

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	952
Land:	Syrien
Kilde:	Syrian Network for Human Rights
Titel:	The Most Notable Human Rights Violations in Syria in January 2019
Udgivet:	3. februar 2019
Optaget på baggrundsmaterialet:	8. februar 2019

The Most Notable Human Rights Violations in Syria in January 2019



SYRIAN NETWORK FOR HUMAN RIGHTS

الشبكة السورية لحقوق الإنسان

Sunday, February 3, 2019

The Syrian Network for Human Rights (SNHR), founded in June 2011, is a non-governmental, independent group that is considered a primary source for the OHCHR on all death toll-related analyses in Syria.



Contents

- I. Introduction and Methodology
- II. January Outline
- III. The Most Notable Human Rights Violations in Syria in January
- IV. Attachments
- V. Conclusions and Recommendations

I. Introduction and Methodology

Syria has seen an unprecedented number of violations since the start of the popular uprising for democracy since March 2011. Extrajudicial killings, arrests, torture and enforced disappearances are at the top of the list of violations suffered by the Syrian citizens. While the Syrian regime and its affiliated militias were the sole perpetrators of these violations for the first seven months or so of the uprising, other parties subsequently joined in, also violating the rights of Syrian citizens. The SNHR continued to document every incident that its team members were able to verify, with these violations escalating very dramatically in 2012 and 2013, prompting us to expand our issuance of periodic monthly reports recording and highlighting the continued suffering of the Syrian people, which grew to eight reports on different issues issued at the beginning of each month. In the course of our work, SNHR has compiled a massive database cataloguing hundreds of thousands of incidents, each of which involves a pattern of violations that we have been able to document.

By the end of 2018, with a reduction in the level of violence compared to previous years, we changed our previous strategy and now compile our reports into a single monthly report featuring the most prominent violations in Syria which we have been able to document in the preceding month.

This month's report focuses on the human rights situation in Syria in January 2019, and catalogues the record of civilian victims who were killed by the main parties to the conflict during this month, as well as the record of cases of arrests and enforced disappearance. The report also highlights indiscriminate attacks and the use of outlawed weapons (cluster munitions, chemical weapons, barrel bombs, incendiary weapons) and attacks on civilian objects.



The report also includes documentation of violations distributed according to the perpetrator parties responsible for each one. Accurately ascribing responsibility sometimes requires more time and investigation than usual, especially in the case of joint attacks. On some occasions, when we are unable to definitively assign responsibility for specific attacks to one particular party, as in the case of air strikes by Syrian or Russian warplanes, Syrian-Iranian attacks, or attacks by Syrian Democratic Forces and International Coalition forces, we indicate that responsibility for these attacks is held jointly by the parties in question until we are able to likely establish which one of the parties was likely responsible, or it's proved that the attack was a joint initiative carried out in coordination between the two parties.

This report draws upon the ongoing daily monitoring of news and developments by SNHR's team, and on our extensive network of relations with various sources that have been built up over the course of our work since 2011. When we receive information or learn some news about violations via the internet or media outlets, our team works to follow up these reports and attempts to verify information and collect evidence and data. In some cases, researchers are able to visit the incident location promptly, although this is a rarity in light of the incredibly high security risks involved, and given the frequency of daily incidents and the scarcity of human and material resources to carry out this work. Therefore, the opportunities available to access evidence vary between one case and another, and consequently the level of certainty in classification of each incident varies. SNHR's customary policy in such cases is to rely on accounts from survivors who experienced the violation firsthand, in addition to analyzing available materials from open sources such as the Internet and media outlets. We also talk with medical personnel who treated the injured in these incidents, examined the deceased victims' bodies, and identified the cause of death.

SNHR also analyzed videos and photographs that our team has documented, or which were posted online, or submitted by local activists via e-mail, Skype, or social media platforms. These videos and photos show, amongst other things, sites of attacks, and the bodies of the deceased victims and the injured, the scale of destruction, and the remnants of the incendiary and cluster munitions and other munitions used, whilst other photos may show victims killed under torture, and victims amongst medical and media personnel who died in attacks carried out by parties to the conflict. We also retain copies of all the videos and photographs included in these reports, which are also reviewed in this report, in a confidential electronic database, as well as keeping hard disk backup copies, and we ensure always that all these data are stored with their original source. We do not claim, however, that we have documented all cases, given the severe prohibitions, restrictions and persecution by the Syrian Regime forces and some other armed groups. Readers are welcome to find out



more about the methodology used by the SNHR in documenting victims¹ and classifying vital civilian centers² at the link below.

