expressed in ambiguous, unassertive, unbinding terms devoid of any punitive clauses or of any warning of repercussions in the event of non-compliance; the Syrian regime and its allies took this as a green light to continue their killing and bombardment as if nothing had happened, resuming their brutal and indiscriminate bombardment mere hours after the resolution was issued. We have documented dozens of massacres and attacks on vital civilian facilities, in addition to three chemical attacks which were carried out by the Syrian regime since the adoption of Resolution 2401.

In light of all the aforementioned facts, the Security Council should submit a recommendation to the UN General Assembly to banish the Syrian regime from the United Nations. By failing to do so and, by extension, through failing to protect civilians and secure peace and security in the face of the egregious violations perpetrated by the Syrian regime, even giving its leaders who are involved in hundreds of thousands of crimes a UN platform to legitimize and polish their image, the Security Council has afforded the Syrian regime protection and an unprecedented opportunity to perpetrate horrific crimes against humanity in blatant violation of international law, the Charter of the United Nations, and the Security Council’s own Resolutions.





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