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227,413 Syrian Civilians Documented Killed, Including 14,506 by Torture, with 149,361 Detained/ Forcibly Disappeared, and 13 Million Others Displaced

A Decade of Continuous Violations and a Failure to Achieve a Political Transition Towards Democracy and Human Rights

Monday 15 March 2021

SNER SYRIAN NETWORK FOR HUMAN RIGHTS الشبكة السورية لحقوق البنسان

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### I. Introduction:

The arrival of March 2021 brings the tenth anniversary of the start of the popular uprising in Syria, when the Syrian people rose up to demand freedom and to reclaim their long-withheld dignity, which was crushed under the Syrian regime's brutal security services. These calls for freedom and dignity were political slogans, as well as demands for the fundamental human rights which are the right of all peoples, including freedom of opinion, expression and peaceful protest. For the Syrian regime, however, these slogans and demands constituted a crisis, since it has maintained power primarily through coercion and force via its vast state security apparatus; thus, the regime's first instinct was to confront and crush the protests using the same state security apparatus. These security services follow the orders of the Syrian regime, as do the army institution also subsequently drafted in by the regime, underlining that the regime chose to counter the peaceful protests from the first moments with brutal repression, directing its security services to inflict horrendous levels of violence against unarmed protesters that included shooting live bullets, killings and arrests which are more like kidnappings, since they are carried out without any judicial warrant, and without the victim knowing which state organ was responsible for the arrest, with the detainees prevented from communicating with their families or appointing lawyers. The same procedures have been followed in the vast majority of arrests/ kidnappings carried out by the security services ever since. The Syrian regime deliberately chose a policy of brutal violence against the protesters from the first days of the protests as a way to terrorize the rest of Syrian society into submission and to deter those in other areas from joining the popular uprising against it, wanting to crush the uprising as fast as possible.

This brutal violence against the demonstrators in Damascus and Daraa undoubtedly contributed to creating a state of terror and fear for many citizens, but, conversely, also motivated many others,

including those in other areas, to join the popular uprising against a regime that would so easily kill its citizens, even in front of mobile and camera lenses; thus, the uprising expanded to include other governorates, with the regime continuing to commit violations, killings and arbitrary arrests in parallel with the growth of the popular uprising, which led protesters a few weeks later to increase the level of their initial calls for freedom and dignity to demanding the fall of the regime.

According to the Syrian Network for Human Rights (SNHR) database, at least 277 civilians were killed, and 1,437 others were arrested, between March 15, 2011, and April 15, 2011 (the day of the Great Friday protests).

By the end of 2011, the Syrian regime had killed at least 11,667 civilians, including 1,471 children, 602 women, and 988 who died due to torture, in addition to detaining or forcibly disappearing at least 20,123 persons. Up until the end of 2011, the popular uprising had not yet turned into an internal armed conflict, nor had other parties emerged, but the failure of the UN Security Council and the international community to protect civilians over all these months, acted as a green light for the Syrian regime to continue committing a vast range of violations at such a rate that they amounted to crimes against humanity according to the report of the UN High Commissioner for Human Rights in September 2011, and the first report of the Independent International Commission of Inquiry on November 23, 2011. The Syrian regime realized early on that the international community and the liberal democratic states had no desire to put real pressure on it to stop these violations, hold it accountable for them, and initiate any serious process towards a political transition from a brutal security regime towards a democratic system that respects the principles of human rights.

On this tenth anniversary of the start of the popular uprising for democracy, the Syrian Network for Human Rights has issued its <u>annual report</u> to commemorate this occasion, outlining some key points and events, as well as updating our record of the most notable human rights violations that we have documented on our database to show the terrible extent of the human and material losses suffered by the Syrian people solely because they demanded that their nation move forward from being a hereditary authoritarian dictatorship to being a modern, democratic, pluralistic country.

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Fadel Abdul Ghany, Director of the Syrian Network for Human Rights, says:

The popular uprising against the Syrian regime is the only way to achieve a political transition in Syria. Under the regime's brutal security services, the lack of freedom of opinion and the press, and the executive power's encroachment upon the judicial and legislative powers, no one would dare to stand as a serious candidate for leadership in competition with Bashar al Assad, and if that happened, no one would dare to elect him/her, with the al Ba'ath Party being no more than a bogus façade that will not nominate anyone else from among its members which it claims number in the millions. In this situation, the Assad family, which has ruled Syria completely and autocratically since 1970, will remain in power and will continue to treat Syria's leadership as a hereditary 'right', ruling through oppressive authoritarian tyranny via an extensive network of economic mafias associated with the regime. The popular uprising is the only way to break the Assad family's monopoly and achieve a long-denied shift towards democracy.

## II. The Geneva and Astana Process and the Failure to Achieve Any Step Towards a Political Transition over a Period of Ten Years:

Three major political processes emerged during the past ten years, and while all went through many stages, none of them reached even the threshold of negotiations, or achieved any serious progress towards forming a transitional governing body and beginning along the road to political transition and transitional justice. These three processes are:

The Arab League initiative, the Geneva initiative, the Astana/ Sochi initiative.

Between March 2011 and September 2011, the Syrian regime killed 8,637 civilians, and arrested/ disappeared 17,546 others.

In addition, between March 2011 and February 12, 2012, the regime killed 13,923 civilians, and arrested/ disappeared 23,526 others.

### A. The Arab League Initiative:

The Arab League made no move until after the Syrian regime used the army with its heavy equipment, such as tanks, to storm cities in order to suppress and terrorize protesters, with the <u>first Arab initiative</u> being announced in September 2011, six months after the beginning of the popular uprising; thereafter, the Arab League worked to create mechanisms to implement this initiative, establishing a ministerial committee in October 2011, but the Syrian regime did not respond seriously to it. The Arab League also decided to send an observer mission, appointing Mr. Muhammad al Dabi in December 2011 as head of the Arab League Observer Mission (consisting of 150-200 observers) to Syria, to find a solution to the Syrian crisis and to provide protection for Syrian citizens. The Arab League presented a second Arab initiative in January 2012 at a meeting of the Council of Arab Foreign Ministers, but with the Syrian regime ignoring the initiative and its provisions, continuing to practice brutal violence, the absence of effective deterrence mechanisms, and the failure of the Arab Observer Mission to reduce the intensity of violence, Mr. al Dabi submitted his resignation to the League of Arab States on February 12, 2012, bringing the Arab League's initiative to an end.

### B. The Geneva Initiative:

Four UN envoys have successively endeavored to resolve the Syrian catastrophe, listed here in chronological order:

### February 23, 2012-August 31, 2012



During Mr. Kofi Annan's term as envoy, between February 23, 2012, and August 31, 2012, the Syrian regime killed at least 29,377 civilians, including 2,351 children, and arrested/ disappeared 10,082 others.

### Kofi Annan:

On February 23, 2012, the former United Nations Secretary-General, Kofi Annan, was appointed as Joint Special Envoy of the United Nations and League of Arab States on Syria, under United Nations General Assembly Resolution 66/253 of February 16, 2012.

The UN Security Council approved a presidential <u>statement</u> on March 21, 2012, welcoming the appointment of Kofi Annan the Special Envoy on the Syrian crisis, and supporting <u>the six-point proposal</u> submitted to the Syrian government, which was, in essence, based on the Arab League initiative that we referred to earlier.