This report only represents the bare minimum of the actual severity and magnitude of the violations that occurred. Also, it doesn't include any analysis of the profound social, economic, and psychological ramifications.

II. January Outline

Syrian Regime forces continued their ground attacks of cities and towns in the area of the fourth de-escalation zone covered by the Sochi Agreement in January. We also recorded Russian air strikes on towns in the suburbs of Idlib governorate. These attacks killed dozens of civilians.

Since the beginning of January, Idlib has seen clashes between Hay'at Tahrir al Sham and the National Front for Liberation - one of the Armed Opposition factions - aimed at tightening the former group's control over most areas. These clashes resulted in the deaths of dozens of individuals, including civilians in the IDPs camps in the eastern suburbs of Ma'aret An-Nu'man and Atma region.

We have also documented the continuation of the military campaign launched previously by Syrian Democratic Forces with air support from the International Coalition forces for the fourth consecutive month, under the pretext of eliminating ISIS in Deir Ez-Zour governorate, targeting the last villages of Hajin area, where ISIS presence has decreased. These attacks resulted in the deaths of dozens of civilians, in addition to several massacres, as well as the displacement of hundreds of civilians who were transferred by the Syrian Democratic Forces to camps for the displaced in the governorates of Hasaka and Deir Ez-Zour.

We observed that Syrian Regime forces continued with their campaigns of persecution and arrest of civilians and former fighters of factions of the Armed Opposition in the areas that had signed settlement agreements with Syrian Regime forces. Meanwhile, Self-Management forces carried out arrests targeting IDPs residing in areas under their control, mainly the inhabitants of refugee camps, as well as participants in the protests against their policies in areas under their control, and dignitaries and tribal sheikhs who refused to support their decisions or to condemn protests against them. The arrests also targeted teachers who deviated from the educational curriculum and teaching methods imposed by the Syrian Democratic Forces, as well as targeting others for forced conscription.

Factions of the Armed Opposition, meanwhile, made arrests targeting activists criticizing their policies in the territories under their control, the same as Hay'at Tahrir al Sham did. According to our monitoring and documentation, the attacks on vital civilian facilities docu-

¹ "Syrian Network for Human Rights Methodology", Syrian Network for Human Rights, <http://sn4hr.org/public_html/wp-content/pdf/english/SNHR_Methodology_en.pdf> accessed date: 1 February 2019

