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13 million people
displaced by 10
years of conflict

16 UNSC vetoes
blocking action
and accountability

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 580,000 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.

After nearly ten years of fighting, every party to the conflict in Syria continues to perpetrate serious violations and abuses of international law. The HRC-mandated Commission of Inquiry (Col) on Syria has reported more than 130,000 arbitrary detentions, abductions or disappearances, with the majority attributable to the Syrian government. The government of Syria continues to commit enforced disappearances, murder, torture, sexual violence and imprisonment as a matter of state policy, violations that may amount to crimes against humanity. The Syrian government is also imposing arbitrary restrictions on freedom of movement and unlawfully depriving individuals of their property rights in previously besieged areas, which the Col has asserted may amount to the war crime of collective punishment. The Col has also reported on 37 instances of chemical weapons use since March 2013, including 32 attacks perpetrated by Syrian government forces.

Over the past few months the conflict in Syria has shifted away from active front lines and large-scale hostilities, with various parties to the conflict perpetrating atrocities while consolidating their control over sections of the country. In northern Syria, the Syrian National Army has perpetrated torture, sexual violence, systematic looting and arbitrary detention of civilians. In Afrin, Turkish-backed armed opposition groups, including the al-Hamzat Division and Jaish al-Islam, have

kidnapped, arbitrarily arrested and tortured civilians. Since March there has also been a dramatic increase in civilian deaths from IEDs, with at least 33 attacks in populated areas across northern Syria. Recent deadly car bombings in Afrin, al-Bab, Tal Abyad and Ras al-Ayn have claimed dozens of lives.

Meanwhile in southern Syria, clashes have intensified between government forces and local opposition fighters. Indiscriminate artillery shelling and rocket attacks in Dara'a and Suwayda governorates have caused civilian deaths and injuries. In Dara'a governorate targeted assassinations and killings have also increased.

From April 2019 to March 2020 the Syrian government and Russian forces conducted an intense bombardment campaign in southern Idlib, northern Hama and western Aleppo governorates. OHCHR confirmed over 1,500 civilian deaths, nearly all of which are attributable to Syrian government and Russian forces. The Col found that Syrian government and Russian forces perpetrated war crimes in Idlib and that there are "reasonable grounds to believe" they intentionally terrorized civilian populations. Civilian objects, including healthcare facilities, schools, markets and evacuation routes were heavily shelled, causing over 1 million Syrians to flee.

The so-called Islamic State of Iraq and the Levant (ISIL) has been increasing its attacks in Deir Ezzour, Hasakeh, Badiya Al-Sham and Resafa while also expanding its area of operations. At least 58,000 children of alleged ISIL fighters from more than 60 countries remain trapped in detention camps run by the Syrian Democratic Forces in northeastern Syria. The Head of the UN Office of Counter-Terrorism, Vladimir Voronkov, reported during July that 700 detainees, including women and children, had recently died 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 almost a decade the government of Syria, its allies and armed opposition groups have all perpetrated attacks on civilians and civilian infrastructure, blatantly disregarding international law. All parties to the conflict have committed acts that may amount to war crimes and crimes against humanity.

The grave situation across Syria is partly a consequence of the inability of the UNSC to hold perpetrators accountable. The Syrian government has directly violated various UNSC resolutions, and Russia has systematically shielded Syria from accountability measures. 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 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 delivery. 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 UNGA voted to establish an International, Impartial and Independent Mechanism 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. On 18 September the government of the Netherlands took steps to hold Syria accountable for violations of the UN Convention against Torture.

The HRC has adopted 35 resolutions condemning atrocities in Syria, the majority of which demand that the Syrian authorities uphold their responsibility to protect the Syrian 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.



Over 8,100 people reportedly killed in "security operations" since January 2018

VENEZUELA

Ongoing state-sanctioned persecution and violence against perceived political opponents in Venezuela may amount to crimes against humanity.

BACKGROUND

After President Nicolás Maduro took office during 2013, a catastrophic economic crisis resulted in hyper-inflation, food shortages and the collapse of essential services in Venezuela. Popular discontent with the government led to widespread protests, which the authorities have responded to with disproportionate force as well as the mobilization of pro-government groups, including so-called armed "colectivos." The political crisis escalated during January 2019 when President Maduro was sworn in for a second term amidst allegations of electoral fraud. Since then more than 50 countries, including many Latin American governments, have recognized the leader of the opposition-controlled National Assembly, Juan Guaidó, as interim President, resulting in an ongoing political impasse.

In addition to the government's violent crackdown on protests, various state agents have been accused of widespread extrajudicial killings, as well as torture and ill-treatment, sexual violence, arbitrary detention and enforced disappearances of perceived political opponents, including human rights activists. On 16 September 2020 the HRC-mandated FFM on Venezuela warned that ongoing patterns of violations and abuses since 2014 were committed as part of a "widespread and systematic attack" against the civilian population and may amount to crimes against humanity.

The FFM found that President Maduro, as well as the Ministers of Defense and Interior, gave orders, exercised oversight and coordinated activities leading to the commission of possible atrocity crimes. These state policies were implemented to target perceived government opponents, as well as to combat crime, particularly through extrajudicial executions. According to previous reports by the UN High Commissioner for Human