Aleppo Disaster Demands Bold Action, Including Limiting Use of Security Council Veto - Zeid

October 4, 2016

UN Office of the High Commissioner for Human Rights

http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20636&LangID=E

The human rights calamity unfolding in Aleppo demands bold new initiatives, UN High Commissioner for Human Rights Zeid Ra’ad Al Hussein said Tuesday, “including proposals to limit the use of the veto by the permanent members of the Security Council.”

“Since the launch of the new offensive on opposition-held neighbourhoods of eastern Aleppo by the Syrian Government and its allies, pictures of suffering and death have filled our screens. Faced with such a ghastly avalanche of violence and destruction, extraordinary steps must be taken,” he said, noting that since 21 September hundreds of civilians have been killed, including at least 100 children.

“The attacks over the past ten days have been the most intense the inhabitants of eastern Aleppo have endured since the conflict began, and not a single neighbourhood is now considered safe. The use of weapons such as high-explosive blast bombs and incendiary weapons in heavily populated areas is having a devastating impact on the civilian population and structures.”

“I firmly believe that the time has come for strong leadership and bold actions, and that the UN Security Council should, without any further delay, adopt criteria to restrain members from using the veto when there are serious concerns that war crimes, crimes against humanity or genocide may have been committed,” the High Commissioner said.

“This crucial initiative will permit the UN Security Council to refer the situation in Syria to the International Criminal Court, a move I have repeatedly requested. Such a referral would be more than justified given the rampant and deeply shocking impunity that has characterised the conflict and the magnitude of the crimes that have been committed, some of which may indeed amount to war crimes and crimes against humanity,” he said.

“The attack on a humanitarian convoy on 19 September, the recent strikes that hit three centres of the White Helmets volunteer rescue group, and those that hit at least three major hospitals in eastern Aleppo - including most recently a vital trauma facility which was struck repeatedly over the weekend - all seem to indicate that the ongoing operations are conducted in complete disregard for the most basic standards of international humanitarian law. These standards do not exist to preserve superfluous rights; they were agreed by the international community in order to preserve the most minimal element of humanity in the conduct of war,” Zeid said.

“The current operation by the Syrian Government and its allies appears to be intended to force the surrender of fighters in eastern Aleppo by any means necessary. This apparent aim is reflected in a pattern of attacks that have damaged or destroyed objects that have special protection under international humanitarian law, including medical units and structures vital for people’s well-being such as water-pumping stations; and attacks that have killed and injured people involved in providing humanitarian assistance,” he added.

“The use of weapons with indiscriminate effects – such as incendiary weapons – in heavily populated areas is of particularly grave concern. I remind all State parties to Protocol III of the Convention on Certain Conventional Weapons,\* including the Russian Federation, that they are strictly prohibited from using incendiary weapons in airstrikes on heavily populated areas, and that the use of such weapons by ground forces is severely restricted,” the High Commissioner said.

“The use by armed opposition groups of what is known as a ‘hell-fire cannon,’ a homemade mortar that fires gas cylinders packed with explosives and shrapnel, is also totally unacceptable,” the High Commissioner said, noting that the use of such weapons constitutes indiscriminate attacks as they are virtually impossible to aim correctly and have frequently killed and maimed civilians in Government-held areas.

“As no military advantage can likely be gained from their use due to their inaccuracy, it must be concluded that their primary purpose is to terrorize the inhabitants of western Aleppo,” he added.

“If proven to be intentional, the attacks currently launched on Aleppo by all sides, including those against civilians, against medical units and against humanitarian workers, their facilities and equipment, may amount to war crimes,” the High Commissioner said. “And if such attacks are knowingly committed as part of a widespread or systematic attack directed against the civilian population, they may also be found to constitute crimes against humanity,” he added.

“With a ground offensive against eastern Aleppo by the Syrian Government forces and their allies now apparently under way, I remind parties to the conflict that they must at all times and without exception strictly adhere to international humanitarian law, in particular the core principles of distinction, proportionality, and precaution,” the High Commissioner said.

“The failure by the enemy to adhere to international humanitarian law in no way removes the other side’s obligation to respect the law, nor does the designation of a particular group as a ‘terrorist organisation’ allow for any derogation from the laws of war,” he stressed.

“Let us not forget that the destruction of cities like Warsaw, Stalingrad and Dresden, and the horror inflicted upon their civilians contributed to a great extent to the foundation of the United Nations. We cannot afford to fail Aleppo. We cannot afford to continue to fail the thousands of children trapped in this city awaiting their slaughter,” said the High Commissioner.