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## **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**

### **Note by the Secretary-General**

The Secretary-General has the honour to transmit to the General Assembly the fifth report of 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.



**Report of 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**

*Summary*

The present report is the fifth report prepared by 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 for submission to the General Assembly pursuant to Assembly resolution [71/248](#) and paragraph 50 of the report of the Secretary-General on the implementation of the resolution establishing the Mechanism ([A/71/755](#)).

The Mechanism continues to be guided by the principles of impartiality and independence in the fulfilment of its mandate. The present report is focused on the practical application of the impartiality principle in the Mechanism's work. The principle is reflected in the Mechanism's efforts to further develop its central repository of information and evidence and to facilitate both short- and longer-term justice efforts by processing evidence, building analytical work product and case files, and sharing materials with competent jurisdictions whenever such justice opportunities present themselves.

As part of its institutional development and in the context of corresponding advances in its investigative and analytical capacities, the Mechanism continues to refine and implement strategies to integrate effective approaches to address sexual and gender-based violence and broader gender issues, adopt a meaningful victim- and survivor-centred approach, and ensure robust organizational wellness.

## I. Introduction

1. 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 hereby submits its fifth report to the General Assembly. The report covers the Mechanism's activities during the period from 1 August 2019 to 31 January 2020.

2. The General Assembly created the Mechanism to support accountability for the most serious crimes under international law committed in the Syrian Arab Republic since March 2011, in the absence of comprehensive and effective justice dispensed by either the Syrian authorities or by an international court or tribunal seized of the situation. The Mechanism is mandated to collect, consolidate, preserve and analyse evidence of violations of international humanitarian law and human rights violations and abuses, and to prepare files in order to facilitate and expedite fair and independent criminal proceedings, in accordance with international law standards, in national, regional or international courts or tribunals that have or may in the future have jurisdiction over these crimes. In the implementation of its mandate, the Mechanism strives to support short-term and longer-term justice efforts.

3. Short-term justice support includes the collection and preservation of information and evidence, especially evidence at risk of loss or destruction, and the aggregation of existing data from relevant sources to expand the Mechanism's central repository of information and evidence. The Mechanism follows international criminal law standards to maximize the prospects for the material it collects to be admissible in a court of law. The Mechanism analyses the information and evidence in its central repository to develop its structural investigation, the foundation for its case-file building and support for cases, in competent national jurisdictions, concerning the criminal responsibility of individual perpetrators for international crimes. Through its central repository and structural investigation, the Mechanism is supporting the ongoing work of 10 national jurisdictions that are currently investigating crimes committed in the Syrian context.

4. Longer-term justice efforts include identifying gaps in the Mechanism's evidence collection and filling them through strategic and targeted investigations, as well as the development of advanced analytical work product to form the basis of increasingly high-level case files in the future. To support these efforts, the Mechanism is making the central repository easier to search. The Mechanism is also enhancing its ability to link and corroborate different pieces of information and evidence to support the search for missing persons. Throughout its work, the Mechanism is committed to understanding and responding to the needs and concerns of Syrian victims and survivors, promoting gender-sensitive policies and practices, and supporting broader transitional justice objectives, where possible. Ultimately, the Mechanism aspires to help lay the foundation for comprehensive and impartial justice for core international crimes committed in the Syrian Arab Republic. The Mechanism recalls the decision in its founding resolution, in which the General Assembly stressed the need for any political process aimed at resolving the crisis in the Syrian Arab Republic to ensure credible and comprehensive accountability in order to bring about reconciliation and sustainable peace (resolution [71/248](#), para. 2). The Mechanism is committed to seizing every opportunity to support accountability in accordance with its mandate.

5. In its first report, issued in February 2018 ([A/72/764](#)), the Mechanism set out the ways in which it intended to implement the principle of impartiality, which, together with the principle of independence, lies at the heart of its mandate. It undertook to apply in its work consistent methods and criteria that are not biased

against, or in favour of, any particular State, group or individual, and to take proactive steps to address crimes committed, regardless of the affiliation of the alleged perpetrators, as well as to engage with potential providers of information and evidence relevant to crimes against victims on all sides. The Mechanism continues to be guided by this principle and has worked to operationalize it over the past two years. The present report focuses on the practical application of the principle, demonstrating the ways in which the Mechanism implements its mandate regardless of the affiliation or identity of victims and survivors or perpetrators, or the sources and providers of information and evidence. The Mechanism remains committed to facilitating justice processes that are as inclusive and comprehensive as possible.