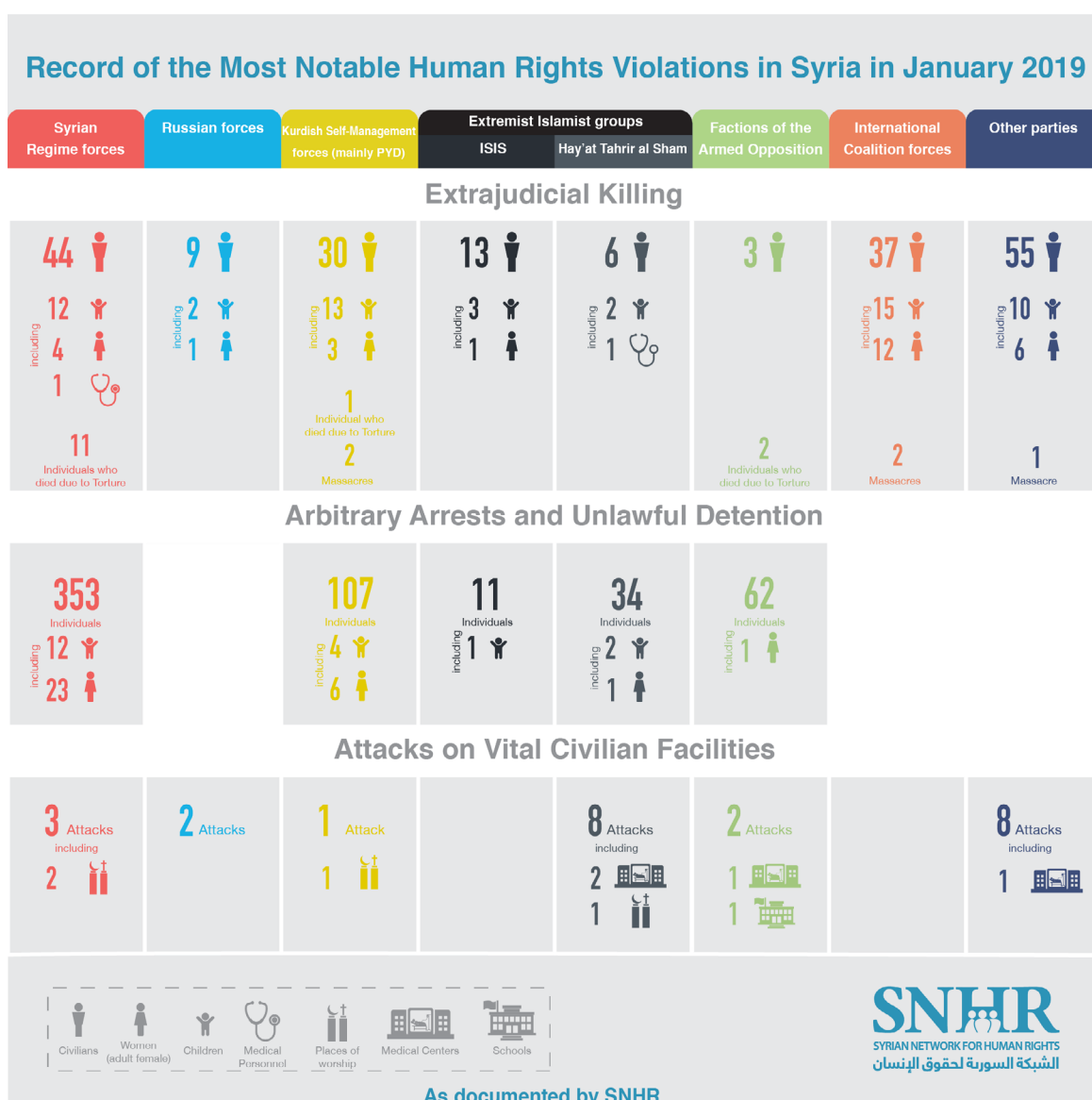
² "Syrian Network for Human Rights Methodology in Classifying Vital Facilities", Syrian Network for Human Rights, <http://sn4hr.org/wp-content/pdf/english/Vital_Facilities_en.pdf> accessed date: 1 February 2019



mented last month were concentrated in the fourth de-escalation zone. The 'salvation government' of Hay'at Tahrir al Sham has worked to control all civilian facilities in areas that were under the control of factions of the Armed Opposition in southern Idlib, Ma'aret An-Nu'man, Ariha and Saraqeb. Hay'at Tahrir al Sham has worked to shut down the stations of the free police and to impose itself as the sole authority responsible for leadership on all local councils. The security chaos that accompanied with these clashes led to many attacks resulting from bombings by unknown perpetrators or which were carried out by unidentified gunmen. The severe thunderstorms in January also led to the deterioration of the already desperate humanitarian situation in the northern Syrian camps, resulting in considerable material damage to the tents; many of them sank, while others were blown away. We also recorded cases where some tents burnt down due to the misuse of heating materials.

III. The Most Notable Human Rights Violations in Syria in January

The report reviews the most notable human rights violations that were documented by the SNHR in January at the hands of the main perpetrator parties to the conflict in Syria.



A. Extrajudicial killing:

SNHR documented the deaths of 197 civilians, including 57 children and 27 women (adult female), as well as two medical personnel, in January 2019. We also documented the deaths of 14 individuals who died due to torture, and at least five massacres. We issued a report on the first of this month detailing the civilian victims killed at the hands of the main perpetrator parties in Syria.