The Syrian Network for Human Rights team documented the Syrian regime's violations

of all the points included in the Kofi Annan plan over a period of consecutive days, issuing daily reports on it. Moreover, we noted that the Syrian regime escalated the level and scale of its violence, and committed violations of a sectarian nature, including massacres in which its forces used bladed weapons and slaughtered women and children in a clear message to both the Syrian and international community that it would refuse to undertake any political transition. On August 2, 2012, Kofi Annan announced his resignation and his intention not to renew his mandate on the 31st of the same month, expressing his regret that his mission did not receive sufficient support due to the split within the UN Security Council.

#### August 31, 2012 - May 31, 201



### Lakhdar Brahimi:

On August 31, 2012, diplomat Lakhdar Brahimi assumed the duties of the UN Envoy to Syria, and headed two of the Geneva rounds (the first and second). During his term, no progress was made, and the Syrian regime continued to commit violations. On May 13, 2014, Mr. Brahimi announced his resignation as of the end of the same month, expressing his regret at his inability to formulate a coherent international response to the world's worst humanitarian crisis.

During Mr. Lakhdar Brahimi's term as envoy, between August 31, 2012, and May 31, 2014, the Syrian regime killed at least 94,976 civilians, including 8,126 children, and arrested/ disappeared 40,247 others.

#### July 10, 2014 - October 17, 2018



### Staffan de Mistura:

The United Nations appointed the Swedish diplomat, Staffan de Mistura, as UN Envoy to Syria, on July 10, 2014, and he subsequently headed seven of the Geneva rounds (as of the third round). During this period, like his predecessors, he also made no significant progress; indeed, the political process was actually reversed from a transitional governing body to starting with a constitutional committee and negotiations to write a constitution. In his briefing to the Security Council on October 17, 2018, he announced his resignation, declaring that he would relinquish his position as a special envoy in the last week of the following November.

During Mr. Staffan de Mistura's term as envoy, the Syrian regime killed at least 45,278 civilians, including 5,461 children, and arrested/ disappeared 47,268 others.

### November 30, 2018 to date



### Geir O. Pedersen:

The Secretary-General of the United Nations, <u>António Guterres</u>, <u>appointed</u> the Norwegian diplomat Geir O. Pedersen as his Special Envoy to Syria on November 30, 2018; to date, he has moderated five sessions of the Constitutional Committee, announcing during the last round that no progress had been made so far. Mr. Pedersen is still serving as the UN envoy up to the time of issuing this report.

Since Mr. Geir O. Pedersen's period in office, the Syrian regime has killed at least 2,008 civilians, including 489 children, and arrested/ disappeared 5.132 others.

### The following is a brief overview of the Geneva initiative rounds:

### Geneva I

The first round was held on June 30, 2012, with its final statement emphasizing the necessity to implement the Kofi Annan plan and stop the "militarization of the crisis."

### Geneva II

The talks, which began on January 22, 2014, were held over two rounds supervised by Lakhdar Brahimi, aiming to achieve the outcome proposed in the final statement of Geneva I.

### Geneva III

The <u>talks began</u> on January 29, 2016, and included 4 rounds that lasted for five months.

### Geneva IV

On February 23, 2017, the fourth round of the negotiations began under the auspices of the United Nations; the UN Envoy, Staffan de Mistura, said at its conclusion: "It is now clear to everyone and that is beyond dispute that we are here to implement **UN Security Council resolution** 2254. I believe, therefore, and expect that the sides should now pursue a framework agreement with an agreed political package so a transition can be implemented in line with 2254 – we're here to talk about that." He emphasized that a clear agenda had been reached comprising three issues arising from the United Nations resolution, namely: inclusive and non-sectarian governance, a new constitution and elections. A fourth term was added at the request of the Syrian regime delegation, namely counter-terrorism.

### Geneva V

This was launched on March 23, 2017, and lasted eight days. At its conclusion, Mr. de Mistura said: "No one can deny and I cannot deny that there serious challenges and I'm not seeing immediately this developing into a peace agreement, no doubt about that [...] In any negotiations there are certain issues that need to be prepared and discussed before the real peace negotiation starts. We are not yet there."

### Geneva VI

This was <u>launched</u> on May 16, 2017, with the UN Envoy, Staffan de Mistura, <u>proposing</u> the establishment of a consultative mechanism on legal and constitutional issues, which was not accepted by the participating parties.

### Geneva VII

The work of the seventh round began on July 10, 2017, and the UN Envoy, Staffan de Mistura, said that the Syrian opposition should unite its delegations to hold new rounds of negotiations.

### Geneva VIII

The sessions in this round of talks began on November 28, 2017, with one of the main goals of this round being to get the still-warring parties to consider a new constitution for the country. At its conclusion, Mr. de Mistura acknowledged that this round of discussions with the parties had not seen the progress he would have liked.

### Round IX

This was held at the United Nations headquarters in the Austrian capital Vienna over a period of two days, January 25-26, 2018; the discussions focused on the issue of the constitution, with the UN Envoy stating at its conclusion that he shared the immense frustration of millions of Syrians, inside and outside the country, at the lack of any political settlement to date.

### **Constitutional Committee rounds (five rounds):**

Russia worked hard to organize the Sochi Conference on January 30, 2018, which stipulated in its <u>final statement</u> an agreement "<u>to form a constitutional committee comprising the Government of the Syrian Arab Republic delegation along with wide-represented opposition delegation for drafting of a constitutional reform as a contribution to the political settlement under the UN auspices in accordance with Security Council Resolution 2254."</u>

On September 23, 2019, UN Secretary-General António Guterres <u>announced</u> the formation of the Syrian Constitutional Committee after receiving the approval of the Syrian regime and the Opposition Negotiations Commission, adding that it would begin its meetings within a few weeks.

The following are the rounds of this committee's meetings:

First round

On October 30, 2019, the meetings of the Constitutional Committee Large Body, consisting of 150 members (50 of them from the Syrian government, 50 members representing the opposition and 50 representatives of civil society organizations) were launched at the UN Headquarters in Geneva, supervised by Mr. Geir Pedersen, the UN Special Envoy to Syria.

At the conclusion of this round, on Friday, November 1, 2019, Mr. Pedersen announced an agreement on the formation of the Syrian Constitutional Committee Small Body, consisting of 45 members (15 of each party), which held its first session of meetings on the fourth of the same month.

second round

This was launched on November 25, 2019, and no agreement was reached on the agenda of the Constitutional Committee, which prevented the convening of a meeting of the Small Body of 45 tasked with drafting the new constitution, according to Mr. Pedersen's <u>statement</u> at its conclusion.

third round

On August 27, 2020, the meetings of the Constitutional Committee, which had been suspended on the original date set, the 24th of the same month, after members of the Constitutional Committee tested positive for COVID-19, resumed in Geneva. We note that this round of meetings was the first to be held after a nine-month break. At the conclusion of this round, the UN Envoy, Geir Pedersen, stated that the hoped-for trust-building gestures from the Syrian Government and the opposition, including progress on the release of abductees and detainees, had been elusive.

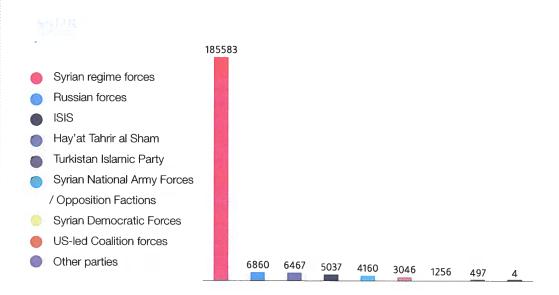
he fourth round

This <u>was launched</u> on November 30, 2020, and failed to address the issue of the constitution, but Geir Pedersen, the UN Special Envoy to Syria, <u>indicated</u> in the final statement that it was agreed that the constitutional principles would be on the agenda for the next round scheduled to be held at the end of January 2021.

