



United Kingdom
Mission to the
United Nations

Concept Note

Attacks on Civilians and Civilian Infrastructure in North-West Syria: What *Does* International Humanitarian Law Say?

Friday 13 September 2019, 1.15-2.45pm

Conference Room 1, UN Headquarters

The Syria conflict continues to witness atrocities and flagrant violations of international humanitarian law and disregard for the international rules-based system. In the Hama and Idlib governorates in north-west Syria we are witnessing a repeat of the military tactics deployed by Syrian and Russian forces in the taking of the city of Aleppo and eastern Ghouta which caused a disproportionately large number of civilian casualties, targeted civilian infrastructure, and created large-scale forced displacement. To date there has been insufficient deterrent to prevent this from happening or to reduce the civilian fallout.

Background

As the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator outlined in his last briefing to the UN Security Council on 29 August, violence in north-west Syria continues unabated, with ongoing fighting between the Government of Syria forces and their allies, and non-state armed groups. Since late April, over 500 civilians, many of them women and children, have lost their lives in airstrikes, while many hundreds more have been injured.

The humanitarian situation, with widespread destruction of civilian infrastructure, such as homes, hospitals, schools and water-stations, is of grave concern to the international community. Since the start of the escalation in north-west Syria in late April, at least 43 incidents involving health facilities and personnel have been reported, killing and injuring civilians and damaging or destroying vital facilities. 87 educational facilities and 29 water-stations have also been reportedly damaged or destroyed.

Since May over 576,000 people have been recorded as displaced, fleeing their homes in southern Idlib and northern Hama to escape the hostilities. That is three to four times the figure recorded during the violence in eastern Ghouta early last year. The UN has been clear that a worst-case scenario in Idlib would 'overwhelm capacities and create a humanitarian emergency at a scale not yet seen through this conflict'.

Objective

The conflict is currently happening in areas densely populated with civilians, in a situation where the regime and its allies are showing a flagrant disregard for the consequences to these civilians of their actions or for the rules of international humanitarian law. The panel will consider the humanitarian situation on the ground and the international humanitarian law rules as they apply to the conflict currently raging in north-west Syria with a particular focus on the rules relating to attacks on civilians and civilian infrastructure.

Some questions which will be considered are:

- What are the obligations on States to protect civilians?
- How does IHL regulate the conduct of hostilities, in particular to ensure that attacks are proportionate and do not result in excessive civilian casualties, and to ensure parties distinguish between military and civilian targets?
- What is the legal position on attacks on educational establishments and medical facilities and personnel?

This event is aimed at all delegates from Member and Observer States, civil society and the media, and is designed for non-lawyers, although will also be of interest to lawyers. There will be an opportunity to ask questions of the panel and to engage in an interactive discussion.

Panel

Chair: H.E. Karen Pierce DCMG, Ambassador and Permanent Representative of the United Kingdom to the United Nations.

Panel Members:

- David Miliband, President and CEO of the International Rescue Committee;
- Dan Henebery, Director of Analytics, Hala Systems;
- Sarah Cleveland, Louis Henkin Professor of Human and Constitutional Rights and Faculty Director of the Human Rights Institute at Columbia Law School;
- Ryan Goodman, Anne and Joel Ehrenkranz Professor of Law, NYU School of Law