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Human rights in the Middle East and North Africa: Review of 2019; Syria

Parties to the armed conflict in Syria continued to commit with impunity serious violations of international humanitarian law, including war crimes, and gross human rights abuses. Government and allied forces carried out indiscriminate attacks and direct attacks on civilians and civilian objects using aerial and artillery bombing, killing and injuring hundreds of people in Idlib and Hama in north-west Syria. Government forces continued restricting access to humanitarian and medical aid to civilians living in government-controlled areas. Security forces arbitrarily arrested civilians and former fighters who had reconciled with the government and continued to detain tens of thousands of people, including peaceful activists, humanitarian workers, lawyers and journalists, subjecting many to enforced disappearance and torture or other ill-treatment, and causing deaths in detention. Armed groups working with the support of Turkey continued to subject civilians in Afrin to a wide range of abuses, including confiscation and looting of property, and arbitrary detention. They and Turkey were likely responsible for indiscriminate attacks during hostilities in north-east Syria. In the same region, the Autonomous Administration carried out several arbitrary detentions. The US-led coalition failed to investigate the many civilian deaths caused by its 2017 bombing campaign on Raqqa against the armed group calling itself the Islamic State (IS). Military offensives in north-west and north-east Syria internally displaced 684,000 and 174,600 people respectively. Tens of thousands of displaced people continued to live in makeshift camps, schools and mosques that did not provide an adequate standard of living.

Background

The armed conflict continued throughout 2019. In February, Syrian government and allied Russian forces launched a military offensive on Idlib governorate, held by the armed opposition group Hay'at Tahrir al-Sham, to capture the strategic Damascus-Aleppo highway, known as M5. In August, talks brokered by Russia and Turkey resulted in a ceasefire agreement in Idlib. On 19 September, Russia and China vetoed a UN Security Council resolution calling for a ceasefire in Idlib because it did not include an exemption for attacks on Hay'at Tahrir al-Sham.

On 9 October, Turkey and the Syrian National Army (SNA), a coalition of armed opposition groups, launched a military offensive on territory in north-eastern Syria that was controlled by the Syrian Democratic Forces (SDF), a Kurdish-led alliance of armed groups, capturing the cities of Tel Abyad and Ras al-Ain on the border with Turkey.

Concurrently, the USA withdrew its military forces from north-east Syria, while leaving those stationed at the al-Tanf base in Homs governorate. In an attempt to stop Turkey and the SNA controlling the remaining parts of the Syrian side of the north-eastern border, the SDF struck a deal with the Syrian government that allowed the Syrian army to deploy there.

On 17 October, Vice-President Mike Pence of the USA, which had been supporting the SDF, and Turkey's President Recep Tayyip Erdoğan brokered a 120-hour ceasefire to allow the SDF fighters to pull back to 32km from the border with Turkey and thereby create a “safe zone”. On 21 October, the day the ceasefire was set to expire, President Erdoğan and Russian President Vladimir Putin struck an agreement which led to: Turkey ending its military operation, while retaining control of Tel Abyad and Ras al-Ain; the Syrian government and Russia deploying forces near the border with Turkey (which they did on 22 October, entering Qamishli, Hassake, and Derbassiye) and overseeing the withdrawal of the SDF; and Russian and Turkish forces jointly patrolling a narrower, 10km strip of land in the “safe zone” from 29 October.

Several Israeli air strikes targeted Iranian and Hizbullah forces in Syria.

The UN made some progress in its efforts to broker a peace deal and establish a committee to draft a new Syrian constitution. On 30 September, it announced the formation of a 150-member committee with 50 representatives each from the Syrian government, political opposition and Syrian civil society. The sponsors of the talks – Iran, Russia and Turkey – aimed to address the issue of detentions and abductions in Syria as well as the situation in Idlib.

The Independent International Commission of Inquiry on the Syrian Arab Republic (UN Commission of Inquiry), established by the UN Human Rights Council in 2011, continued to monitor and report on violations of international law committed by parties to the conflict, although it remained barred by the government from entering Syria.

In March, the Organisation for the Prohibition of Chemical Weapons confirmed that a chemical weapon had been used in Douma in Damascus Countryside governorate in April 2018.

Syrian government and allied forces

Direct attacks on civilians and civilian objects, and indiscriminate attacks

Government and allied forces continued to commit war crimes and other serious violations of international humanitarian law, including indiscriminate attacks and direct attacks on civilians and civilian objects. Government forces, with the support of Russia, repeatedly attacked Idlib and Hama governorates in north-western Syria and the northern part of Aleppo governorate, all of which were controlled by Hay'at Tahrir al-Sham. They carried out indiscriminate attacks and direct attacks on civilian homes, schools, bakeries, rescue operations, hospitals and medical facilities, including by artillery shelling and air strikes, killing and injuring hundreds of civilians, including rescue and medical workers.