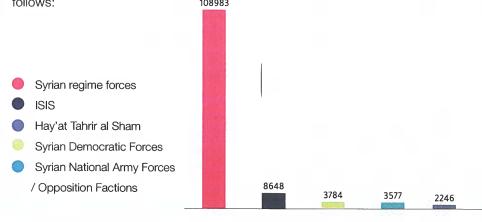
he titth round

This was held between January 25 and 29, 2021, at the United Nations office in Geneva, and ended without any date being set for a new meeting. The UN Special Envoy to Syria, Geir Pederson, described this week of meetings as disappointing, and called on the co-chairs of the committee to work better together to come up with a plan on organizing future meetings.

Since the beginning of the Geneva initiative up until March 2021, at least **212,910** civilian Syrian citizens have been killed in Syria, by all the parties to the conflict, distributed as follows:



Since the beginning of the Geneva initiative up until March 2021, at least **127,238** civilian Syrian citizens have been arrested/ detained in Syria, by all the parties to the conflict, distributed as follows:



### C. The Astana Initiative:

The Astana talks brought together delegations from the Syrian regime on the one hand and the opposition factions on the other hand under the auspices of Russia and Turkey, with Iran joined them later; 15 rounds of these talks have been held over the course of nearly four years in the Kazakh capital of Astana (Nursultan) (except for the tenth round which was held in Sochi. The following are the highlights of some of the rounds. As for the rest of the rounds, they were routine discussions that did not produce anything tangible.

The first round (January 23-24, 2017): during which there was an emphasis on the political solution in Syria, and the delegations of Russia, Turkey and Iran decided to establish a trilateral mechanism to ensure that full compliance with the ceasefire in Syria.

The fourth round (May 4-5, 2017): This resulted in an agreement to establish de-escalation areas with the aim of putting a prompt end to violence, improving the humanitarian situation and creating favorable conditions to advance political settlement. These areas include: (1) the entire Idlib governorate and certain parts of the Latakia, Aleppo and Hama governorate; (2) certain parts of Hama and Homs governorates; (3) certain parts of Daraa and Quneitra governorates; (4) the eastern Ghouta region in Damascus Suburbs.

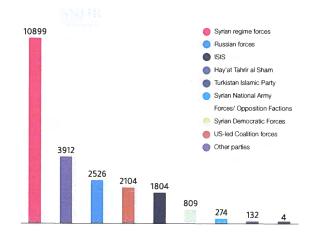
The eighth round (December 21-22, 2017): This round saw the adoption of the Regulation on the Working Group on the mutual release of detainees/abductees by the parties to the conflict. It was also emphasized that the guarantors would support holding the Syrian National Dialogue congress in Sochi in January 2018.

The fifteenth round (February 16-17, 2021): This was held in the presence of Geir O. Pedersen, the UN Special Envoy for Syria, after a break of nearly a year. The statement of the 15th Astana Round emphasized the necessity to maintain calm on the ground by fully implementing all agreements on Idlib, and the importance of the Constitutional Committee's role in preparing and drafting a constitutional reform document, the need to increase humanitarian assistance in Syria, and the need to

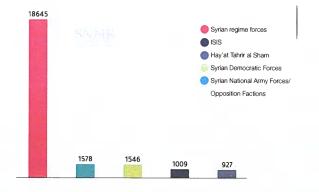
facilitate the safe and voluntary return of refugees and internally displaced persons (IDPs) in Syria. It was decided to hold the 16th International Meeting on Syria in Nursultan in mid-2021.

The Syrian regime and its allies, Iran and Russia, have seized control over the de-escalation areas, leaving only parts of Idlib governorate still outside their control, while the Astana initiative has not succeeded in securing the release of even one detainee, or simply revealing the fate of the missing.

Since the start of the Astana initiative on January 23, 2017, until March 2021, at least 22,464 civilian Syrian citizens have been killed in Syria by all the parties to the conflict, distributed as follows:



Since the start of the Astana initiative on January 23, 2017, until March 2021, at least 23,705 civilian Syrian citizens have been arrested/ disappeared in Syria by all the parties to the conflict, distributed as follows:



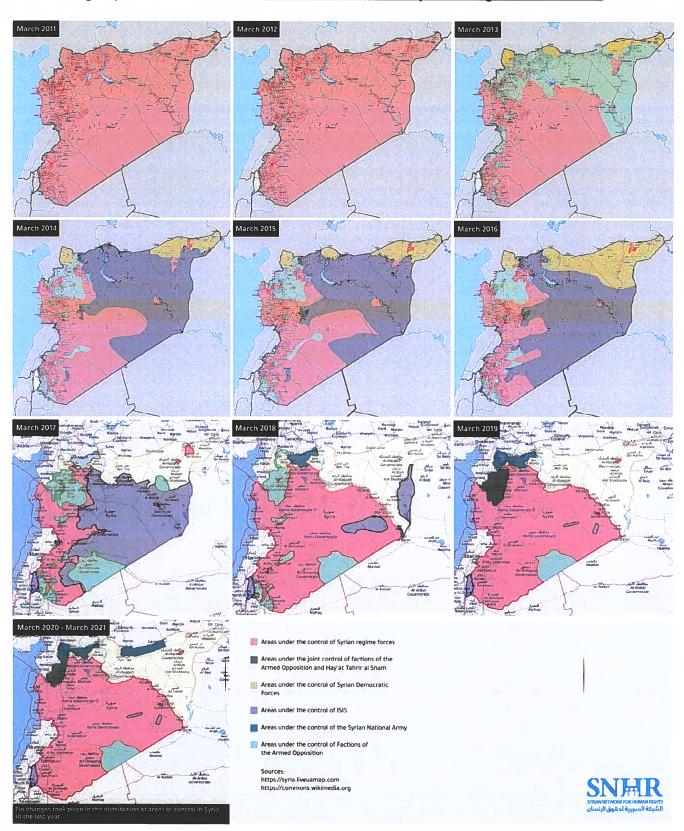
# III. Significant Change in Areas of Control According to Military Developments, with the Air Force Being Primarily Responsible for Killings, Destruction and Displacement:

The locations controlled by the actor parties have varied greatly from year to year, with the Air Forces of different parties playing a pivotal role in every year, with use of this weapon being concentrated firstly in the hands of the Syrian regime, then by the US-led Coalition to Defeat ISIS after September 2014, though the US deployed aerial bombardment in specific areas, followed by Russia after September 2015. According to the Syrian Network for Human Rights' database, the air force and the missiles, bombs and barrel bombs they use in bombardment are the cause of between 70% and 75% of the total killings and destruction, and the resulting displacement.

We note that during the past ten years, there have been continuous calls, UN resolutions and demands for a ceasefire, the establishment of safe/ buffer/ no-fly zones, de-escalation areas, etc., with all of these being unsuccessful in ensuring or maintaining any ceasefire and building upon it in order to move towards a political transition; through our review of the most prominent agreements, we confirmed that the Syrian regime and its Iranian, as well as its Russian ally, have never sought or demonstrated any wish for a serious ceasefire. The main reason behind this is to prevent any party from building a democratic, civilized, institutional state model that appears as a positive alternative to the corrupt dictatorial Syrian regime. It should be emphasized that, in order to achieve this objective, the most prominent bombing operations have targeted vital centers and facilities such as medical and educational facilities and markets, so as to destroy any form of life, and to issue a terrible warning for everyone who wishes to break free of the Syrian regime's control, as well as conveying a message to regime loyalists that their conditions are incomparably better than the conditions of the areas outside the control of the Syrian regime, which are subject to bombing and displacement.