6. The Mechanism has advanced its work during the reporting cycle on many fronts. It has concluded a total of 42 cooperation agreements with relevant partners and continues to favour flexible modes of cooperation and agile regulatory frameworks, while ensuring the confidentiality of information and the security of providers. The Mechanism has engaged directly and indirectly with more than 180 sources and holds more than 2 million records. As noted in previous reports, volume is only a partial indicator of progress. Future measures to refine collection efforts through more targeted investigations to fill evidentiary gaps will likely result in high-value data but a smaller volume of data. By the end of January 2020, the Mechanism had received a total of 46 requests for assistance from 10 national jurisdictions.

7. On 27 December 2019, the General Assembly voted to include the Mechanism in the regular budget of the United Nations (see resolution [74/262](#)). In doing so, it granted the request made by the Secretary-General in response to its previous call for him to include the necessary funding for the Mechanism in his 2020 budget proposal (resolution [72/191](#), para. 35). The Assembly thereby implemented the decision made at the time of the Mechanism's creation to revisit the question of the funding of the Mechanism as soon as possible (resolution [71/248](#), para. 8). The Mechanism's inclusion in the regular budget provides a sustainable funding basis for the Mechanism.

8. Owing to the confidential nature of its work, the Mechanism is not in a position to comment publicly on current and past crimes committed in the Syrian Arab Republic. The Mechanism's leadership fully supports statements in which the Secretary-General, the United Nations High Commissioner for Human Rights and other representatives of the Organization have called for the immediate cessation of crimes in the Syrian Arab Republic.

9. The Head of the Mechanism will address the General Assembly in a formal debate to be held under agenda item 31, "Prevention of armed conflict", on 8 April 2020.

## **II. A central repository of information and evidence**

### **A. Collecting information and evidence on serious international crimes committed in the Syrian Arab Republic**

10. The Mechanism's effort to collect information and evidence of high value continues apace. Its approach to investigation and collection is strictly impartial and involves a broad array of sources and evidence types, with ongoing efforts to diversify even further. Sources include States, United Nations entities and other international organizations, civil society actors and individuals, and news outlets. The types of evidentiary materials collected include documents, photographs, videos, satellite imagery, witness statements and open-source materials. Investigation and collection activities are conducted in accordance with criminal law standards to support current and future accountability efforts in multiple jurisdictions.

11. The Mechanism's commitment to impartiality does not prevent it from cooperating with or collecting information and evidence from individuals or entities that are connected with the events in the Syrian Arab Republic. Nor does the Mechanism's impartiality prevent it from collecting materials from other bodies that have reached conclusions about the commission or attribution of crimes. The Mechanism preserves its impartiality by performing its own rigorous assessment of the credibility, reliability and probative value of the materials it uses in its work and by not importing the analysis or conclusions of other bodies regarding the material. The sheer volume collected by the Mechanism allows it to aggregate information and evidence and authenticate material through comparative analytical work. This approach also helps the Mechanism to identify gaps in its central repository, including those pertaining to groups – such as women, children, minorities and persons with disabilities – that are underrepresented in accountability work done by others, and to undertake targeted measures to address these gaps. The Mechanism pays particular attention to the chain of custody concerning information and evidence in its possession, to help ensure that such evidence is admissible in court.

12. The collection of information and evidence has increased significantly during the reporting period, in part because of sustained efforts to build relationships of trust with key interlocutors and develop frameworks for sharing materials. The Mechanism continues to seek information and evidence from States and works to ensure that the relevant conditions are in place to allow the transfer of such information. The Mechanism's engagement with States includes diplomatic correspondence and meetings, dialogue concerning regulatory frameworks, and agreement on modes and methods for the transfer and onward sharing of information and evidence in compliance with the relevant State's requirements.