The death toll of civilian victims was distributed by the main perpetrator parties as follows:

- **Syrian Regime forces (army, security, local militias, and Shiite foreign militias):** 44, including 12 children and four women.
- **Russian forces:** nine civilians, including two children and one woman.
- **Extremist Islamist groups:**
 - **ISIS (the self-proclaimed 'Islamic State'):** 13, including three children and one woman.
 - **Hay'at Tahrir al Sham (an alliance composed of Fateh al Sham Front and a number of factions of the Armed Opposition):** six, including two children.
- **Factions of the Armed Opposition:** three.
- **Self-Management forces (consisting primarily of the Democratic Union Party – a branch of the Kurdistan Workers' Party):** 30, including 13 children and three women.
- **International coalition forces:** 37, including 15 children and 12 women.
- **Other parties:** 55, including 10 children and six women

B. Arbitrary arrest and enforced disappearance:

SNHR documented at least 567 cases of arbitrary arrests, including 19 children and 31 women (adult female), at the hands of the main perpetrator parties to the conflict in Syria in January. The largest number of arrests was carried out by the Syrian Regime forces in the governorates of Damascus Suburbs, Aleppo and Damascus. We issued a report on the second of this month detailing the record of cases of arrests and enforced disappearances at the hands of the main perpetrator parties in Syria.

These arrests are distributed according to the main perpetrator parties, as follows:

- **Syrian Regime forces:** 353, including 12 children, and 23 women.
- **Extremist Islamist groups:**
 - **ISIS:** 11, including one child.
 - **Hay'at Tahrir al Sham:** 34, including two children and one woman.
- **Factions of the Armed Opposition:** 62, including one woman.
- **Self-Management forces:** 107, including four children and six women.



C. Attacks on vital civilian facilities:

SNHR recorded at least 24 attacks on vital civilian facilities in January at the hands of the main perpetrator parties in Syria, of which one was an attack on a school, four were on medical centers and four others on places of worship.

These attacks are distributed according to the main perpetrator parties, as follows:

- **Syrian Regime forces:** Three
- **Russian forces:** Two
- **Extremist Islamist groups:**
 - o **Hay'at Tahrir al Sham:** Eight
- **Factions of the Armed Opposition:** Two
- **Self-Management forces:** One
- **Other parties:** Eight

Record of attacks on vital civilian facilities are distributed by the Perpetrator Party as follows:

Perpetrator Party	Syrian Regime Forces	Russian Forces	Extremist Islamist Groups	Factions of the Armed Opposition	-Self Management Forces	Other Parties
Attacked Facility			Hay'at Tahrir al Sham			
Places of Worship						
Mosques	2		1		1	
Vital Educational Facilities						
Schools				1		
Vital Medical Facilities						
Medical Facilities			2	1		1
Ambulances						1
Communal Facilities						
Markets						1
Infrastructure						
Water Systems	1					
Official Headquarters			4			
Bakeries		1				
Domestic Animal Farms		1				
Industrial Facilities			1			
Refugee Camps						
Refugee Camps						5
Total	3	2	8	2	1	8



The most notable attacks on vital civilian facilities:

On Tuesday, January 1, 2019, gunmen affiliated with Hay'at Tahrir al Sham used machine-guns to open fire directly on al Fardous Hospital in the west of Darat Ezza city in the western suburbs of Aleppo governorate, causing minor material damage to the hospital building following clashes on the hospital campus between the group and elements of the National Front for Liberation, one of the Armed Opposition factions. The village, which was under the control of factions of the Armed Opposition at the time of the incident, is under the control of Hay'at Tahrir al Sham at the time of the preparation of the report.

On Thursday, January 3, 2019, clashes between Hay'at Tahrir al Sham and the National Front for Liberation - one of the Armed Opposition factions - near the Deir Ballout camp for IDPs in Deir Ballout village of Afrin city in the northern suburbs of Aleppo governorate, led to the injury of three civilians, in addition to causing moderate material damage to a number of tents. We were not able to determine which of the parties caused the damage to the camp up to the time of the report's preparation. The village was under the control of factions of the Armed Opposition at the time of the incident.

On Saturday, January 12, 2019, gunmen stormed the Jarjanaz Health Center in Jarjanaz town in the eastern suburbs of Idlib governorate, and seized medical and logistical equipment. We were unable to determine who carried out the attack up to the time of the report's preparation. The town was under the control of Hay'at Tahrir al Sham at the time of the incident.