On 26 March, Syrian government forces fired rockets at a school in Sheikh Idriss, east of Idlib city, killing a 10-year-old boy and injuring two other boys aged nine and 10.

Between April and September, at least 51 medical facilities and 59 schools were damaged as a result of hostilities in Idlib, Hama and northern Aleppo, according to the UN Office for the Coordination of Humanitarian Affairs (OCHA). For example, Syrian government forces dropped four munitions in an aerial attack on 9 March that struck al-Hayat hospital, a blood bank, an ambulance response unit and a facility of the Syrian Civil Defence, also known as the White Helmets – all located within 100m of each other – as well as residential neighbourhoods, killing at least two civilians and injuring a medical worker.

On 1 August, the UN Secretary-General established a board of inquiry to investigate “incidents” that destroyed or damaged “facilities on the deconfliction list and UN-supported facilities” in Idlib.

Restriction of humanitarian access

Government forces continued to restrict access to UN humanitarian aid agencies across Syria. According to the UN, government forces did not approve around half of their requests to carry out humanitarian missions to monitor, assess and accompany aid deliveries, and provide security, logistics and administrative support.

The government continued to obstruct humanitarian access to Rukban camp near the border with Jordan, despite the dire humanitarian conditions there. Government forces only allowed UN humanitarian agencies to accompany their implementing partners on aid deliveries three times during the year. On 20 December, Russia and China vetoed the renewal of a mechanism established by UN Security Council resolution 2165 of 2014 which had allowed the UN and its implementing partners to deliver aid from neighbouring countries into areas under the control of the opposition.

Arbitrary detention and enforced disappearances

According to local monitors, government forces arbitrarily detained and, in some cases, forcibly disappeared civilians in areas under the control of the government, especially Daraa and Eastern Ghouta in Damascus Countryside governorate. Those detained included former fighters who had reconciled with the government, family members of armed group commanders, humanitarian workers and families of activists displaced to north-west Syria. Many were subjected to torture or other ill-treatment, some dying in detention as a result.

Syrian security forces also continued to hold thousands of detainees arrested in previous years without trial, often in conditions that amounted to enforced disappearance. Tens of thousands of people remained disappeared, the majority since 2011. They included humanitarian workers, lawyers, journalists, peaceful activists, government critics and opponents, and individuals detained in place of relatives wanted by the authorities.

Families of the disappeared endured emotional and psychological consequences of living in uncertainty, compounded by the devastating economic impact.

Turkey and allied armed groups

Indiscriminate attacks

Following the military offensive launched by Turkey and the SNA in north-east Syria against the SDF on 9 October, the hostilities were marked by indiscriminate attacks in residential areas, including attacks on a home, bakery and school. The evidence (<https://www.amnesty.org/en/latest/news/2019/10/syria-damning-evidence-of-war-crimes-and-other-violations-by-turkish-forces-and-their-allies/>) strongly suggested that Turkey and allied Syrian armed groups carried out the attacks.[1]

According to the Syrian Observatory for Human Rights, 120 civilians were killed between 9 and 20 October. For example, a Turkish air strike on a market on 13 October hit a civilian convoy that included many journalists travelling to Ras al-Ain. According to the Kurdish Red Crescent, six civilians were killed and 59 injured. In another incident, medics rescued an eight-year-old girl who was injured when mortars landed near where she was playing with her 11-year-old brother outside their home in Qamishli on 10 October. Her brother died from his wounds later that day.

Confiscation and looting of property

Turkey's military and armed opposition groups receiving military support from Turkey, including Ferqa 55, al-Jabha al-Shamiye, Faylaq al-Sham, Sultan Mourad and Ahrar al-Sharqiye, continued to control Afrin, a predominantly Syrian Kurdish area in the north of Aleppo governorate. Residents continued to be denied access to their property and belongings, which have been appropriated by members of these armed groups and their families. Some of the appropriated properties were used as military facilities for the different groups. According to the UN Commission of Inquiry, some residents paid money to recover stolen vehicles and other belongings, and olive farmers paid armed groups taxes on their harvests.

Arbitrary detention, torture and other ill-treatment

Armed groups supported by Turkey were responsible for at least 54 incidents of arbitrary detention of civilians for ransom, according to local monitoring groups, as punishment for asking to reclaim their property or for allegedly being affiliated to the Democratic Union Party (PYD) or People's Protection Units (YPG), both Syrian Kurdish groups. For example, a man living in Afrin was detained by al-Jabha al-Shamiye in April having been falsely accused of affiliation to the previous civil administration led by the PYD. The armed group refused to tell his relatives his whereabouts or fate.

