

## **Statement on today's veto of a UN Security Council resolution referring the situation in Syria to the ICC**

For the fourth time since the conflict began in 2011, a double veto by Russia and China has blocked efforts to hold accountable perpetrators of mass atrocity crimes in Syria. The decision by Russia and China to veto the referral of Syria to the International Criminal Court (ICC) for investigation is a vote for impunity. It deliberately obstructs the UN Security Council's attempt to uphold international justice and identify those responsible for ongoing war crimes and crimes against humanity.

On 2 December 2013 the UN High Commissioner for Human Rights, Navi Pillay, said that evidence collected by the independent UN Commission of Inquiry "indicates responsibility at the highest level of government, including the head of state," President Bashar al-Assad, for mass atrocities. The Commission has found that government forces are committing widespread and systematic attacks on civilians amounting to war crimes and crimes against humanity, while some armed opposition groups are also committing war crimes.

Russia and China have supported previous Security Council efforts to hold accountable perpetrators of mass atrocity crimes. In 2005, as the Government of Sudan and the Janjaweed were committing war crimes and crimes against humanity in Darfur, Russia voted for Resolution 1593, referring the situation to the ICC. In 2011 the Council unanimously voted to refer Libya to the ICC.

Despite the Security Council unanimously adopting Resolution 2139 of 22 February, demanding immediate humanitarian access to all areas of the country, both sides continue to attack civilians and obstruct aid from reaching 3.5 million Syrians in desperate need. With over 160,000 people already dead, today's vote condemns countless more people to unnecessary suffering.

The use of the veto leaves civilians outside of the protection of the international community. Russia and China's vetoes will provide succor to the Syrian government. But the veto also protects those armed opposition groups, including Al-Qaeda affiliates, who are carrying out war crimes and indiscriminately targeting civilians. Today's vote weakens international justice and strengthens those on both sides of the conflict who commit atrocities.

With the Security Council divided and an ICC referral blocked, the UN General Assembly should now discuss the possibility of a special tribunal to investigate war crimes and crimes against humanity in Syria. The General Assembly should also support initiatives by the Accountability, Coherence and Transparency Group and the French government to discuss the need for voluntary restraint on the use of veto by the Security Council's permanent members in any mass atrocity situation.

Despite today's vetoes by Russia and China, obstructing the Security Council from living up to its responsibilities, efforts by the UN to end the civil war in Syria must continue.