Likewise, the extremist groups generally do not want a cease-fire and a political solution, because they live and expand on chaos, conflict and constant fighting, with these goals converging with those of the Syrian regime.

### The following maps show the locations of control at the end of each year starting from March 2011:



humanitarian assis-

tance in Syria without

state approval, and established a monitoring mechanism for a period of 180 days. in the al Oaida Sanc-

tions List 1267/1989.

## IV. 26 UN Security Council Resolutions and the Security Council's Shameful Failure in Implementing Them:

Russia delayed the issuance of any Security Council resolution until more than a year after the popular uprising first began, with the first resolution issued in April 2012; the Syrian regime has neither complied with nor implemented any of these resolutions to date. The following are examples of the UN Security Council's failures in implementing its resolutions:

Resolution No. 2139 issued in February 2014 warned the parties to take further steps in the event of the Syrian regime continuing to use barrel bombs; despite this, the Syrian regime has continued to use barrel bombs without any deterrence.

Although no resolution was issued under Chapter VII, the resolutions related to the use of chemical weapons stated that in the event of such weapons' repeated use, the Security Council would take measures under Chapter VII; despite this, the Syrian regime has repeatedly used chemical weapons, as confirmed by the Joint Investigative Mechanism (JIM) established by the Security Council under Resolution No. 2235 of August 2015, by the Independent International Commission of Inquiry (COI), and by the Organization for the Prohibition of Chemical Weapons' (OPCW) Investigation and Identification Team (IIT) in its report issued in April 2020. No steps have been taken under Chapter VII against the Syrian regime in response to these attacks.

Political transition resolutions (Resolution 2118 of September 2013 and Resolution 2254 of December 2015); no serious step towards a political transition has been achieved since the Geneva Communiqué/ 2012, with Syria currently on the verge of new presidential elections in which Bashar al Assad will nominate himself and win by a massive majority.

The following is a chart of the most notable resolutions issued by the Security Council related to the internal armed conflict in Syria, with keywords about them:

#### April 14, 2012 April 21, 2012 July 20, 2012 September 27, 2013 February 22, 2014 Resolution 2042 Resolution 2043 Resolution 2118 Resolution 2059 Resolution 2139 This resolution, which This resolution This resolution This resolution es-This resolution was issued to ensure called for allowing authorized the tablished the United extended the manthe verification and humanitarian aid deployment of 30 date of the United **Nations Supervision** destruction of Syria's unarmed military **Nations Supervision** to arrive in Syria Mission in Syria. observers. stockpile of chemical Mission for 30 days. across conflict lines. weapons, called for stopping the use holding the second of barrel bombs Geneva peace talks, and releasing all and supported the arbitrarily detained establishment of a persons, expressing transitional governing the intention to take body in Syria with full further steps in the executive powers. case of non-compliance. July 14, 2014 August 15, 2014 September 24, 2014 December 17, 2014 February 12, 2015 Resolution 2165 Resolution 2178 Resolution 2170 Resolution 2191 Resolution 2199 This resolution allowed This resolution con-This resolution ex-This resolution Prosecuting any the United Nations demned the recruitpanded the framerenewed permission financing and humanitarian agencies ment by ISIS and al work for combating for cross-border support for ISIS and their implement-**Nusra Front of foreign** terrorism by imposing humanitarian access and at Nusra ing partners to use terrorist fighters, with obligations on Member until January 10, Front. routes across conflict six individuals listed States to address the 2016. lines and the border belonging to those threat posed by foreign crossings to provide groups being included terrorist fighters

### March 6, 2015

### Resolution 2209

This resolution condemned the use of toxic chemicals such as chlorine, without accusing any specific party.

### August 7, 2015

### Resolution 2235

This resolution established an OP-CW-United Nations Joint Investigative Mechanism to identify responsibility for the use of chemical weapons.

### November 20, 2015

### Resolution 2249

Combating ISIS and preventing terrorist acts committed by the organization and other al Qaida affiliates.

### December 18, 2015

### Resolution 2254 Establishing a

plan according to a specific sequence to achieve the political transition.

### December 22, 2015

### Resolution 2258

This resolution renewed the permission for cross-border aid delivery until January 2017.

### February 26, 2016

### Resolution 2268

This resolution endorsed the cessation of hostilities, and called for the resumption of political talks.

#### October 31, 2016

### Resolution 2314

This resolution extended the mandate of the OPCW-United Nations Joint Investigative Mechanism until November 18, 2016.

### November 17, 2016

### Resolution 2319

Renewing the mandate of the OP-CW-United Nations Joint Investigative Mechanism for an additional year.

### December 19, 2016 Resolution 2328

This resolution requested the United Nations to carry out direct observation on evacuations from Aleppo.

### December 21, 2016

### Resolution 2332

This resolution renewed permission for cross-border aid delivery until January 10, 2018.

### December 31, 2016

### Resolution 2336

This resolution welcomed the efforts of Russia and Turkey to end violence in Syria and jumpstart a political process.

### December 19, 2017

### Resolution 2393

This resolution renewed permission for the delivery of aid across borders and across lines.

### February 24, 2018

### Resolution 2401

This resolution demanded the cessation of hostilities.

### December 13, 2018

### Resolution 2449

Renewing permission for cross-border humanitarian aid to Syria.

### January 10, 2020

### Resolution 2504

This resolution renewed permission to provide cross-border humanitarian aid to Syria through two border crossings (Bab al Salam and Bab al Hawa) for a period of six months.

### July 11, 2020

### Resolution 2533

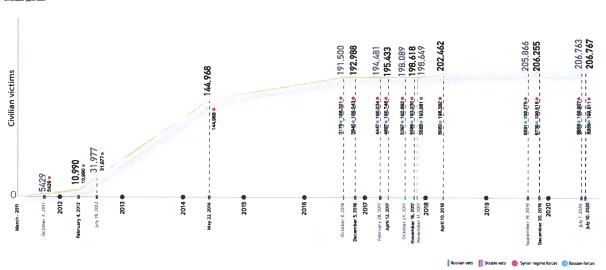
This resolution renewed per mission to provide aid through Bab al Hawa border crossing (Syria / Turkey) until July 10, 2021.

## 16 Vetoes supported the Syrian regime's continued perpetration of more crimes against humanity and war crimes with total impunity:

The Security Council's failure has not been limited to its failure to implement its own resolutions, but extended to allowing the arbitrary uses of the veto by both Russia and China, all of which worked in favor of providing impunity for the Syrian regime, enabling it to escalate the use of violence, including the use of chemical weapons, and to impede the political transition thus far.

The following chart shows the reality of the veto use by Russia and China in the UN Security Council – concerning the situation in Syria – since March 2011, and the civilian death toll of those killed by Syrian-Russian alliance forces between each use of these vetoes; a detailed information on the issue of the flagrant arbitrary use of the veto by Russia and China can be read in our report issued in July 2020.

