

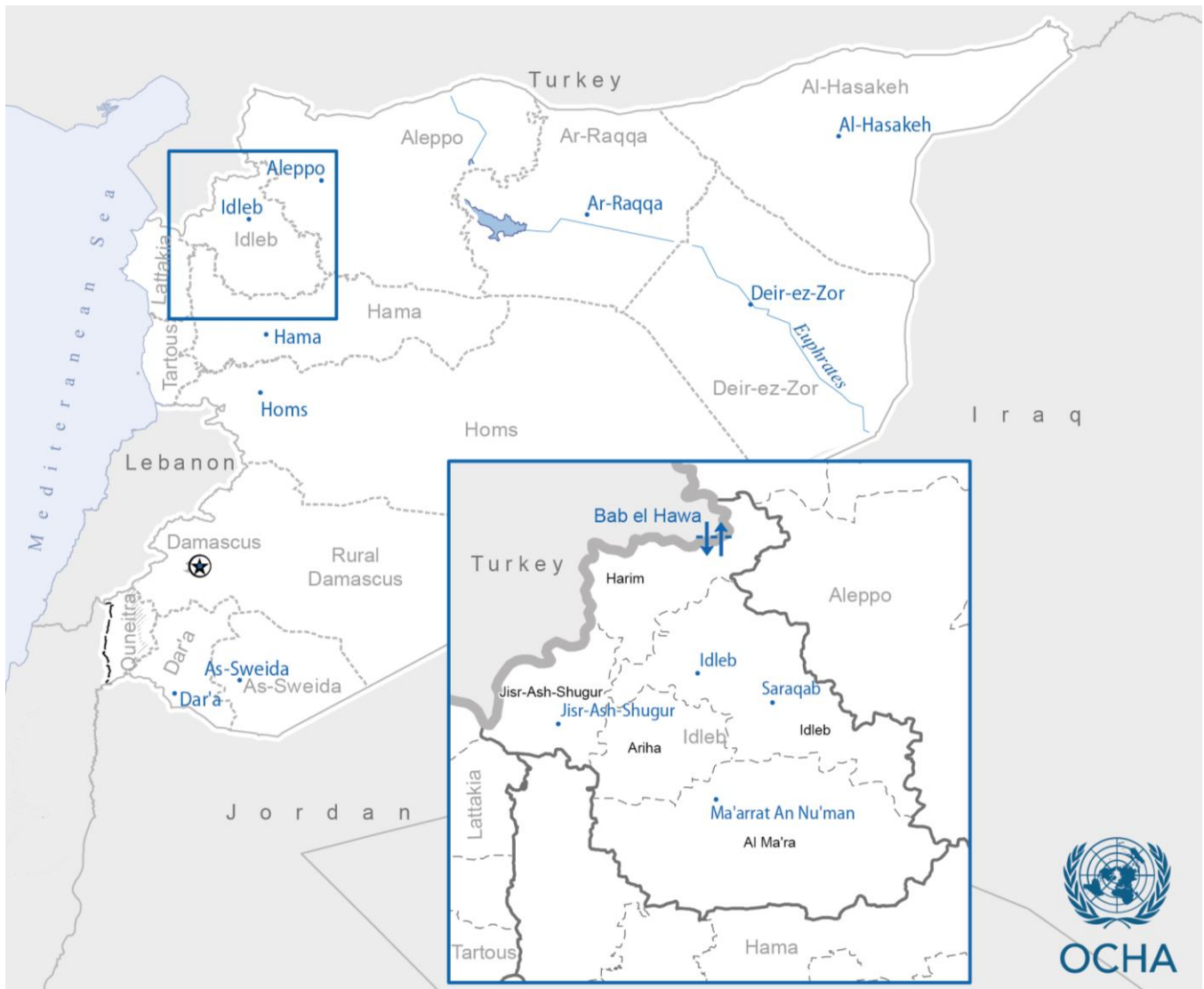
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MONTHLY HUMAN RIGHTS DIGEST