On Tuesday, January 15, 2019, The Kurdish-majority Syrian Democratic Forces demolished Masaken al Sharika al Seniya Mosque, in al Jabasa field area in al Shadadi city in the southern suburbs of Hasaka governorate using heavy machinery, without explaining the reasons. The area was under the control on the Kurdish-majority Syrian Democratic Forces at the time of the incident.

On Sunday, January 20, 2019, at around 3:00, [fixed-wing](#) warplanes, which we believe were Russian, fired two [missiles](#) at [al Taqwa automatic bakery](#) in the north of [al Janoudiya](#) village of Jisr al Shughour city in the western suburbs of Idlib governorate, which caused massive destruction to the [bakery building](#), in addition to inflicting great [material damage](#) on its equipment. The village was under the control of Hay'at Tahrir al Sham at the time of the incident.





On Monday, January 28, 2019, Syrian Regime forces used missile launchers to fire missiles that landed in front of [al Tawba Mosque](#) in the northeast of [Kafranbel](#) city in the southern suburbs of Idlib governorate. The building and the furnishings of the mosque were moderately damaged. The city was under the joint control of factions of the Armed Opposition and Hay'at Tahrir al Sham at the time of the incident.



D. Record of indiscriminate attacks and attacks using outlawed weapons:

We were unable to document any indiscriminate attacks or attacks using outlawed weapons during the last month of January.

IV. Attachments

[1- 197 Civilians, Including Two Medical Personnel, Documented Killed in Syria in January 2019](#)

[2- At least 567 Cases of Arbitrary Arrests Documented in Syria in January 2019](#)

V. Conclusions and Recommendations

Conclusions:

- The evidence we have gathered indicates that attacks continue to be directed against civilians and civilian objects. The Syrian-Russian alliance forces have committed various crimes, including extrajudicial killings, arrest, torture, and enforced disappearance. In addition, the indiscriminate attacks, other attack carried out caused the destruction of facilities and buildings. There are reasonable grounds to believe that the war crime of attacking civilians has been committed in many cases.
- The Syrian government has not only violated international humanitarian law and customary law, but has also breached a number of UN Security Council resolutions, particularly resolution 2139, resolution 2042 on the release of detainees, and resolution 2254, all without any accountability.
- We could find no record of any warnings being issued by the Syrian Regime, or by Russian or International Coalition forces prior to any attack in accordance with the requirements of international humanitarian law. This has been the case since the beginning of the popular movement, providing another blatant demonstration of these forces' total disregard for the lives of civilians in Syria.
- The magnitude and frequency of the violations, the disproportionate use of military force, the indiscriminate manner of the bombing, and the coordinated approach of these attacks leads to the inescapable conclusion that these acts are wholly deliberate and based on high-level orders, and as such constitute a part of state policy.
- The indiscriminate and disproportionate bombardment carried out by the alliance forces "International Coalition forces and Syrian Democratic Forces" are considered a clear violation of international humanitarian law, with indiscriminate killings amounting to war crimes.
- Extremist Islamist groups have violated international humanitarian law, causing the death of many civilians, as well as damage to vital civilian facilities.
- Factions of the Armed Opposition violated UN Security Council Resolution 2139 through attacks that are considered as a violation of the customary international humanitarian law, causing civilian casualties or accidental injuries.



- All attacks this report documented, particularly bombings, caused massive collateral damage that involved loss of lives, injuries, or significant damage to civilian objects. There are strong indicators suggesting that this damage was excessive compared to the anticipated military benefit.
- The use of explosive arms to target densely populated areas reflects a criminal and wholly deliberate mindset, with the perpetrators intended to inflict the greatest possible number of deaths, which is a clear contravention of international human rights law and a flagrant violation of the Geneva Convention (arts. 27, 31, 32).

Recommendations:

Security Council

- The Security Council must take additional steps following its adoption of Resolution 2254, which clearly states that “ all parties immediately cease any attacks against civilians and civilian objects as such.”
- The Syrian issue should be referred to the International Criminal Court and all those who are responsible should be held accountable including the Russian regime whose involvement in war crimes has been repeatedly proven.
- Ensure peace and security and implement the principle of responsibility to protect civilians’ lives and to save their heritage and historical artefacts from destruction, looting and vandalism.
- The Security Council should adopt a resolution banning the use of cluster munitions in Syria, similar to the prohibition on the use of chemical weapons, and include points on how to safely remove the remnants of such dangerous weapons.
- The four other permanent member states should put pressure on the Russian government to end its support for the Syrian regime, which uses chemical weapons, and to expose its involvement in this regard.
- We request that all relevant United Nations agencies make greater efforts to provide food, medical and humanitarian assistance in areas where fighting has ceased, and in internally displaced persons camps, and to follow-up with those States that have pledged voluntary contributions.