13. Awareness about the Mechanism's mandate and work also continues to grow among Syrian civil society organizations and individuals. This is due in part to the Mechanism's regular engagement in forums aimed at two-way communication with Syrian non-governmental organizations (NGOs), its periodic NGO bulletin and its increased outreach. However, the Mechanism remains fully conscious of its limited public visibility owing to the nature of its work and continues to identify opportunities to further familiarize Syrian civil society entities and other actors with its mandate. Today, the Mechanism is frequently approached by individuals and entities willing to contribute to criminal accountability efforts by providing the Mechanism with information and evidence in relation to alleged crimes committed in the Syrian Arab Republic. The number of sources that have engaged directly or indirectly with the Mechanism now exceeds 180, and the Mechanism initiated cooperation with more than a dozen new civil society organisations during the reporting period. The Mechanism adopts a tailored approach to its interactions with each source and seeks to understand specific needs, concerns and circumstances in line with its commitment to be sensitive and responsive to the expectations of victims and witnesses. In this context, the Mechanism aims to ensure that its impartial approach is reflected in its engagement with groups and individuals of different genders and from different cultural, religious, ethnic and political backgrounds. Although resource-intensive, this approach helps to ensure that the Mechanism's investigation and collection activities are both principled and sustainable.

14. Collaboration with the Independent International Commission of Inquiry on the Syrian Arab Republic has continued to prove valuable and contributes significantly to advancing the Mechanism's mandate. Specifically, the Commission has provided access to most of the information it has collected since its inception and has assisted the Mechanism in liaising with its sources. Periodically, the Mechanism continues to receive material collected by the Commission.

15. In the coming period, the Mechanism will focus on deepening its cooperation with existing sources so as to prioritize high-value interactions. To enhance its ability to collect evidence in a safe and sustainable manner, the Mechanism is building its witness protection capabilities with the support of Member States, as indicated in the its terms of reference. This effort may include the international relocation of key witnesses via the witness protection programmes of national jurisdictions. The Mechanism's ability to conduct such operations depends on the willingness of States to provide it with the necessary assistance.

## **B. Processing evidence**

16. As a central repository of information and evidence of serious international crimes, the Mechanism possesses the capacity to collect, register, preserve, process and analyse evidence, and to share it in many different formats. This is done in accordance with the conditions attached to the sharing of data by providers and the requirements of recipient legal systems.

17. As an impartial justice actor, the Mechanism can assist those who seek to preserve evidence, independently of any affiliation they may have. By consolidating and aggregating evidence, the Mechanism helps to verify the authenticity and improve the accessibility of the material collected. The Mechanism can thus process materials regardless of how the data was initially collected. The Mechanism differentiates between lead information and evidence that may be admissible in court, acknowledging that both are helpful for advancing the implementation of its mandate.

18. During the reporting period, the Mechanism made significant progress in building its central repository. The forensic preservation of information and evidence was central to that work. To support preservation activities, the Mechanism increased its capacities, including by obtaining relevant forensic certifications and recruiting evidence preservation specialists. In addition, the Mechanism forged new partnerships with external forensic service providers, partnerships that increased the Mechanism's capacity to preserve materials in an economical and scalable manner.

19. The Mechanism enhanced its facilities for processing digital information in preparation for analysis. As part of that effort, the Mechanism invested in procuring high-capacity, large-scale computer hardware suited to processing significant quantities of digital material. The Mechanism procured and implemented virtualization software to allow for enhanced processing efficiency, which helps to reduce processing times and increase throughput, and will assist in decreasing evidence processing backlogs. The Mechanism has also designed and initiated more scalable, robust and longer-term backup and disaster-recovery solutions.

20. The Mechanism conducted a data modelling exercise, including a pilot project to construct a fact analysis system, intended for integration with its evidence management system. The exercise allowed analysts to better corroborate and link evidence across a broad range of formats and sources and create analytical products accordingly.

21. The security of the information and evidence in its possession continued to be of the highest importance to the Mechanism. Information systems were upgraded to provide better and more secure storage, file-sharing and collaboration. The migration to new information systems and the decommissioning of legacy systems helped to segregate the Mechanism's digital information and evidence more fully from that in the computing information system based at the United Nations Office at Geneva, further enhancing the Mechanism's independence.