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- Overall levels of violence affecting the well-being of civilians in the majority of areas covered by the 4 May 2017 "Memorandum on the Creation of De-escalation Areas in the Syrian Arab Republic" continue to remain low compared to earlier in the year. However, hostilities elsewhere, including in Raqqa and Deir-ez-Zor, have had a significant impact on civilians. In Idleb Governorate OHCHR is concerned about the situation of civilians and their ability to enjoy their human rights due to ongoing hostilities. This is further exacerbated by Hay'at Tahrir Al-Sham's emergence as the dominant force in the Governorate and its ongoing efforts to control key institution such as local councils and civilian infrastructure, such as the water directorate. Furthermore, the explicit exclusion of Hay'at Tahrir Al-Sham in de-escalation or ceasefire agreements suggest that a military campaign aimed at destroying the group is highly likely. As with the battle against ISIL, efforts to defeat HTS may negatively affect the situation of civilians.



This Monthly Human Rights Digest on Syria has been prepared by the Office of the United Nations High Commissioner for Human Rights based on information collected by the Office along with contributions from other agencies. It is intended to serve as an overview of some current and possible future human rights concerns in Syria, as well as provide humanitarians with a brief outline of relevant international human rights and humanitarian law provisions relating to the alleged violations. The Digest does not seek to highlight all human rights violations and abuses committed in Syria during the last month, nor list all documented cases of a particular type. Rather, OHCHR focuses every month on a few key areas which are of particular concern as the situation develops, based on data which has been analysed and cross-checked. Only information which is deemed credible is included. Separately, OHCHR provides input on past developments for the monthly report of the Secretary-General to the Security Council. OHCHR would like to thank OCHA for its support with the graphics and map compilation for the Digest.

IDLEB GOVERNORATE

Since the beginning of 2017, tensions between the armed opposition groups in Idlib Governorate - particularly between the dominant factions Hay'at Tahrir Al-Sham (HTS – primarily made up of ex-Jabhat Al-Nusra fighters) and Ahrar Al-Sham - have gradually increased. These tensions reached a peak in July with violent armed clashes between the two groups in which numerous civilians were reportedly killed and injured. During the clashes, HTS took over key strategic positions throughout Idlib, including border crossings and checkpoints on key routes, enabling it to gain overall control of the Governorate. The group also sought to increase its control of Idlib's civilian administration. On 28 August, HTS fighters raided the premises of the Idlib local council and confiscated equipment and documents. It then attempted to impose a list of individuals to run the council and forcibly seized both of the water and transport directorates.

HTS continues to struggle to gain support from other armed actors on the ground as well as from the local population. Two important factions recently defected from the group: Nour Al-Din Al-Zinki with some reported 8,000 fighters on 20 July, and more recently Jaysh Al-Ahrar on 13 September. In addition, two prominent Saudi clerics who played a pivotal role in establishing HTS resigned on 12 September citing disagreements over recent positions taken by the group, particularly with regard to its fighting with Ahrar Al-Sham.

Moreover, reports have been received of a number of apparent targeted assassinations of Hay'at Tahrir

Al-Sham leaders by unknown assailants. The head of the group's "NGO Affairs Office" - which coordinates the role of local NGOs operating in areas under its control - was killed on 5 August in Ariha, and a prominent Saudi religious leader was killed in Saraqab on 13 September.

Political Dynamics

To date there appears to be no clarity on the process of establishing a permanent de-escalation of violence in Idlib Governorate as a whole - in large part due to the dominance of Hay'at Tahrir Al-Sham over which there is currently little external influence by international actors involved in negotiating de-escalation areas.

The latest such attempt was discussed during the sixth round of Astana talks held between 14 and 15 September. Following the talks, the "Guarantors" of the ceasefire areas (Russia, Turkey, and Iran) announced the creation of de-escalation areas in Eastern Ghouta; in certain parts in the north of Homs Governorate; in Idlib Governorate and "certain" parts of the neighbouring Governorates of Latakia, Hama, and Aleppo; and areas of southern Syria. Given that many such areas have witnessed a decrease in airstrikes by pro-Government forces¹ on armed opposition groups following the announcement of the 4 May Memorandum, it is possible that this latest announcement concerns the stated deployment of "de-escalation control forces" belonging to the guarantor states in or around lines

¹ "Pro-Government forces," unless otherwise specified, includes forces of the governments of the Syrian Arab Republic, the Russian Federation, and Iran, as well as Hezbollah and other foreign and domestic allied militias fighting in support of the Government.

of control between armed opposition groups and pro-Government forces.

