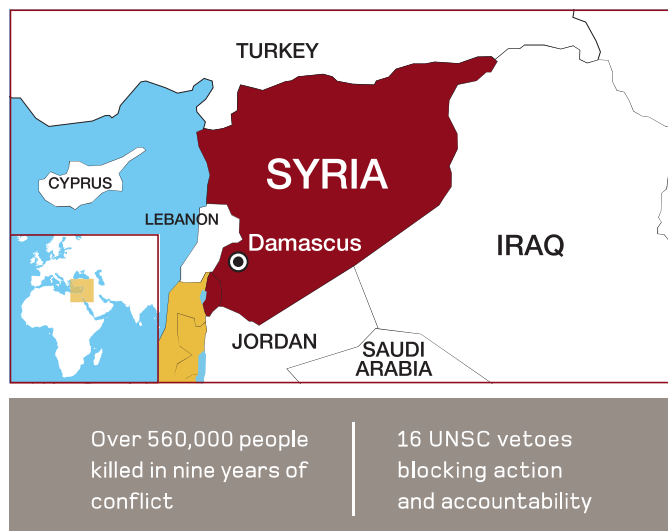


Flygtningenævnets baggrundsmateriale

Bilagsnr.:	1378
Land:	Syrien
Kilde:	Global Centre for the Responsibility to Protect
Titel:	R2P Monitor - Syria
Udgivet:	15. september 2020
Optaget på baggrundsmaterialet:	22. december 2020



SYRIA

Populations continue to face war crimes and crimes against humanity committed by various state forces and non-state armed groups in Syria's ongoing conflict.

BACKGROUND

Since the war between the government and opposition groups in Syria began in 2011 at least 560,000 people have been killed. Nearly 13 million people have been displaced – the largest number displaced by any conflict in the world – including 6.7 million Syrian refugees. An estimated 12 million Syrians are in need of humanitarian assistance.

The Syrian government and Russian forces have conducted an intense bombardment campaign in southern Idlib, northern Hama and western Aleppo governorates since April 2019. During June fighting intensified between armed opposition groups, such as Hayat Tahrir al-Sham (HTS), and Syrian government forces. Several armed groups also clashed with HTS and perpetrated attacks in Hama and Idlib governorates.

OHCHR confirmed over 1,500 civilian deaths between April 2019 and March 2020 due to the Idlib offensive, nearly all of which are attributable to Syrian government and Russian forces. Civilian objects, including healthcare facilities, schools, markets and evacuation routes, have been heavily shelled. The situation in Idlib dramatically escalated in December 2019 when entire villages were razed, forcing over 948,000 Syrians to flee. HTS has pillaged, tortured and detained civilians while Syrian government and Russian forces have indiscriminately bombed civilian objects. The HRC-mandated Commission of Inquiry (CoI) on Syria found that Syrian government and Russian forces have perpetrated war crimes in Idlib and that there are “reasonable grounds to believe” they intentionally terrorized civilian populations.

Throughout northern Syria, fighting among various non-state armed groups has been increasing since May. In Afrin, Turkish-backed armed groups, including the al-Hamzat Division and Jaish al-Islam, have perpetrated abuses against civilians, including

kidnapping, arbitrary arrests and torture. In the northeast, car bombings near the cities of Tal Abyad and Ras al-Ayn continue to result in civilian casualties. Meanwhile, in southern Syria, particularly Dara'a governorate, targeted assassinations have increased, resulting in the deaths of dozens of civilians. Since March there has also been a dramatic increase in civilian deaths from IEDs, with at least 33 attacks in populated areas.

Since 2012 the CoI has reported that Syrian government forces have committed war crimes and crimes against humanity as a matter of state policy. Numerous armed opposition groups have also committed war crimes. More than 130,000 arbitrary detentions, abductions or disappearances have been reported by the CoI, with the majority attributable to the Syrian government. The CoI has also reported on 37 instances of chemical weapons use since March 2013, including 32 attacks perpetrated by Syrian government forces.

The so-called Islamic State of Iraq and the Levant (ISIL) has been increasing its attacks on oil fields and expanding its area of operations. The Syrian Democratic Forces (SDF), with support from international forces, have started targeting ISIL hideouts in eastern Syria. At least 58,000 children of alleged ISIL fighters from more than 60 countries remain trapped in detention camps run by the SDF in northeastern Syria. The Head of the UN Office of Counter-Terrorism, Vladimir Voronkov, reported that 700 detainees, of which many were women and children, died recently due to a lack of medicine, food and water. The humanitarian crisis in the camps has been exacerbated by the COVID-19 pandemic.