### III. Facilitating justice

#### A. Analysing evidence and building case files

22. The Mechanism's commitment to impartiality informs every aspect of its efforts to build criminal-law case files focused on the responsibility of individuals. The structural investigation provides a principled analytical framework to help organize information and evidence. The Mechanism pays particular attention to ensuring that broad patterns of crimes, diverse organizational structures and perpetrators on all sides are covered, while committing to the allocation of additional resources to historically overlooked and insufficiently documented crimes, such as sexual and gender-based crimes and crimes against children. This commitment informs the selection of strategic lines of inquiry, the identification of analytical blocks, and the conceptualization of specific analytical projects. In this context, the Mechanism continuously assesses whether the coverage of its work adequately reflects the varied crime patterns and perpetrator groups relevant to the situation in the Syrian Arab Republic.

23. Steady progress has been made in mapping structures of power and crime patterns. For instance, the Mechanism's early focus on detention-related allegations is now being supplemented with additional crime categories to generate a fuller picture of events. Analytical project work has allowed the Mechanism to develop a deeper understanding of how key structures, including those related to detention crimes, are organized and how crimes perpetrated within these structures are linked together. During the next reporting period, the Mechanism will begin visually mapping information on power structures to illustrate the depth and scope of existing knowledge and to allow for the identification of evidentiary gaps to be filled through targeted investigations.

24. The Mechanism has also advanced the development of an evidentiary module aimed at setting out the necessary contextual requirements to support the prosecution of war crimes, with a view to assisting national war crimes units with the evidentiary challenges they currently face. It has done so by reviewing significant amounts of evidence, identifying gaps in its central repository, developing preliminary hypotheses, conducting extensive legal research, and carrying out a targeted investigation to support the development of the module. The Mechanism will rely on the experience gained to streamline and expedite the development of other similar products.

25. The necessary foundations are also being put in place to facilitate the Mechanism's work on unlawful attack incidents. For example, the Mechanism has engaged with the Organisation for the Prohibition of Chemical Weapons (OPCW) regarding access to materials gathered by the Organisation's fact-finding mission. In accordance with the applicable Secretary-General's bulletin, the Mechanism has also sought access to materials of the OPCW-United Nations Joint Investigative Mechanism from the United Nations Office for Disarmament Affairs. The Mechanism is also working directly with individual States in this context.

26. As previously reported, the Mechanism has two open case files. The Mechanism continuously assesses the progress of its collection and analytical work with a view to identifying a sufficient basis to open additional files. The Mechanism will open such files in the coming period whenever the necessary conditions are met.

27. The Mechanism is cognizant of the need to align its analytical and case-file building work with the investigative and prosecutorial work being carried out in national jurisdictions, as well as longer-term justice efforts, taking into account the principle of impartiality.

## **B. Frameworks for sharing and cooperation**

28. The Mechanism continues to invest in establishing informal and formal cooperation frameworks with a view to collecting information and evidence from different entities and actors. By the end of the reporting cycle, 42 cooperation frameworks were in place with State entities, international organizations and civil society actors, with an additional 22 frameworks in progress. Adhering to the principle of impartiality, the Mechanism is making a proactive and sustained effort to broaden its engagement with relevant partners.

29. The Mechanism works closely with various national authorities to determine flexible arrangements for cooperation or to inform the adoption of new national legislative frameworks, as required. In doing so, the Mechanism is willing to tailor arrangements to suit the requirements of different States. Some States, while supportive of the Mechanism's novel mandate, require a longer period than others to enable relevant domestic institutions to share information and evidence related to crimes committed in the Syrian Arab Republic.

30. The Mechanism continues to raise awareness about its mandate and role within the United Nations system to facilitate cooperation for the benefit of the Organization as a whole. The Mechanism welcomes and further encourages engagement by United Nations agencies, funds and programmes, as well as the Secretariat. The Mechanism appreciates the good, ongoing cooperation with the Office of the United Nations High Commissioner for Human Rights and the Office of Legal Affairs. The Mechanism is consulting with the Independent Investigative Mechanism for Myanmar on matters of mutual interest, to make use of synergies to the extent possible.

