



**PERMANENT MISSION
OF THE PRINCIPALITY OF LIECHTENSTEIN
TO THE UNITED NATIONS
NEW YORK**

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CHECK AGAINST DELIVERY

GENERAL ASSEMBLY – INFORMAL DEBATE ON THE
**INTERNATIONAL, IMPARTIAL AND INDEPENDENT MECHANISM TO ASSIST IN THE INVESTIGATION
AND PROSECUTION OF PERSONS RESPONSIBLE FOR THE MOST SERIOUS CRIMES UNDER
INTERNATIONAL LAW COMMITTED IN THE SYRIAN ARAB REPUBLIC SINCE MARCH 2011**

STATEMENT BY H.E. AMBASSADOR CHRISTIAN WENAWESER

PERMANENT REPRESENTATIVE OF THE PRINCIPALITY OF LIECHTENSTEIN TO THE UNITED NATIONS

Mr. President,

Thank you for convening today's discussion. A year and a half ago, I had the honour to introduce to the General Assembly the draft resolution that created the IIIM, which was adopted with overwhelming majority as GA resolution 71/248. We have since witnessed significant progress in making the IIIM operational: The Secretary-General produced excellent terms of reference and swiftly appointed Catherine Marchi-Uhel as Head of the IIIM. States from all regions responded in significant numbers by providing financial and – just as importantly – political support. The IIIM, under firm leadership of Catherine Marchi-Uhel, moved ahead with resolve to make the Mechanism fully operational. We are looking at a novel international criminal justice enterprise that is off to a very promising start. Today, there is real hope for the countless victims of the armed conflict in Syria that there will be justice for the crimes committed against them – and that the future of the country will not be determined by those who bear the largest burden of responsibility for the atrocities that have been and continue to be committed.

The developments on the ground since December 2016 illustrate starkly and sadly just how much the IIIM is needed: The assault on the civilian population has continued unabated, international humanitarian law continues to be violated as a matter of course, and impunity

continues to reign. The crimes committed include attacks against civilians and civilian objects, mass starvation, torture, systematic sexual violence, enforced disappearances and numerous other war crimes and crimes against humanity – which account for the vast majority of the hundreds of thousands of casualties of the armed conflict. In addition, much of the energy has been absorbed in recent weeks by the repeated use of chemical weapons – which is under all circumstances a war crime, as these weapons are internationally prohibited. We continue to support finding alternatives to the repeated failure of the Security Council to ensure a continuation of the work of the JIM. But of course, the IIIM has competence to investigate these crimes – and to work towards holding individuals who bear the responsibility for their use criminally accountable – which the JIM's did not have. Everyone appalled by the use of chemical weapons should therefore give concrete support to the work of the IIIM, in particular by sharing relevant information and evidence.

With its competence over all of the most serious crimes committed in the course of the armed conflict, irrespective of the affiliation of the perpetrators, the IIIM can play a crucial catalytic role in putting an end to impunity – and hopefully also in deterring future crimes. As its work to prepare case files progresses, the political momentum for prosecutions in competent courts will increase. We, the States, will be called upon to meet the challenge of ensuring that such courts will be able to do their work. Our immediate task is ensuring the success of the IIIM itself: Most importantly, we all should share information and evidence in our possession with the IIIM and change relevant legislation to this end, where necessary. In addition, we have to continue our political and financial support - until the Mechanism is funded from the regular budget, which we hope will be happening soon. We pledge today an additional 200'000 Swiss Francs to fund the work of the IIIM in the meantime.

The creation of the IIIM was not only relevant for the conflict in Syria. It was also an essential step by the General Assembly to assert its authority in matters of international criminal justice. The Assembly acted in response to the ongoing failure of the Security Council to act to address the crisis in Syria, which has affected the entire region and beyond. Given that the deadlock in the Council has only intensified since, we will be supportive of efforts that put the General Assembly again in the lead with respect to the ongoing crisis. In creating the IIIM, the Assembly acted in full conformity with its role under the UN Charter. – It also respected the sovereignty of the Syrian Arab Republic which continues to have the primary competence to investigate and prosecute the crimes committed by all parties to the conflict, in accordance with relevant standards of international law.

The overwhelming majority of the UN membership rarely has a chance to weigh in on the conflict in Syria – which is the defining crisis of our time. For the most part, we are watching from the outside, with increasing exasperation, how power politics in the Security Council prevent effective action, to the detriment of the organization as a whole and at the expense the Syrian people. Today is different – today we can all speak out against the rampant impunity and in favor of a justice mechanism that will help the country, after all the suffering and devastation it has been subjected to, to chart the way into a better future.

Thank you.