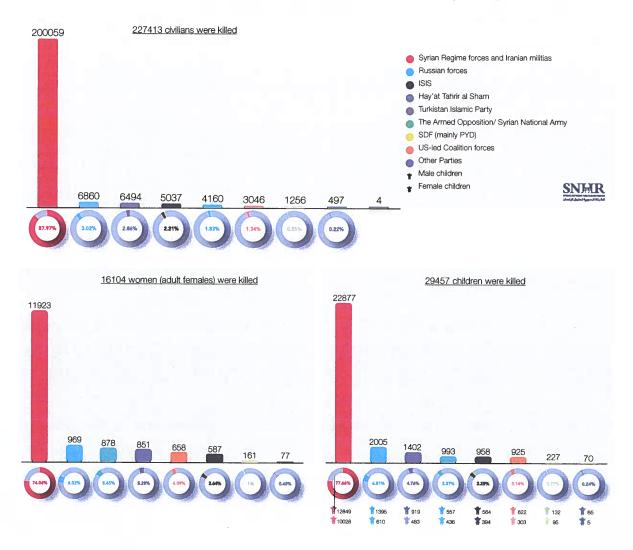




## V. The Record of the Most Notable Violations Committed in Syria in Ten Years:

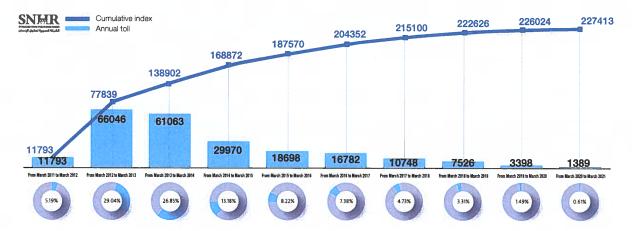
## A. Extrajudicial killing: The deaths of 227,413 civilians, including 29,457 children and 16,104 women, documented:

The Syrian Network for Human Rights (SNHR) documented the deaths of at least 227,413 civilians, including 29,457 children and 16,104 women (adult female) in Syria at the hands of the parties to the conflict and the controlling forces, between March 2011 and March 2021, distributed according to the parties as follows:



It is noticeable that the Syrian regime is the main cause of the vast majority of violations, and is by far the most prolific killer of civilians in Syria, accounting for nearly 88% of the total death toll, followed by the Russian forces who are responsible for nearly 3%, meaning that the Syrian regime/ Iranian militias, and the Russian regime are responsible for nearly 91% of civilians killed over the past ten years.

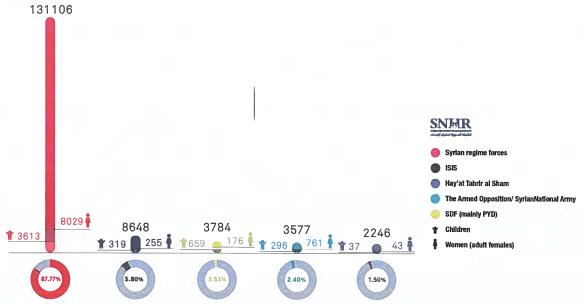
The civilian death toll at the hands of the parties to the conflict and the controlling forces was distributed over the past ten years as follows:



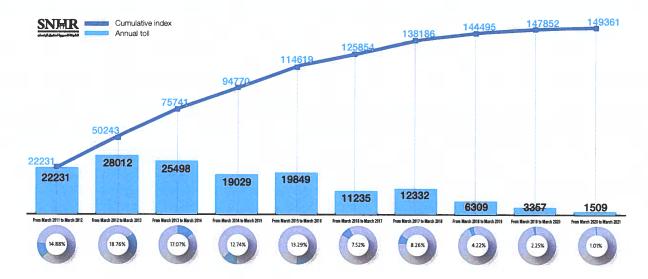
### B. At least 149,361 detainees/ forcibly disappeared persons:

The Syrian regime has practiced arbitrary arrests and enforced disappearances as a weapon of war, suppression and terrorism against the Syrian people calling for political change, as well as against opponents and civilians in a systematic and widespread manner since the first days of the start of the popular uprising for democracy in 2011, with detentions and enforced disappearances also being used by the other parties to the conflict, and continuing to be used in an escalating fashion throughout the subsequent ten years. The documented number of detainees or forcibly disappeared persons has reached nearly 149,000 Syrian citizens, which is a massive number from a population of 23 million prior to the start of the popular uprising in March 2011. We should also emphasize that this figure includes only those cases that the SNHR's team has been able to document according to the rigorous criteria described in our methodology. In most cases, the arrest is similar to kidnapping, as the personnel responsible for the arrest kidnap the victim from his/her location without declaring their identity or showing any judicial warrant is considered akin to a kidnapping; thereafter, the parties responsible for the arrest deny responsibility for it, and the vast majority of these cases turn into enforced disappearances.

The Syrian Network for Human Rights documented at least 149,361 individuals, including 4,924 children and 9,264 women (adult female), who are still arrested or forcibly disappeared in Syria, at the hands of the parties to the conflict and the controlling forces, between March 2011 and March 2021, distributed according to the parties as follows:



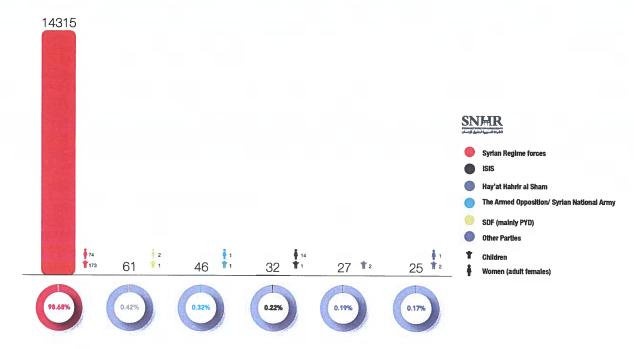
The record of detainees or forcibly disappeared persons at the hands of the parties to the conflict and the controlling forces was distributed over the past ten years as follows:



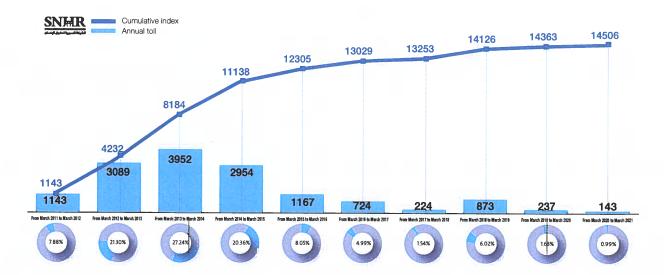
### C. Torture: At least 14,506 individuals documented killed due to torture, including 180 children and 92 women:

For ten years since the outbreak of the popular uprising for democracy in March 2011, torture has been practiced in Syria in a widespread manner; while it is true that all parties to the conflict have practiced the crime of torture in one way or another, the Syrian regime that controls the state's army, security and judiciary services has arrested at least nearly 1.2 million Syrian citizens who have been subjected in one way or another to some form of torture and humiliation, and still detains the largest number of detainees to date. Due to this massive number of detainees, about 85% of whom have been classified as forcibly disappeared, in addition to the presence of four security services that, with their branches, have tens of thousands of employees working for them, with all their branches in all the Syrian governorates controlled by the regime, practicing similar methods of torture and neglect of healthcare. Due to all these factors, the death toll of torture victims at the hands of Syrian regime forces is by far the highest compared to those inflicted by all the other parties to the conflict, with the main cause of death due to torture being neglect of healthcare after contracting diseases, as detainees are left to suffer in agony without treatment until their deaths. In a previous detailed report, SNHR documented the most notable methods of torture used by the regime forces in their detention centers and military hospitals, reaching 72 methods of physical, psychological and sexual torture, with the other parties to the conflict/ the controlling forces also using similar methods of torture that led to deaths of detainees in their custody.