31. The Mechanism is also developing partnerships within the United Nations system to advance its work. For example, it has coordinated efforts with the United Nations Institute for Training and Research Operational Satellite Applications Programme for the analysis of evidence in the Mechanism's custody and for the acquisition of additional material. The additional material includes georeferenced data, satellite imagery and mapping, which have buttressed the Mechanism's analytical activities.

32. The Mechanism acknowledges the significant contribution made to its evidence collection by Syrian civil society organizations and has focused on increasing the number of cooperation frameworks concluded with such actors. To be responsive to the diversity of civil society actors that have custody of materials of varying degrees of sensitivity, the Mechanism has developed a practice of concluding customized memorandums of understanding, which govern the nature, modalities of transmission, and conditions of use and sharing of materials provided.

33. Materials collected by civil society actors, including victim and survivor organizations, play a valuable role in ongoing national investigations and prosecutions and the Mechanism's case-building endeavours. In most instances, there are limits to the Mechanism's ability to inform civil society actors about how the material they provided has been used or shared with national actors, because of confidentiality restrictions imposed by the recipients, as well as the confidential nature of the Mechanism's own work. Within these constraints, the Mechanism is committed to providing feedback to information and evidence providers and will focus on building its capacity to do so throughout the course of this year. It is important to note that the value of information and evidence provided to the Mechanism is not determined solely by whether it can be shared with national jurisdictions in the foreseeable future. Material that is not shared currently by the Mechanism with national jurisdictions nevertheless plays an important role in constructing a comprehensive overview of events and helps to shape the Mechanism's



longer-term investigative and analytical work, ensuring readiness for more comprehensive accountability options that may emerge in the future.

34. During the reporting period, the Mechanism continued to seek relevant material from the government authorities of the Syrian Arab Republic, guided by the principle of impartiality and the consequent commitment to engage with all holders of relevant information and evidence. At the time of writing, the Mechanism had not received any communication from the authorities of the Syrian Arab Republic. Similarly, the Mechanism will continue reaching out to other States that publicly oppose its mandate, regarding evidentiary materials that these States may hold according to publicly available information.

### **C. Sharing information and evidence with national jurisdictions**

35. The Mechanism is mandated to facilitate and expedite fair and independent criminal proceedings in national, regional or international courts or tribunals that have or may in the future have jurisdiction over the crimes under consideration. In line with its terms of reference, the Mechanism shares information only with jurisdictions that respect international human rights law and standards, including the right to fair trial, and do not apply the death penalty for the offences under consideration. The Mechanism continues to prioritize the sharing aspect of its mandate and is working to enhance the support it provides to national war crimes units currently investigating and prosecuting core international crimes committed in the Syrian Arab Republic.

36. By the end of the reporting period, the Mechanism had received a total of 46 requests for assistance from the judicial authorities of 10 States. The requests related to information and evidence, as well as analytical products. A total of 17 requests had been processed and closed, while work on 19 requests was ongoing. That work included designing strategies to search the Mechanism's central repository, analysing relevant information and evidence, requesting additional information or consent for sharing from providers, investigative work by the Mechanism to supplement the assistance provided, and the transmission of information, evidence and analytical products.

37. The Mechanism views its sharing activities as a dynamic process involving discussions with requesting authorities before and after assistance is requested. Such discussions focus on how the Mechanism may best assist; potential new ways to support investigations by pursuing leads, sharing expertise or preparing tailored analytical products; the type of information sought; and how relevant materials can be shared. These interactions help the Mechanism to better understand what sort of information and evidence is relevant for domestic jurisdictions; they also guide collection strategies and analytical priorities. The Mechanism's commitment to dynamic engagement with requesting entities includes hosting national criminal justice actors at its premises in Geneva. The Mechanism welcomed three delegations from national jurisdictions during the reporting period.

