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Syria

15 March 2020 | **POPULATIONS AT RISK**



RISK LEVEL: CURRENT CRISIS



560,000+ people killed since March 2011



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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 in Syria began in 2011 at least 560,000 people have been killed in the conflict between the government and opposition groups. 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.

Since 29 April 2019 Syrian government and Russian forces have conducted an intense bombardment campaign in southern Idlib, northern Hama, and western Aleppo governorates with the stated goal of eradicating non-state armed groups such as Hayat Tahrir al-Sham. The Office of the UN High Commissioner for Human Rights has confirmed over 1,500 civilian deaths since the launch of the offensive, nearly all of which are attributable to Syrian government and Russian forces. Civilian objects, including schools, markets and evacuation routes, have been heavily shelled and there have been at least 68 documented attacks on healthcare facilities. The Human Rights Council (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” that they are intentionally terrorizing civilian populations.

The situation in Idlib has dramatically escalated since the end of December as the Syrian government and Russian forces pushed to capture the strategic M5 highway linking Damascus with Aleppo. Entire villages have been razed and clashes with Turkish-backed non-state armed groups have also increased. The escalation has displaced over 948,000 Syrians in just three months. On 5 March Russia and Turkey reached a fragile ceasefire agreement and implemented a safety corridor along the M4 highway. Three previous ceasefires have failed.

Meanwhile, in northwest Syria the Turkish government announced on 1 March the launch of “Operation Spring Shield.” Although this is the fourth military operation



Turkey has launched in northern Syria, the announcement marks the first time the Turkish government has effectively declared itself to be in direct conflict with the Syrian government.

During October 2019 the Turkish military launched “Operation Peace Spring” in northeast Syria against the Syrian Democratic Forces and the Kurdish People’s Protection Units, which Turkey regards as a terrorist organization. Prior to a 22 October ceasefire agreement, Operation Peace Spring caused widespread civilian casualties as a result of airstrikes, attacks on civilian objects, summary executions and other violations that may amount to war crimes. The CoI has reported that the Syrian National Army, which receives support from Turkey, perpetrated the war crimes of pillage and murder against the Kurdish population during the offensive.

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. The CoI has also reported on 37 instances of chemical weapons use since March 2013, including 32 attacks perpetrated by Syrian government forces. More than 100,000 arbitrary detentions, abductions or disappearances have also been reported by the CoI, with the majority attributable to the Syrian government.

ANALYSIS

Ongoing fighting in Syria, particularly in the northwest, imperils the lives of millions of civilians. The grave situation facing civilians in Idlib is the result of ongoing war crimes and the inability of the UN Security Council (UNSC) to act to hold perpetrators accountable.

The Syrian government, with support from Russia and Iran, continues to utilize its military resources to retain power at all costs. The launch of the new Turkish offensive in northwest Syria amplifies the ongoing risk to civilians.

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 International Criminal Court (ICC).

Despite this, the UNSC has failed to respond effectively. Since 2013 the Council has passed 25 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. The Syrian government has directly violated various UNSC resolutions, and Russia has systematically shielded Syria from accountability measures. Russia and China have jointly vetoed eight draft UNSC resolutions and Russia has independently vetoed a further six resolutions.

Following a 30 July demarche by 10 members of the UNSC, UN Secretary-General António Guterres created a Board of Inquiry to investigate all attacks on hospitals and health facilities on the deconfliction list and other UN-supported facilities in northwest Syria. On 26 February nine members of the UNSC issued a demarche urging the Secretary-General to visit Idlib.

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. For the first time since the IIIM's establishment, it was included in the UN's regular budget for 2020. Germany and a number of other countries have initiated domestic legal proceedings against suspected Syrian perpetrators under the principle of universal jurisdiction.

The HRC has adopted 29 resolutions condemning atrocities in Syria, the majority of which demand that the Syrian authorities uphold their responsibility to protect the population.

The UN Special Envoy for Syria, Geir Pedersen, is currently facilitating political negotiations with some parties to the conflict under the auspices of UNSC Resolution 2254.



NECESSARY ACTION

All parties must uphold their obligations under International Humanitarian Law, including ending attacks on civilians and civilian infrastructure, and establish a timetable for releasing 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. All parties to the conflict should adhere to the Idlib “demilitarized zone” agreement of 2018 and “de-escalation zone” agreement of 2017.

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 help ensure that the findings of the Secretary-General’s Board of Inquiry are made public.



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