International Community

- In light of the split within the Security Council and its utter inability to take any effective action, action should be taken on the national and regional levels to form alliances to support the Syrian people by protecting them from daily killing and lifting sieges, as well as increasing support for relief efforts. Additionally, the principle of universal jurisdiction should be enacted in local courts regarding these crimes in order to conduct fair trials for all those who were involved.



- SNHR has repeatedly called for the implementation of the ‘Responsibility to Protect’ in dozens of studies and reports and as a member of the International Coalition for the Responsibility to Protect (ICRtoP) after all political channels through the Arab League’s plan and then Mr. Kofi Annan’s plan have proved fruitless, along with the Cessation of Hostilities statements and Astana agreements that followed. Therefore, steps should be taken under Chapter VII of the Charter of the United Nations, while the norm of the ‘Responsibility to Protect’, which was established by the United Nations General Assembly, should be implemented. The Security Council is still hindering the protection of civilians in Syria.
- Renew pressure on the Security Council to refer the case in Syria to the International Criminal Court.
- Work on fulfilling justice and achieving accountability in Syria through the United Nations General Assembly and the Human Rights Council and to activate the principle of universal jurisdiction.

OHCHR

- The OHCHR should submit a report to the Human Rights Council and other organs of the United Nations on the incidents mentioned in this report since these attacks were perpetrated by the parties to the conflict.
- Train Syrian organizations to undertake clearance of mines and other unexploded ordnance, and raise local awareness of the dangers of such ordnance.
- Establish a platform that brings together a number of Syrian organizations active in documenting violations and humanitarian assistance, in order to facilitate an exchange of skills and experiences within Syrian society.

Commission of Inquiry (COI)

- Launch investigations into the cases included in this report and previous reports. SNHR is willing to cooperate and provide further evidence and data.

International, Impartial, and Independent Mechanism (IIIM)

- Collect further evidence about the crimes documented in this report.

The United Nations special envoy to Syria

- Condemn the perpetrators of crimes and massacres, and those who were primarily responsible for dooming the de-escalation agreements.
- Re-sequence the peace process so that it can resume its natural course despite Russia’s attempts to divert and distort it, and empower the Constitutional Commission prior to the establishment of a transitional government.



The Syrian regime

- Stop indiscriminate shelling and targeting of residential areas, hospitals, schools and markets, and end the use of outlawed weapons and barrel bombs.
- End the acts of torture that have caused the deaths of thousands of Syrian citizens in detention centers.
- Reveal the fate of some 82,000 Syrian citizens arrested by the security services whose fate has been concealed to date.
- Ensure compliance with UN Security Council resolutions and customary humanitarian law.

The Russian regime

- Launch investigations into the incidents included in this report, make the findings of these investigations public for the Syrian people, and hold the those responsible accountable.
- Compensate all the damaged centers and facilities, rebuild and rehabilitate them, and compensate all the families of victims who were killed by the current Russian regime, as well as all the wounded.
- Completely cease the bombing of hospitals, protected objects, and civilian areas, and respect customary international law.
- As a guarantor party in Astana talks, the Russian regime must stop thwarting de-escalation agreements, and apply pressure on the Syrian regime in order to end all indiscriminate attacks and to allow unconditional passage of humanitarian aid to besieged areas.
- Stop using incendiary weapons in populated areas, compensate the victims and their families for all human and material damage caused by the use of these weapons, and provide treatment for dozens of civilian casualties.
- Provide detailed maps of sites where Russian forces have launched cluster munition attacks, issue these to the United Nations and inform the Syrian public about them, thus facilitating the safe disposal of unexploded ordnance.
- Begin to achieve a breakthrough in the issue of detainees by revealing the fate of 82,000 people forcibly disappeared by the Syrian regime.