38. During the reporting period, the Mechanism made significant progress in reducing the backlog of requests for assistance received and improved its ability to address time-sensitive requests. The increased efficiency and effectiveness of processes for responding to requests for assistance from national criminal justice actors was complemented by the development of an integrated approach within units responsible for investigation and collection, preservation, and analysis and sharing. The Mechanism aspires to broaden the assistance it offers to national jurisdictions and to sustain the dynamic cooperation it has established between its multidisciplinary team of investigators, lawyers, information and evidence officers and analysts, and national war crimes units.

## **IV. Mechanism-wide developments**

### **A. Integrating a gender perspective**

39. The Mechanism continues to develop strategies to integrate effective approaches to address sexual and gender-based violence, and gender issues more broadly, as a core part of its work. The Mechanism has taken part in discussions with Syrian civil society actors to strengthen strategies related to accountability for sexual and gender-based crimes. The Mechanism continues to integrate gender perspectives throughout its substantive work, including by focusing on gender competence as a core requirement in recruitment processes; integrating accountability for gender perspectives as part of staff work plans; and developing gender strategies as part of its collection planning, structural investigation and case files. In this respect, the Mechanism has continued to prioritize the collection of evidence of sexual and gender-based crimes as well as statements by female witnesses, whose voices have historically been underrepresented in accountability processes.

40. The Mechanism's pilot project on sexual and gender-based crimes is progressing, with the support of NGOs focused on the Syrian context. The mapping of existing contextual information on sexual and gender-based crimes in the Syrian Arab Republic, relevant domestic legal frameworks, evolving gender roles, and cultural and social norms before and during the conflict, is planned in order to help deepen and nuance the Mechanism's investigative and analytical work. The Mechanism is committed to ensuring that the role played by structural gender inequalities in the commission of crimes is accurately reflected in its analytical and case-file building work.

41. The Mechanism arranged for an office-wide mandatory training programme on gender at the end of 2019. Planning is under way for a comprehensive training programme on gender in 2020, which will advance specific gender strategies related to core professional tasks.

### **B. Adopting a victim- and survivor-centred approach**

42. The Mechanism has intensified efforts to develop a strategy on a victim- and survivor-centred approach to justice. Through this approach, the Mechanism seeks to better understand the justice needs and concerns of victims and survivors of international crimes committed in the Syrian Arab Republic, and how to account for and respond to these needs and concerns in all aspects of its work. The strategy will take into account categories of crimes, and of victims and survivors, that have often been overlooked or underrepresented in justice and accountability efforts, including crimes against women, children, minorities, and persons with disabilities. The Mechanism's work will benefit from the insights gained through developing the approach, insights that include identifying effective humanitarian referral pathways, taking measures to avoid the retraumatization of survivors, managing the expectations of survivors, and creating safe and meaningful possibilities for engagement with the Mechanism.

43. The approach is intended to inform the development of the Mechanism's internal policies and working methods, as well as external operations and engagement. The Mechanism is keenly aware of the need to ensure that its approach to victims and survivors builds on the work of other United Nations entities, international and hybrid criminal justice entities, and other relevant actors, including in the human rights sector.

## C. Funding

44. In response to the call from the General Assembly for the Secretary-General to include the necessary funding for the Mechanism in his next budget proposal (see Assembly resolution [72/191](#), para. 35), the Secretary-General requested that the funding for the Mechanism be included in the proposed programme budget for 2020 (see [A/74/6 \(Sect. 8\)](#) and [A/74/6 \(Sect. 8\)/Corr.1](#)). The Mechanism submitted the documentation necessary for the budget process and appeared before the Committee for Programme and Coordination, the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee to answer questions regarding the request. In the final week of December 2019, the Fifth Committee voted to approve the request (see resolution [74/262](#), para 46).

## D. Team

45. The Mechanism has continued to give high priority to recruitment. As its team continues to grow, the Mechanism is taking steps to develop and implement a strategy on organizational wellness, which has involved several consultations and activities involving team members. The objective of the strategy is to promote the safety and mental and physical well-being of the team members. The strategy addresses the issue of secondary traumatization as a result of repeated exposure to graphic materials and frequent interactions with traumatized victims and witnesses. This approach builds on a team-wide secondary-trauma workshop held during the reporting period. In developing and implementing its strategy, the Mechanism is relying on expertise within and beyond the United Nations system.