The SNHR documented the deaths due to torture of at least 14,506 individuals, including 180 children and 92 women (adult female), in Syria at the hands of the parties to the conflict and the controlling forces, between March 2011 and March 2021, distributed according to the parties as follows:



The death toll of victims who were killed due to torture was distributed over the past ten years as follows:



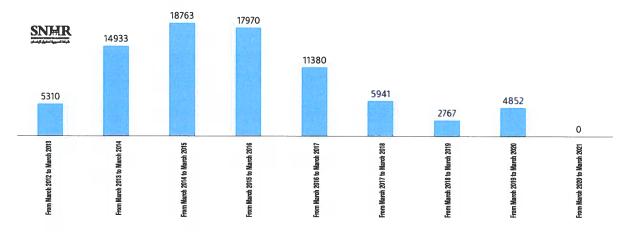
## D. The record of four types of weapons: Barrel bombs, chemical weapons, cluster munitions, and incendiary weapons:

### One: Barrel bombs: At least 81,916 barrel bombs recorded dropped by the Syrian regime on Syria:

Barrel bombs are the least expensive weapon used by the Syrian regime's air force, being characterized by their massively indiscriminate character and enormous destructive power. The Syrian regime has used this weapon in its major military campaigns launched to gain control of new areas. The Syrian Network for Human Rights' database indicates that the first documented use of barrel bombs was on July 18, 2012, in Dael city, Daraa; the most prolific annual record of the use of barrel bombs was documented in the fourth year of the popular uprising (March 2014 - March 2015), followed by the fifth year (March 2015 - March 2016), with SNHR documenting that the Syrian regime used barrel bombs on occasion both as a chemical weapon and as an incendiary weapon.

The SNHR documented that the Syrian regime's helicopters and fixed-wing warplanes have dropped nearly 81,916 barrel bombs since these weapons' first documented use on July 18, 2012, up until March 2021, causing the deaths of 11,087 civilians, including 1,821 children and 1,780 women.

### The record of barrel bombs was distributed by years as follows:

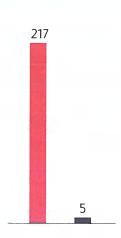


### Two: Chemical weapons: 222 chemical attacks documented:

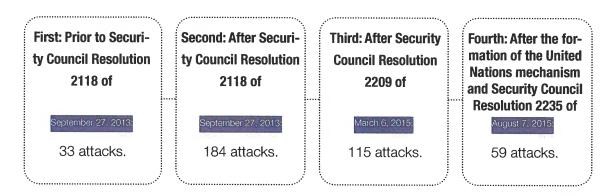
The Syrian regime has used chemical weapons in order to terrorize Syrian society, with most of these attacks carried out against areas controlled by the Syrian opposition factions; despite Russia's pledge following the two Ghoutas attack (on August 21, 2013) that the Syrian regime would hand over its chemical weapons and would refrain from any further use of these munitions, the attacks did not stop, in clear violation of UN Resolutions 2118, 2209 and 2235. The chemical attack launched by Syrian regime forces on al Bayyada neighborhood in Homs city on December 23, 2012, is the first documented attack to be recorded on the SNHR database.

We have documented at least 222 chemical attacks in Syria since December 2012 up until March 2021, distributed according to the perpetrator party as follows:

- Syrian regime forces carried out 217 chemical attacks in various Syrian governorates.
- ISIS carried out five chemical attacks, all in Aleppo governorate.



Syrian regime forces' attacks were distributed according to the Security Council resolutions as follows:



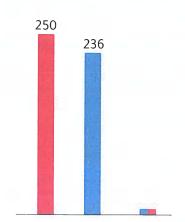
These attacks resulted in the deaths of 1,510 individuals, distributed to 1,409 civilians, including 205 children and 260 women (adult female), as well as 94 Armed Opposition fighters, and seven prisoners from Syrian regime forces who were being held in an opposition prison, all of whom were killed in attacks carried out by the Syrian regime. These attacks also caused the injury of 11,212 individuals, including 11,080 individuals injured in attacks carried out by the Syrian regime, and 132 individuals injured in attacks carried out by ISIS.

### Three: Cluster munitions: 494 attacks documented:

Syrian regime forces used cluster munitions extensively in the context of the regime's war on civilians. The SNHR's database indicates that the first documented use of cluster munitions occurred in July 2012. The period following the Russian military intervention on September 30, 2015, saw an unprecedented escalation in the use of cluster munitions. In addition, new models of munitions that had not previously been seen in the Syrian arena, whether in the form of air or ground munitions, launched via missile launchers, have been tested in Syria. The Syrian-Russian alliance forces continue to use these weapons in operations that serve their military advances despite the horrific consequences of using these munitions and sub-munitions, such as severe injuries and terrible mutilation, from which the Syrian populace will suffer for generations to come.

We documented at least 494 cluster munition attacks carried out by Syrian-Russian alliance forces in Syria since the first documented use of these munitions in July 2012 up to March 2021, distributed as follows:

- Syrian regime forces: 250 attacks.
- Russian forces: 236 attacks.
- Russian/ Syrian attacks: Eight attacks.



These cluster munition attacks launched by Syrian-Russian alliance forces between July 2012 and March 2021, have resulted in the deaths of 1,042 civilians, including 389 children and 217 women (adult female).

We also documented the deaths of at least 361 civilians, including 112 children and 31 women (adult female), as a result of the explosion of munitions left from previous cluster munition attacks. Although it is difficult to determine the number of the injuries caused by cluster munition explosions, the Syrian Network for Human Rights estimates that approximately 4,350 civilians have been injured, many of whom have subsequently had to undergo amputations of limbs as a result, meaning that they require prosthetic limbs and a series of rehabilitation and support operations.

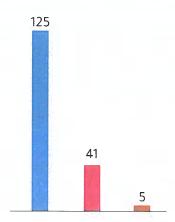
### Four: Incendiary weapons: 171 incendiary weapons attacks documented:

Incendiary weapons are used in military operations, being deployed for the specific purpose of concealing the movement of ground forces, with the smoke emitted disrupting the infrared-quided weapon tracking systems; despite this, we recorded Syrian-Russian alliance forces' use of this indiscriminate weapon in attacks against populated areas or agricultural areas, where there was no movement of Russian-Syrian-Iranian ground forces towards these areas, reinforcing our hypothesis that these weapons were deployed for the purpose of causing material and human damage, with no clear military objective at all. Incendiary weapons are highly indiscriminate by nature, and are very similar to cluster munitions, in terms of their wide dispersal on the one hand, and their possible subsequent ignition on the other.

Incendiary weapons, which may contain phosphorous, thiramite or napalm, have been used extensively by the Syrian regime since 2012; with the intervention of the Russian forces in 2015, we noticed a sharp rise even from the frequency of the Syrian regime's use of these weapons. Once again, this huge number of incidents indicates typical indifference, and sometimes deliberate use of these weapons by the Russian forces to inflict horrendous damage on the Syrian people and lands.

As the Syrian Network for Human Rights' database shows, we documented at least 171 attacks using incendiary weapons on civilian residential areas between March 2011 and March 2021, distributed according to perpetrators:

- Syrian regime forces: 41 attacks.
- Russian forces: 125 attacks.
- US-led Coalition forces: Five attacks against residential neighborhoods in Ragga city.



### E. Attacks on vital civilian facilities:

The parties to the conflict/ the controlling forces have targeted many vital facilities, with these attacks not being limited to bombing them only, but also turning dozens of these vital facilities into military barracks or detention centers in the areas under the various parties' control, making them vulnerable to being targeted by other parties to the conflict.