The Coalition (international coalition forces and Syrian Democratic Forces)

- The states of the coalition must unequivocally and sincerely acknowledge that some of their bombing operations have resulted in the deaths of innocent civilians. Rather than attempting denial, these states should take speedy steps to launch serious investigations, and immediately compensate and apologize to the victims and all those affected.
- The states supporting the SDF should apply pressure on these forces in order to compel them to cease all of their violations in all the areas and towns under their control.



- All forms of support, military and all others, should be ceased until the SDF commits itself to complying with the previous recommendations. This is primarily the responsibility of the supporting states. Providing the SDF with weapons and support while knowing that these can be used in perpetrating war crimes or crimes against humanity can be seen as a contribution to these crimes.
- Syrian Democratic Forces must immediately stop conscripting children, hold the officers involved in such violations accountable, and pledge to return all children who have been arrested for conscription immediately.

Armed Opposition factions

- Armed Opposition factions must ensure the protection of civilians in all areas under their control. These forces should also take care to distinguish between civilians and military targets and cease any indiscriminate attacks.
- Pledge to cease any arbitrary arrests, and investigate incidents that have resulted in violations of international humanitarian law.
- Take punitive action against those who commit violations of international human rights law and international humanitarian law.

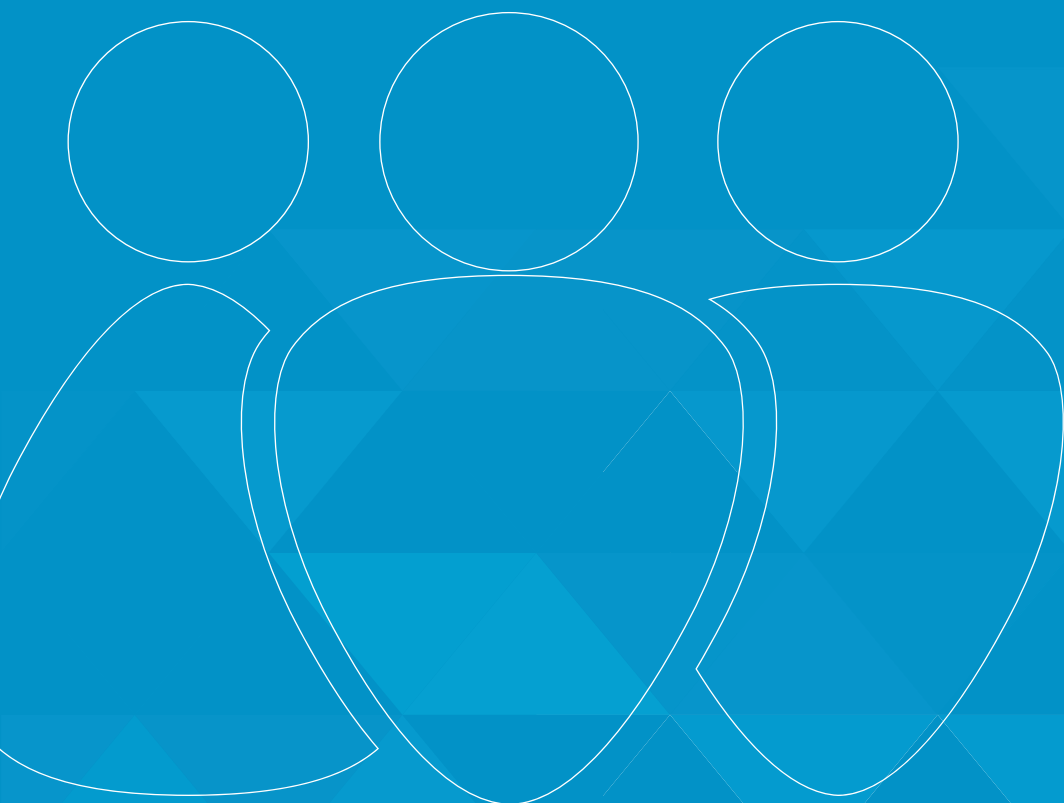
Humanitarian organizations:

Develop urgent operational plans to secure decent shelter for internally displaced persons.

Acknowledgments

We thank all family members, relatives and friends of the victims, eyewitnesses and local activists whose contributions have enriched this report.





@snhr



Info@sn4hr.org

www.sn4hr.org

