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World Report 2020 - Syria

Events in Syria of 2019 reinforced the conclusion that the atrocities and rights violations that have characterized the conflict continued to be the rule, not the exception.

The Syrian-Russian military alliance in April re-launched military operations against Idlib, the last anti-government foothold, with indiscriminate attacks and prohibited weapons. Areas recaptured by the government saw property confiscations, widescale demolitions of homes, and arbitrary detentions. Those who “reconciled” with the government continue to suffer abuses at the hands for government forces.

The UN Office for the Coordination of Humanitarian Affairs (OCHA) projected that 11.7 million people in Syria would require humanitarian and protection assistance in 2019. Instead of securing funding to address the population’s vital needs, the Syrian government developed a legal and policy framework to co-opt humanitarian and reconstruction funding to advance its own interests. Aid groups, United Nations agencies, and donors participating in abusive reconstruction efforts, or allowing aid diversion without due diligence, risked complicity with the government’s human rights violations.

Non-state armed groups opposing the government also committed serious abuses, leading arbitrary arrest campaigns in areas they control and launching indiscriminate ground attacks on populated residential areas in government-held territory.

In northeast Syria, the number of civilians killed and the degree of destruction as a result of the US-led coalition and its local ally, the Syrian Democratic Forces, suggested a degree of destruction and loss of life in areas held by the extremist group Islamic State (ISIS) that indicate a failure to take all necessary precautions to protect civilians.

The fate of thousands kidnapped by ISIS remained unknown, with no steps taken by Kurdish authorities, the US-led coalition, or the Syrian government to determine their fate. Despite the international focus on those detained and disappeared by the Syrian government, including by the special envoy and the Security Council, little progress was made.

The Syrian government is co-opting humanitarian aid and reconstruction assistance, and in places using it to entrench repressive policies, Human Rights Watch said in a report released today. Donors and investors should make changes in their aid and investment practices to ensure that any funding they provide to Syria advances Syrians’ rights.

Violations by the Syrian-Russian Military Alliance

The Syrian-Russian military alliance launched hundreds of daily attacks since late April 2019 to re-take areas in northwest Syria from anti-government groups. Using tactics reminiscent of the alliance’s takeover of Aleppo and Ghouta, Syrian and Russian forces used internationally banned cluster munitions, incendiary weapons, and explosive weapons with wide-area effect including improvised “barrel bombs” against schools, homes, and hospitals, destroying key towns in the area and killing over 1000 civilians, including more than 300 children. In mid-August, the Syrian-Russian military alliance killed 20 civilians in a strike on a displacement compound located in the town of Hass, Idlib. The attack was unlawful and amounted to a war crime.

Those forces destroyed or rendered inoperable over 50 health facilities. Russia and Syria targeted hospitals using coordinates these facilities had shared with Russia through a United Nations deconfliction mechanism, according to Physicians for Human Rights (<http://syriamap.phr.org/#/en/findings>) and other humanitarian groups. On August 1, the United Nations announced (<https://www.un.org/sg/en/content/sg/statement/2019-08-01/statement-attributable-the-spokesman-for-the-secretary-general-%E2%80%93-un-board-of-inquiry-northwest-syria>) that UN Secretary-General Antonio Guterres would launch an investigation into hospital attacks in Syria.

According to the United Nations, northwest Syria is home to 3 million civilians, at least half of whom have been displaced at least once. Civilians in these areas effectively had nowhere to go, lacking resources to relocate, unable to cross into Turkey, and fearing persecution if they relocated to government-held areas.

Property Rights, Humanitarian Aid, and Reconstruction Funding

The Syrian government enforced a legal and policy framework that enables it to co-opt millions of dollars of international funding earmarked for humanitarian aid and reconstruction. The government restricted humanitarian organizations’ access (<https://www.hrw.org/report/2019/06/28/rigging-system/government-policies-co-opt-aid-and-reconstruction-funding-syria>) to communities that needed or allegedly received aid, selectively approved aid projects to punish civilians in anti-government held areas, and required that humanitarian groups partner with security-vetted local actors. Based on past incidents, there is a continuing risk that aid be siphoned through the abusive state apparatus to punish civilian populations it perceived as opponents and reward those it perceived as loyal.

The government arbitrarily designated (<https://www.hrw.org/news/2019/07/16/syria-suspects-families-assets-seized>) hundreds of people from areas formerly held by anti-government groups as terrorists and froze their assets, in line with Decree 63 and the 2012 Counterterrorism Law, which authorities often used to criminalize the work of human rights activists and humanitarian workers. The measures have far-reaching impact on families and relatives, even if they had not been designated as terrorists.

Abuses by Non-State Armed Groups

Hay'et Tahrir al-Sham (HTS), Jaysh al-Izza (JAI), and affiliated groups launched indiscriminate attacks on civilian areas under government control. These attacks have led to scores of civilian casualties and may have amounted to war crimes, according to the Independent International Commission of Inquiry on Syria (COI).