In many cases, we documented repeated attacks on the same vital facility, indicating that these were acts of deliberately targeted, sabotage, causing severe damage to the infrastructure. In particular, we noticed that Syrian regime forces and the regime's Russian ally followed a specific tactic in most of their military operations that resulted in advances on the ground, starting with the imposition of a siege on the area, succeeded by bombing of vital facilities there. This barbaric strategy relies on forcing people to despair and to flee into displacement. When medical facilities, Civil Defense centers, and markets are bombed, this sends a clear, murderously violent message that the people have no option but to surrender or leave (particularly in light of the absence of an option of any international intervention to protect civilians in Syria).

Since March 2011, we have documented at least 863 attacks on medical facilities and 1,393 attacks on places of worship. We also recorded that 1,584 schools were damaged, some of which were subjected to more than one attack. According to our documentation, the Syrian-Russian-Iranian alliance is responsible for nearly 89% of the record of these incidents.

## VI. Forced Displacement of More Than Half of the Syrian People Either IDPs or Refugees:

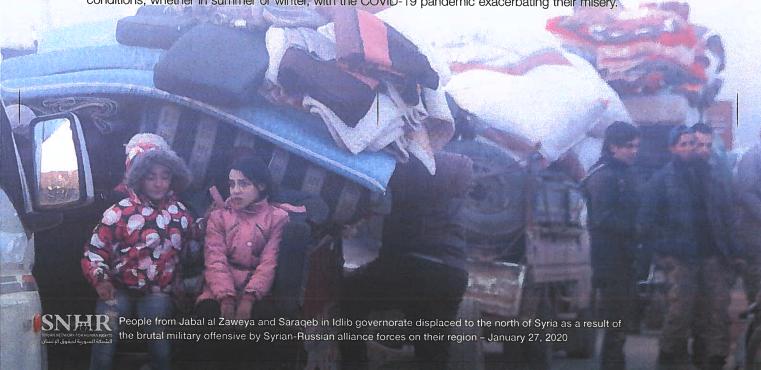
The various types of violations, mainly those previously mentioned, have contributed to generating a state of terror and fear among Syrians, forcing them into displacement and desperately seeking safety and refuge from the indiscriminate bombing which destroyed entire neighborhoods, as well as fleeing the security services' pursuit, which continues to the current day. These factors, along with the collective siege of entire areas to force surrender, and then the conclusion of compulsory 'reconciliation' agreements aimed at displacing these areas' people, have all contributed to continuous forced displacement over a period of ten years. As a result of all this, the United Nations High Commissioner for Refugees (UNHCR) estimates that nearly 13 million Syrians are now either internally displaced or refugees, distributed as follows:

- Nearly six million internally displaced persons (IDPs), some of whom were displaced more than once.
- Nearly seven million refugees, the vast majority of whom are in neighboring countries.

The Syrian regime and its allies did not stop at displacing the population, with their violations against the Syrian people extending to pillaging and looting the homes, which their victims were forced to flee, with this mass theft even extending to cladding materials, in addition to seizing their victims' agricultural lands and attempting to legitimize this theft through public auctions. SNHR has issued a report on the Syrian regime's seizure of agricultural lands in the suburbs of Idlib and Hama. We have also documented reprisals bearing a sectarian character, including exhuming the graves of IDPs' and refugees' family members, removing the bodies and disposing of them in unknown locations.

The establishment of internal refugee camps began to emerge in 2012, with these camps quickly spreading across vast areas in regions outside the control of the regime forces; with the regime recapturing more territory, the areas free of its control have gradually shrunk, with the camps now limited to the Idlib region in northwest Syria, as well as in northeastern Syria, and the al Tanf region (al Rukban camp), with the Idlib region being the area hosting the largest number of IDPs.

The camps generally suffer from a lack of infrastructure and of humanitarian and medical aid, with existing organizations unable to meet their needs, due to the vast numbers of IDPs, of whom more than 98% are unable to return to their homes; the residents already immense suffering is worsened by enduring harsh weather conditions, whether in summer or winter, with the COVID-19 pandemic exacerbating their misery.



### VII. Disastrous and Indifferent Management to the Outbreak of the **COVID-19 Pandemic:**

The Syrian regime has shown the same gross negligence in its handling of the COVID-19 pandemic as it has in its disastrous mismanagement of the Syrian state in recent years. We believe that the statistics issued by the Syrian regime on the number of infections and deaths caused by the pandemic are massively inaccurate due to the weakness of the testing and controlling operations.

We must always remember that the Syrian regime and its Russian ally are the primary culprits in the targeting, bombing and destruction of most medical facilities in Syria, with SNHR documenting 751 attacks on medical facilities, and in the deaths of at least 721 medical personnel, according to the SNHR's database, between March 2011 and March 2021. If the Syrian regime cared at all about the lives of Syrian citizens, it would have released at least 3,329 health care personnel who are still arrested/ forcibly disappeared in regime detention centers, despite the many calls for the urgent immediate release of all medical personnel due to Syrian society's desperate need for their expertise, more especially since it's now been a year since the COVID-19 pandemic first emerged in Syria, with new strains emerging since then.

The Syrian regime's Ministry of Health in February officially announced 15,588 cases of infection and 1,027 deaths, since the first case was announced in March 2020 up until March 2021. Meanwhile, in northwestern Syria, as of March 2021, the total number of infections and deaths caused by the COVID-19 pandemic, according to the Early Warning Alert and Response Network (EWARN), has reached 21,175 cases of infection and 459 deaths. As for northeastern Syria, as of March 2021, the total number of infections and deaths caused by the COVID-19 pandemic has reached 8,608 cases of infection, including 321 deaths, according to the Health Authority in the Self-Management Authority of Northern and Eastern Syria.

We note that the controlling parties in Syria have not taken any strict and planned measures to limit the spread of the pandemic or impose the precautionary measures stipulated by the World Health Organization (WHO).

### VIII. The Displacement of 13 Million Citizens, Mafiosi Corruption Networks, and the Lebanese Banks' Crisis Are the Main Reasons behind the Deterioration of the Value of the Syrian Pound and the Economic Collapse:

On February 13, the United Nations World Food Program (WFP) announced that 12.4 million people in Syria were classified as being food insecure at the end of 2020 (60% of the total population).

The Syrian regime needs an excuse to convince its loyalists and attempt to sway Syrian public opinion to conceal the real reasons behind the deterioration of the Syrian pound, which was caused by the regime's brutal mishandling of peaceful demonstrations from the first days in 2011, up to its use of chemical weapons and enforced disappearance of tens of thousands of Syrians, as well as displacing million others; the regime has placed all the blame for the deterioration of the economy on the economic sanctions imposed on it, ignoring the reality that the sanctions have been imposed as a result of the regime's committing crimes against humanity and war crimes, and would not have been imposed otherwise. We at the SNHR believe that the main factors behind the collapse of the Syrian economy are, in short:

- 1. The destruction of entire neighborhoods and vital facilities; air missile attacks are responsible for the vast majority of the destruction, followed by barrel bomb attacks.
- 2. The displacement of nearly 13 million Syrians, including workers, technicians, highly qualified and highly skilled persons and merchants, who played a major role as central drivers of Syria's economy. The main reasons forcing them into displacement are the destruction of homes and shops, along with arrest, torture and forced conscription.
- 3. The depletion of the resources of the Syrian state and its cash reserves for expenditure on military operations to crush the popular uprising and thwart political change, regardless of the cost.
- 4. The continuing crisis affecting Lebanese banks, which were the Syrian regime's main conduit to the outside world, through which most of its purchases were made and which allowed it to bring various goods into Syria.
- 5. Additional reasons such as: the coronavirus pandemic, the sanctions imposed on Iran, the deep-rooted endemic corruption among the vast majority of Syrian regime institutions, and the increasing hostility between the Syrian regime and Rami Makhlouf, a cousin of Bashar al Assad and one of the wealthiest Syrian regime beneficiaries, who for decades monopolized hundreds of goods and services under the auspices of Bashar al Assad and his security services.
- 6. Finally, the Syrian regime's unwillingness to stop committing crimes against humanity and war crimes, to release tens of thousands of detainees, and to engage in a political transition that would contribute to lifting sanctions and restarting the wheel of the economy.