ANALYSIS

For more than nine years the government of Syria, its allies and armed opposition groups have all committed indiscriminate attacks on civilians and civilian infrastructure, blatantly disregarding international law. All parties to the conflict have perpetrated acts that may amount to war crimes and crimes against humanity. The Syrian government has directly violated various UNSC resolutions, and Russia has systematically shielded Syria from accountability measures.

The grave situation across northern Syria is partly a consequence of the inability of the UNSC to hold perpetrators accountable. The Syrian government and its Russian allies, as well as various non-state armed groups, continue to perpetrate violations of IHL and IHRL with impunity. The military involvement of Turkey in northern Syria increases the risk facing populations.

The government of Syria has not only manifestly failed to uphold its responsibility to protect, it bears primary responsibility for the ongoing commission of war crimes and crimes against humanity.

INTERNATIONAL RESPONSE

Following the outbreak of violence during March 2011, the international community responded by censuring the Syrian government for its widespread violations of human rights. The UN Secretary-General has repeatedly called for the situation in Syria to be referred to the ICC.

Despite this, the UNSC has failed to respond effectively. Since 2013 the Council has passed 26 resolutions on humanitarian access, peace talks and chemical weapons in Syria. Several refer to the government's responsibility to protect populations, but none have been fully implemented. Russia and China have jointly vetoed 10 draft UNSC resolutions and Russia has independently vetoed an additional 6. The two latest vetoes, on 8 and 10 July, blocked the renewal of a mandate for cross-border aid deliveries. The Council finally passed a resolution on 11 July permitting border crossings through only one opening, further restricting life-saving food and medical supplies to millions of people in northern Syria.

On 21 December 2016 the UN General Assembly voted to establish an International, Impartial and Independent Mechanism (IIIM) to assist in the investigation and prosecution of perpetrators of atrocities in Syria. A number of countries have initiated domestic legal proceedings against suspected Syrian perpetrators under the principle of universal jurisdiction. The first trial of members of President Bashar al-Assad's security services for alleged crimes against humanity, including torture, commenced in Germany on 23 April.

The HRC has adopted 34 resolutions condemning atrocities in Syria, the majority of which demand that the Syrian authorities uphold their responsibility to protect the population.

NECESSARY ACTION

All parties must uphold their obligations under IHL and IHRL, including ending attacks on civilians and civilian infrastructure, and establish a timetable for the release of all detainees and abductees. Syrian government forces, armed opposition groups and all international parties to the conflict must facilitate unimpeded humanitarian access to civilians trapped or displaced by fighting and ensure the protection of all civilians. Parties to the conflict should uphold the ceasefire agreements in the northwest and northeast.

All returns of refugees and other displaced Syrians must be in accordance with the principle of non-refoulement with guarantees that returnees will not face persecution, discrimination or forced repatriation.

UN member states should continue to pursue accountability for alleged perpetrators of atrocities under the principle of universal jurisdiction. The UNSC should immediately refer the situation in Syria to the ICC and ensure that atrocity crimes do not continue with impunity.



12,000+ civilians killed
since March 2015

24 million people in
need of humanitarian
assistance

YEMEN

War crimes are being committed in Yemen as pro-government forces and a regional military coalition fight against Houthi rebels who still control much of the country.

BACKGROUND

Despite diplomatic efforts to end the war in Yemen, populations continue to face war crimes. Fighting between Houthi rebels, members of the General People's Congress, the Southern Transitional Council (STC), and forces loyal to the internationally-recognized government – as well as airstrikes by a Saudi Arabia and United Arab Emirates (UAE)-led international coalition – has reportedly resulted in the deaths of more than 12,000 civilians since March 2015. The actual death toll is believed to be much higher. At least 3.6 million people have been displaced and the conflict has created the world's largest humanitarian crisis.

Armed hostilities and indiscriminate bombing are ongoing throughout Yemen, resulting in over 1,000 civilian casualties so far during 2020. Although parties to the conflict signed the Stockholm Agreement in December 2018, which established a ceasefire for Hodeidah Governorate, they continue to perpetrate widespread violations of IHL and violations and abuses of IHRL. Despite a decrease in air raids between 2017–2019, escalations in Sana'a, Marib and Al-Jawf governorates in the first half of 2020 resulted in more than 1,000 air raids by the coalition.

On 23 May a unilateral ceasefire declared by the Saudi/UAE-led coalition ended after 45 days. The ceasefire was announced following a call by UN Secretary-General António Guterres for a cessation of hostilities in light of the threats from the COVID-19 pandemic. Despite the ceasefire, the coalition carried out almost 800 airstrikes, hitting dozens of civilian targets, including a COVID-19 quarantine center in Al-Bayda. The Saudi/UAE-led coalition launched a new military offensive on 1 July conducting over 40 airstrikes, bringing the total number of civilians killed or maimed as a result of coalition airstrikes since 2015 to over 18,500.