Despite its territorial retreat, ISIS led several insurgencies throughout Deir Ezzor, and prevented civilians from fleeing the violence, including by punishing them and placing landmines to deter them from escaping. (<https://www.hrw.org/news/2019/02/22/syria-concerns-civilians-escaping-isis-holdout>)

Security conditions in areas surrounding Afrin, which has been controlled by the Syrian National Army, a coalition of Turkey-backed Free Syrian Army (FSA) factions, deteriorated considerably. Those factions have committed war crimes, according to the COI, targeting civilians, taking hostages, planting car bombs, conducting arbitrary arrests, extortion, torture, and enforcing a rigid dress code for women and girls.

Arbitrary Detention and Enforced Disappearances

In areas retaken from the anti-government groups, including Eastern Ghouta, Daraa and southern Damascus, Syrian security forces arrested hundreds of activists, former opposition leaders and their family members, although they had all signed reconciliation agreements with authorities guaranteeing that they would not be arrested.

Tens of thousands of persons have been detained or disappeared since 2011, the vast majority by government forces. Thousands died in Syrian government custody from torture and horrific detention conditions. In 2019, the government updated the records of hundreds thought to be disappeared or dead, but none of their families have received their loved ones' remains or additional information from authorities.

Hay'et Tahrir al-Sham (HTS), an al-Qaeda affiliate predominantly active in Idlib, arbitrarily arrested numerous residents in areas under its control. In January 2019, Human Rights Watch documented 11 arrests; in six of the cases, individuals were apparently tortured. Local rights groups have gathered files or evidence on hundreds of other cases (<https://www.hrw.org/news/2019/02/22/syria-concerns-civilians-escaping-isis-holdout>).

ISIS seized thousands of individuals, including activists, humanitarian workers, and journalists, whose fate remained unknown, according to local human rights monitors and families of those kidnapped. Neither the Kurdish-led Syrian Democratic Forces (SDF), the Syrian government nor the US-led international coalition have created mechanisms to handle families' queries.

In May 2019, Human Rights Watch was among eight Syrian civil society and international human rights organizations that called on UN Security Council member states to urgently address the widespread arbitrary detentions, kidnapping, torture and other-ill treatment, and enforced disappearances of tens of thousands of Syrians at the hands of the Syrian government, armed anti-government groups, and ISIS.

Violations by Turkey and Turkish-Backed Forces

On October 9, following an announcement by the United States administration of the withdrawal of its forces from Syria, Turkey invaded northeast Syria. Non-state actors backed by Turkey, including the Syrian National Army, mobilized in support of the offensive, dubbed “Operation Peace Spring.” Kurdish authorities, in response, struck a deal with Damascus, allowing Syrian forces to deploy and retake control of multiple towns across the Syrian-Turkish border.

Reports have surfaced of Turkish-backed factions committing a host of violations, including summary killings of Kurdish forces, political activists, and emergency responders, and looting and confiscation of property.

On October 26, the Turkish foreign minister announced that Turkey “will not tolerate even the least violation of human rights violations.” Reports from local and international monitoring groups, however, have documented several indiscriminate attacks by Turkey on civilians and civilian objects in northeast Syria.

Violations by US-Backed Forces and the US-Led Coalition

The Battle of Baghuz in February 2019 brought about the territorial demise of ISIS. The battle was marked by intense US-led coalition air attacks and ground artillery shelling by the SDF. Human Rights Watch identified more than 630 major damage sites and widescale destruction of buildings throughout the town as the last battle commenced, when a large number of civilians were present in those areas. The UK-based monitoring group Airwars estimated that at least 416 civilians died in US-led coalition airstrikes between January and June 2019.

The coalition did not thoroughly investigate the attacks that killed civilians. It made one condolence payment to a family in January 2019, but it did not create a program for compensation or other assistance to civilians harmed by coalition operations. The US Defense Department attributed (<https://www.hrw.org/news/2019/07/09/syria-us-coalition-should-address-civilian-harm>) the lack of payments to “practical limitations” and “limited US presence, which reduces the situational awareness required to make ex gratia payments.”

Witnesses who managed to flee the last remaining enclaves controlled by ISIS—in part by paying smugglers hefty sums—described harrowing humanitarian conditions and relentless attacks in areas where they lived. ISIS punished those who had even considered leaving and deployed mines along escape routes to deter attempts.

While the Turkish invasion of northeast Syria has reduced the areas under the control of Kurdish-led authorities, at time of writing the Kurdish-led Autonomous Administration for Northeast Syria remained in control of most of the 110,000 ISIS suspects and family members. They included 62,000 Syrians and Iraqis, and more than 11,000 non-Iraqi foreign women and children related to ISIS suspects, who were being held in al-Hol desert camp in appalling and sometimes deadly conditions. Insufficient resources and restrictions on humanitarian access have contributed to deteriorating camp conditions.

Most countries have refused to repatriate their citizens, including women or children, or have only brought home small numbers of orphans. Countries including France, the United Kingdom, and the Netherlands cited logistical and security challenges to repatriating citizens. However, Kazakhstan, Uzbekistan, and Tajikistan together repatriated more than 756 nationals with links to ISIS, most of them women and children. Foreign ISIS suspects arrested in Syria, notably French ones, were transferred to Iraq despite torture, flawed trials and death penalty. The UN special rapporteur on extrajudicial executions rebuked France (<https://www.reuters.com/article/us-france-jihadists-un/u-n-expert-chides-france-over-jihadist-captives-in-iraq-idUSKCN1V21WE>) for its alleged involvement in the transfers of its nationals sentenced to death in Iraq.