## V. Recommendations

46. Moving forward, the Mechanism will seek cooperation to maximize the positive impact of its work, as set out below.

### A. Cooperation with the United Nations and other international organizations

47. The Mechanism requests the United Nations and other international organizations:

- (a) To ensure that the Mechanism has full access to materials that are held within the United Nations system and concern crimes in the Syrian Arab Republic;
- (b) To ensure that relevant United Nations agencies coordinate and cooperate fully with the Mechanism, to the mutual benefit of the entities in fulfilling their mandates;
- (c) To engage in dialogue with the Mechanism to promote coordination across the humanitarian, human rights and accountability spectrum with a view to sharing information systematically with the Mechanism;
- (d) To share with the Mechanism information regarding effective humanitarian referral pathways to assist victims of crimes in the Syrian Arab Republic;
- (e) To ensure that other initiatives within the United Nations system involving the documentation and prosecution of crimes committed in the Syrian Arab Republic

are established in conformity with the Mechanism's mandate of comprehensive justice and can benefit from its work and expertise.

## **B. Cooperation with States**

48. The Mechanism requests Member States:

- (a) To continue supporting the Mechanism's budgetary needs and continuous inclusion in the regular budget of the United Nations;
- (b) To ensure broad cooperation and engagement with the Mechanism and implement any required agreements and frameworks to this end in a timely manner in consultation with the Mechanism;
- (c) To coordinate the efforts of relevant national actors to facilitate the Mechanism's work;
- (d) To ensure that any initiatives related to the documentation, investigation and prosecution of crimes committed in the Syrian Arab Republic take into account the Mechanism's mandate to support impartial, independent and inclusive justice;
- (e) To ensure that efficient and effective procedures are in place to facilitate access to their territories by the Mechanism when required for its work;
- (f) For States hosting Syrian refugee communities, to provide information and facilitate introductions for the Mechanism with domestic agencies and local actors that are relevant to the Mechanism's work;
- (g) To consider entering into cooperative agreements with the Mechanism to provide witness protection and support services in connection with the Mechanism's work.

## **C. Cooperation with civil society**

49. The Mechanism requests civil society:

- (a) To ensure that the Mechanism has timely access to all relevant materials to facilitate accountability processes and, to that end, to transfer available information and evidence to the Mechanism;
- (b) To engage with the Mechanism regarding coordination strategies concerning documentation work related to past and ongoing crimes in the Syrian Arab Republic;
- (c) To engage with the Mechanism in support of further developing and refining its victim- and survivor-centred approach, its awareness and knowledge of affected communities' priorities and desire for comprehensive justice, and the integration of gender perspectives throughout its work;
- (d) To assist the Mechanism in reaching out to civil society at large, in particular victim and survivor communities, and to foster the overall understanding of the Mechanism's mandate and work.

## **VI. Conclusion**

50. The Mechanism is well-positioned to further build its central repository of evidence and information regarding crimes committed in the Syrian Arab Republic and, as a justice facilitator, assist competent courts and tribunals investigating and

prosecuting core international crimes now and in the future. Given the magnitude of the crimes committed since March 2011 and the reality that crimes continue to be committed, the Mechanism engages in short-term justice efforts by supporting opportunities for individual criminal accountability when they present themselves, as well as longer-term justice efforts. The structural investigation remains the cornerstone of the Mechanism's work, as it allows for the systematic mapping of broad patterns of crimes and the roles played by diverse actors, independent of any affiliation and in line with the Mechanism's commitment to impartiality.

51. The Mechanism is conscious of the limitations of its mandate and is committed to building on lessons learned by other justice actors, make the best possible use of technology, and ensure that its work products are tailored to multiple legal systems and usages. In doing so, the Mechanism is committed to maintaining a continuous dialogue with Syrian civil society actors and refining its approaches to reflect the views of victims and survivors throughout its work, as appropriate.

52. The Mechanism is grateful for the support provided to it by States, the United Nations system, international organizations, civil society actors and individuals. Given the impartial nature of its mandate, the Mechanism will continue to reach out to all relevant actors to ensure that its work is put to the best possible use in short- and longer-term justice processes for the benefit of the Syrian people.

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