The announcement re-emphasised the Guarantors' determination to continue their fight against ISIL and Hay'at Tahrir Al-Sham along with other affiliated groups. On its side, HTS reportedly rejected the agreement and the deployment of foreign troops on Syrian territory.

On 6 September, the "Syrian Interim Government" launched an initiative aimed at creating a unified army throughout opposition-held areas of Syria. To date, about 40 groups have signed up to the initiative, including two of the most powerful: Ahrar Al-Sham and Jaish Al-Islam. This is seen as a renewed attempt to unite various armed opposition groups, attract renewed international backing, and likely create a viable force able to challenge HTS's dominance. It is possible that such an "army" could be used as the driving ground force deployed against Hay'at Tahrir Al-Sham.

HTS has reportedly made some attempts to diffuse tensions, showing its apparent willingness to cooperate with other armed opposition groups and address popular discontent. On 26 August, it called for a first meeting with representatives of other armed opposition groups including those operating under the Free Syrian Army (FSA) banner, as well as representatives from the "Syrian Interim Government". Issues reportedly discussed included the creation of new local councils as well as the monitoring of humanitarian NGOs operating in Idlib. On 30 August, Hay'at Tahrir Al-Sham organised another meeting during which it reportedly

expressed its readiness to dissolve itself to be represented by unified political and military bodies.

Effects on the Local Population

The fighting between armed opposition groups and the emergence of Hay'at Tahrir Al-Sham as the dominant force in Idlib Governorate has impacted the already severely weakened security situation in Idlib. IOM estimated that approximately 2 million individuals including some 89,000 internally displaced persons are currently located in the Governorate. Criminal activity has been on the rise with almost daily reports of assaults, killings, and lootings, including targeting of humanitarian organisations. On 12 August, seven White Helmet volunteers were killed by unidentified gunmen in the White Helmet centre of Sarmin. In areas such as Saraqab or Ma'arrat An-Nu'man, security checkpoints were either abandoned or manned by HTS fighters with little knowledge of the local area or population. In addition, reports of VBIED or IEDs explosions continue to be received, putting civilian lives at risk. The latest VBIED explosion took place in Idlib city on 6 September near a stadium and reportedly killed nine civilians and injured no less than 15 others.

OHCHR is also concerned that the takeover by Hay'at Tahrir Al-Sham of border crossings and entry points to the Governorate, may affect the delivery of humanitarian assistance should a military campaign be launched against it.

An already vulnerable population has therefore been further affected with many attempting to leave either across dangerous frontlines towards areas

under the control of pro-Government forces, or attempting to cross the heavily controlled border with Turkey. Reports have been received of people including women and children attempting to illegally enter Turkey being detained, shot at and in some cases killed.

Human Rights Abuses by Hay'at Tahrir Al-Sham

When non-state actors assume government-like functions and control over a territory, they are then expected to respect human rights norms when their conduct affects the human rights of the individuals under their control. In the case of Hay'at Tahrir Al-Sham, it has increasingly gained control over the Governorate through the military takeover of strategic locations such as border crossings, as well as key institutions and infrastructure. Such control, or attempts to control key infrastructure, along with the running of law enforcement structures including courts is directly impacting the human rights of civilians in Idlib including the denial of **their right to life, liberty and security of person, freedoms of expression, association, and assembly; and the right to be free from torture and cruel, inhuman, and degrading treatment**

In September, OHCHR received reports that an 18-year-old man in Kafruma town, south of Idlib, convicted for blasphemy was sentenced to death by a Hay'at Tahrir Al-Sham-run court in Ma'arrat An Nu'man. Following a number of protests in Ma'arrat An Nu'man and Kafr Nobol, the execution was halted and sentence reduced to eight months' incarceration. OHCHR received reports that during

his time in custody he may have been subjected to cruel treatment and possibly torture.

On 22 August, Hay'at Tahrir Al-Sham conducted a public execution of two male civilians in Kafr Nobol - they were accused of killing a man in Ma'arrat An-Nu'man and stealing his vehicle in July. A video circulated showing the two civilians being shot in the head in a public square.