Displacement Crisis

Military operations have displaced more than 600,000 individuals in Idlib and Hama and at least 180,000 individuals in northeast Syria, according to UN OCHA.

The Turkish-Syrian border remained sealed and Turkish border guards routinely pushed back asylum seekers, including with live ammunition, killing dozens since January 2019, according to the Syrian Observatory of Human Rights.

Around 18,000 individuals left al-Rukban camp near the Syrian-Jordanian border for government-held areas. Humanitarian aid restrictions imposed by the government and Jordan’s refusal to allow Rukban residents to seek asylum in Jordan or provide cross-border aid meant that camp residents faced serious risk of starvation and disease, as well as threat of attack. Those who returned to government-held areas ended up in displacement centers. While the UN and Syrian Arab Red Crescent provided services at these displacement camps and at the crossing points, reports surfaced of detentions and ill-treatment of evacuees who returned to government-held areas.

Syrian refugees in neighboring countries faced pressure from host countries to return to Syria, despite serious safety concerns and lack of transparency around conditions in areas held by the government. UNHCR records indicate that more than 40,000 refugees had returned as of June 2019.

In Turkey, more than 3.6 million Syrian refugees, including half-a-million in Istanbul alone, received temporary protection. In 2019, however, Turkish authorities detained and forcibly returned many Syrians after making them sign “voluntary return” forms.

Many ended up in Idlib and areas under the control of Hay'et Tahrir al-Sham, where they were either arrested by that group or caught in the Syrian-Russian military offensive.

Turkey also proposed the creation of a buffer zone in northeast Syria, where it intends to move at least 1 million Syrians currently in Turkey. If such a zone is created, it would not necessarily guarantee the protection of civilians, and would include a number of human rights concerns.

Lebanon, which hosts around 1.5 million Syrian refugees, relentlessly promoted returns and took active steps to curb the inflow of refugees starting in April. General Security, the agency responsible for the country's border control, said it deported 2,731 Syrians between May 21 and August 28, 2019, following its May 13 decision to deport all Syrians who entered Lebanon irregularly after April 24, and directly handed them to the Syrian authorities (<https://www.hrw.org/news/2019/09/02/syrians-deported-lebanon-arrested-home>). At least three of those deported were detained by Syrian authorities upon their return.

UN Security Council and General Assembly

In response to attacks by the Syrian-Russian military alliance on health and other humanitarian facilities in Idlib and northern Hama, and pressure from UN member states and human rights groups, UN Secretary-General Antonio Guterres launched an investigation into hospital attacks in Syria. At time of writing, he had not committed to making the findings public.

On August 7, the United Nations Security Council held its first briefing on the issue of those detained and missing in Syria.

On September 19, Russia cast its 13th veto (<https://www.reuters.com/article/us-syria-security-un/russia-casts-13th-veto-of-un-security-council-action-during-syrian-war-idUSKBN1W42CJ>) to block a Security Council resolution demanding a truce in northwest Syria because it did not include exemption for military offensives against groups Russia and Syria consider to be terrorist organizations.

The International Impartial and Independent Mechanism (IIIM), an evidence-gathering body established by the UN General Assembly in December 2016, continued to gather and preserve evidence for future criminal prosecutions.

Key International Actors

Despite the appointment of a new UN special envoy to Syria, Geir Pederson, UN-led political negotiations remained at a virtual standstill.

Russia, Turkey, and Iran continue to wield influence in Syria, with Russia spear-heading efforts to politically legitimize the Syrian government, and encourage the return of refugees and the provision of funding for reconstruction. April saw the collapse Russian-Turkish agreement that had established a ceasefire in Idlib in September 2018.

The United States conducted airstrikes against ISIS in northeast Syria, as part of the US-led coalition, and provided financial and logistical support to the Syrian Democratic Forces. On October 6, US President Donald Trump abruptly announced the withdrawal of US troops from northern Syria, paving the way for Turkey’s military push against Kurdish-led forces.

The US-led coalition struck in August what it claimed was an al-Qaeda entity in Idlib. On October 27, a US military operation in Idlib resulted in the death of Abu Bakr al-Baghdadi, ISIS’ leader. Israel also reportedly conducted several air strikes on government-held areas in January and August.

The European Union hosted its third Brussels conference on Syria in March, focusing on the return of refugees and reconstruction. In September 2019, there were reports that Hungary planned to upgrade its diplomatic ties with Syria, breaking European consensus. Both the EU and the US renewed and expanded sanctions on the Syrian government.

Following years of preparation, the Syrian Constitutional Committee met on October 30 under the auspices of the United Nations in Geneva, Switzerland. The committee consists of 150 delegates tasked with reforming the country’s constitution.

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Annual report on the human rights situation in 2019

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