While there is no doubt that sanctions have had an impact on Syrian society, this is marginal compared to the six aforementioned reasons. We covered this issue previously in an extensive report.

Markets have seen massive price increases at record rates, in addition to a scarcity of basic materials in the areas controlled by Syrian regime forces. In addition, all sectors which are the main supporter of citizens' income have been affected by this collapse, with the main ones of these being the agricultural and industrial sectors, which further contributed to the large-scale spread of phenomena such as unemployment, beggary and homelessness; the rates of kidnappings, robbery, murder and suicide incidents, especially in areas controlled by Syrian regime forces, have also increased.

### IX. Accountability Process:

As a result of the Syrian regime's committing multiple heinous violations, some of which amount to crimes against humanity and war crimes, many of the world's countries imposed political and economic sanctions against the regime, most notably the European and US sanctions, and the Caesar Act, which came into force in June 2020, as well as Canadian, Turkish, Japanese and Australian sanctions.

In terms of criminal accountability, Syria has not ratified the Rome Statute of the International Criminal Court, and therefore is not a party to it. The Russian/ Chinese veto at the Security Council has prevented any referral of the situation in Syria to the International Criminal Court, bolstered by the Security Council's failure to establish a criminal special court for Syria, with none of the parties to the conflict carrying out any serious investigations over the crimes perpetrated or bringing any prosecutions.

The United Nations General Assembly established the International, Impartial and Independent Mechanism (IIIM) at the end of 2016<sup>1</sup>, with its mandate being to collect, consolidate, preserve and analyze evidence of violations and to prepare files in order to facilitate and expedite fair and independent criminal proceedings in national, regional or international courts or tribunals, but it is not a court or a public prosecution.

The only recourse currently available to Syrians is universal jurisdiction and local jurisdiction for some countries worldwide, and many complaints, investigations and cases have been launched, with most of these, according to a report issued by Human Rights Watch, focusing on non-state actors, mostly among the lower ranks in the decision-making structure.

Among the most prominent of these cases has been the trial of Anwar R. and Eyad Gh., both of whom had defected earlier from the Syrian regime. In February 2021, a court in Germany <u>issued</u> a ruling, subject to appeal, sentencing Eyad to four-and-a-half years in prison for being an accomplice to and facilitating the commission of crimes of torture against nearly thirty detainees.

In an important and far-reaching step, the Netherlands announced on September 18, 2020, that it had informed Syria of its decision to hold the regime responsible for gross human rights violations and torture in particular under the Convention Against Torture; the Syrian regime could be prosecuted before the International Court of Justice under the Convention against Torture, because Syria is a party to this legislation. The Syrian regime has been accused by the Independent International Commission of Inquiry and other international and local human rights organizations of systematic torture and failure to conduct any investigation into it. Canada has announced on March 3, 2021, its decision to take similar steps; on March 12, 2021, a joint statement by the Netherlands' and Canada's governments affirming their joint cooperation in this context, and we call on the rest of the world states to take similar steps before the International Court of Justice against the Syrian regime.

Despite all of this, impunity remains the overwhelming condition in Syria, and the perpetrators of the violations continue to practice them up to the current date; this further emphasizes the need for more sanctions and urgent measures to deter the perpetrators of violations, stop crimes against humanity, and hold the high-ranking decision-maker officials accountable.

<sup>&</sup>lt;sup>1</sup> United Nations, General Assembly, 71st session, Resolution 248, https://undocs.org/en/A/RES/71/248

### X. Conclusions and Recommendations:

- The states whose representatives attended the 2005 World Summit<sup>2</sup> unanimously affirmed their responsibility to protect their own populations from crimes against humanity and war crimes. This responsibility entails the prevention of such crimes, the prevention of incitement to commit them by all possible means, and when the state clearly fails to protect its population from atrocity crimes, or itself is committing such crimes as in the case of the Syrian regime, means that it is the responsibility of the international community to intervene to take protective measures in a collective, decisive and timely manner<sup>3</sup>.
- All parties to the conflict in Syria have violated both international humanitarian law and international human rights law, with the Syrian regime and its allies being the perpetrators of by far the largest number of violations, as well as abdicating its responsibility to protect the Syrian people and the state for which it is responsible before the United Nations.

### **Recommendations:**

### **UN Security Council and the United Nations**

- Members of the Security Council must stop using their veto to protect the Syrian regime, which has committed hundreds of thousands of violations over the past ten years, many of which constitute crimes against humanity and war crimes.
- Following the failure of the parties, in particular the Syrian regime, to comply with any of the Security Council resolutions concerning the use of chemical weapons, barrel bombs or enforced disappearance, the Security Council must, after ten years, intervene militarily in order to protect Syrian civilians.
- The Syrian issue must be referred to the International Criminal Court and all those involved should be held accountable.
- Ensure the establishment of peace and security and the implementation of the principle of the Responsibility to Protect civilians and save Syrians' lives, heritage and cultural artefacts from destruction, pillage and vandalism.
- Real support for political transition within a specific timetable.

### **International Community**

- The Syrian regime has not only failed to protect citizens for ten years to date, but has been by far the
  most prolific perpetrator of every kind of crime. The international community must immediately intervene
  to protect civilians after all their unimaginable losses and suffering.
- Put real pressure on Russia and Iran, and categorize them as key partners in the violations committed in Syria since they continue to supply the Syrian regime with weapons, as well as due to their direct involvement in thousands of violations against Syrian citizens.
- Stop any forcible return of Syrian refugees, since the situation in Syria continues to be unsafe, and put pressure to achieve a political transition that would ensure the automatic return of millions of refugees.
- Provide various forms of support to survivors and victims' families, especially women and children.

<sup>&</sup>lt;sup>2</sup> United Nations, General Assembly, 2005 World Summit Outcome, paragraph 138, https://undocs.org/en/A/RES/60/1

United Nations, General Assembly, 2005 World Summit Outcome, paragraph 138, https://undocs.org/en/A/RES/60/1

### The Parties to the Conflict

- Comply with the rules of customary humanitarian law and Security Council resolutions, ensure that civilians are treated as neutral, release detainees and hostages, stop torture, and reveal the fate of the disappeared and missing persons.
- Respect the principles of international human rights law in the areas under their control.

### The Russian government:

Stop investing in the Syrian regime, which is hostile to the vast majority of the Syrian people, and which
is involved in committing crimes against humanity, and support a process of real political change in order
to achieve stability.

### The US-led Coalition forces:

• Support a local election process in northeast Syria that leads to local councils representing the people of the region and the affiliation of military forces to them, then start to support reconstruction operations.

### **Acknowledgment**

We would like to thank the victims' families and relatives and all the local activists from all fields who contributed effectively to this report. If it were not for their contributions and cooperation with us, we would not be able to complete this report to such an exhaustive level. In addition to this, we extend our most heartfelt condolences to the victims' families.



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