On 18 September, another public execution was carried out by Hay'at Tahrir Al-Sham in Sarmin of three individuals convicted by a HTS-run court for the alleged killing of the seven White Helmet volunteers in August.

Freedoms of Expression, Assembly, and Association

OHCHR continues to receive reports of measures being taken to assert control over, and in some cases prevent NGOs involved in humanitarian work from operating. Such measures reportedly included direct interference in programming, attempts to intervene in recruitment, as well as procurement by asking NGOs to favour certain suppliers. The interference has also allegedly included restricting movement of goods and personnel by diverting aid convoys to different areas or groups and on occasion requesting a percentage of the goods or money in exchange of access. In addition, Hay'at Tahrir Al-Sham has also reportedly intervened on substantive issues related to the content of programmes and sometimes prohibiting certain activities from taking place, particularly those on women's rights and SGBV issues. OHCHR has

received reports of the threat and use of violence by HTS fighters against NGOs personnel and facilities including the seizure of property, and closure of offices due to the mixing of the sexes. Some NGOs have been accused of spying and providing information to other parties to the conflict. Such repressive measures often go under-reported out of fear of reprisals. Such actions by HTS are undoubtedly having a severe impact both on the delivery of aid as well as all other activities conducted by NGOs aimed at providing assistance to the local population.

Hay'at Tahrir Al-Sham also continues to use force against peaceful protesters. On 19 July, HTS fighters opened fire at protesters in Saraqab, reportedly killing a journalist and injuring several protesters. On 20 July, a second protest took place in Saraqab during which the group's fighters opened fire on protesters with no reports of civilian casualties. On 8 June, HTS fighters shot at protesters in Ma'arrat An Nu'man, reportedly injuring two civilians (see Monthly Digest June 2017). On 9 September, a protest was organized in Darkosh city, west of Idleb, during which HTS fighters reportedly fired at protesters with no reports of civilian casualties.

OHCHR also continues to receive reports of activists and journalists and their families being subjected to harassment and intimidation by Hay'at Tahrir Al-Sham and other armed opposition groups. On 20 July, a journalist covering the infighting between HTS and Ahrar Al-Sham was abducted in Salqin by HTS fighters and released a few days later. On 21 July, HTS fighters abducted another journalist covering the same events in Idleb city and released him a few weeks later. A group of media activists

issued a statement on 21 July calling on Hay'at Tahrir Al-Sham to uphold the freedom of expression and to refrain from harassing journalists. On 14 August, another journalist was reportedly abducted by HTS fighters in Idleb city, and his whereabouts remain unknown.

[Looking Forward](#)

Failing any credible steps by Hay'at Tahrir Al-Sham to disband itself and hand over control of areas it controls to groups signed up to the de-escalation areas increasingly being implemented by Russia, Turkey, and Iran, it is likely that a concerted effort to destroy the group through military means will be undertaken. In a situation where approximately 2 million persons are located in an area with a deteriorating humanitarian situation, any increase in military operations will undoubtedly have a significant detrimental impact on all people in Idleb Governorate. During the most recent round of fighting HTS attacked pro-Government forces to the south of areas under its control in northern Hama Governorate on 19 September. Pro-Government forces responded with overwhelming force. In the first three days of the counter attack - 19 to 21 September - at least 19 civilians were reportedly killed, including women and children. Four medical units and two schools were also allegedly damaged. Three of the medical units hit were reportedly placed out of service. Such an overwhelming response falls into the same pattern as previous operations launched against areas in which Hay'at Tahrir Al-Sham has been declared to be the primary target. Key civilian infrastructures including those enjoying special protections such as medical units have been reported as being damaged or destroyed.

OHCHR has repeatedly stressed its concern that in the fight against ISIL, civilians are paying an unacceptable price and should not be sacrificed for the sake of rapid military victories. This same concern relates to military efforts aimed at defeating Hay'at Tahrir Al-Sham. Given the likely defeat of ISIL in the near future, there is a high risk that immense firepower will soon be directed against Hay'at Tahrir Al-Sham. This must not be done at the expense of civilians, as they are the primary victims of the radical and repressive measures imposed by such groups.

For more information on the topics raised or for any further information concerning the human rights situation in Syria, please contact Matthias Behnke, OHCHR Syria Coordinator, at mbehnke@ohchr.org.