According to the UN Commission of Inquiry, individuals critical of the armed groups' conduct or perceived to support the former administration in Afrin, including activists, were targeted for arrest, detention, torture and extortion.

Summary killings and abduction

On 12 October, the Turkey-backed armed opposition group Ahrar al-Sharqiye ambushed civilian and military cars on the SDF-controlled Latakia-Saraqeb international highway, known as M4. Hevrin Khalaf, a Kurdish politician and Secretary General of the Future Syria political party, was in one of the civilian cars. She was dragged out, beaten and shot dead. According to the medical report, her body showed several injuries, including multiple gunshot wounds, fractures to her legs, face and skull, and detachment of skin from her skull and loss of hair as a result of being dragged by the hair. The armed groups also summarily killed her bodyguard. During the same ambush, the armed group captured and killed two Kurdish fighters. They also abducted two civilian men, both of whom work with a local medical organization and were transporting medicine when they were captured. The armed group did not disclose the fate or whereabouts of the abducted men.

Autonomous administration

Arbitrary detention

The PYD-led Autonomous Administration continued to control some of the predominantly Kurdish north-east region of Syria, including Raqqa and Qamishli. It arbitrarily arrested and detained eight individuals in Raqqa employed by local and international educational and development organizations active in Raqqa since 2017. The Autonomous Administration subjected the eight individuals to enforced disappearance. All were released without charge after being held for at least two months without access to a lawyer.

US-led coalition

Lack of investigations into civilian deaths

Despite mounting pressure, the US-led coalition continued to deny responsibility for causing hundreds of civilian deaths in Raqqa during the four-month bombing campaign to defeat IS in 2017. On 28 February, the coalition accepted responsibility for 25 civilian deaths in Raqqa, bringing to 180 the total number it has acknowledged so far. However, this admission did not lead to any measures to investigate possible violations of international humanitarian law or compensate victims, and the coalition continued to block requests to disclose the circumstances in which the fatal strikes took place.

Refugees and internally displaced people

By the end of the year, 6.6 million people had been displaced within Syria and more than 5 million people had sought refuge outside the country since the start of the crisis in 2011. Lebanon, Jordan and Turkey, the countries hosting most of the refugees, continued to block the entry of new refugees, exposing them to further attacks, abuses

and persecution in Syria. The number of resettlement places and other safe and legal routes for refugees offered by Western and other states fell far below the needs identified by UNHCR, the UN Refugee Agency.

Between January and October 2019, 82,554 Syrian refugees returned to Syria and 412,662 internally displaced people returned to their place of origin, according to UNHCR and OCHA respectively. The dire humanitarian conditions in neighbouring countries – exacerbated by the lack of humanitarian aid, unemployment, and administrative and financial obstacles to obtaining or renewing residency permits – pushed some refugees to return to a precarious future in Syria.

The Syrian Network for Human Rights reported that, between 2014 and 2019, government forces detained around 1,916 refugees upon their return to Syria, of whom 638 continued to be subjected to enforced disappearance at the end of the year.

During 2019, the military offensives in north-west and north-east Syria internally displaced 400,000 and 174,600 people respectively, according to OCHA. Tens of thousands of displaced people continued to live in makeshift camps, schools and mosques that did not provide an adequate standard of living, and had limited access to aid, basic services, food, health care, education and livelihood opportunities. Also, 3,122 people fled hostilities in north-east Syria seeking refuge in the Kurdistan Region of Iraq.

Between January and March, tens of thousands of people, including women and children of nationalities other than Syrian, were displaced from their homes to camps and informal sites in north-east Syria following the offensive by the US-led coalition and the SDF against IS in Deir el-Zour. Internally displaced people were dispersed across at least 10 camps and large informal sites. In October, two camps near the Turkish border closed as a result of the military offensive in north-east Syria, and internally displaced people were transferred to other locations. Al-Hol camp in Deir el-Zour governorate hosted the largest number of internally displaced people: around 68,000 individuals, the vast majority of them women and children. Because of the dire humanitarian conditions in al-Hol, at least 390 displaced people died of pneumonia, dehydration or malnutrition, according to the UN Commission of Inquiry. A few European, African and Asian governments repatriated some of the displaced women and children who were nationals of their countries.

Between March and September, around 18,787 internally displaced people in Rukban left the camp and went to Homs, Hama, Latakia, Damascus, Damascus Countryside and other areas of origin. Around 12,000 continued to live in Rukban in dire humanitarian conditions with limited access to food and other life-saving necessities, and a lack of access to health care and medication.

Death penalty

The death penalty remained in force for many offences. The authorities disclosed little information about death sentences passed and no information on executions.

[1] Amnesty International, *Syria: Damning evidence of war crimes and other violations by Turkish forces and their allies* (Press release, 18 October 2019), <https://www.amnesty.org/en/latest/news/2019/10/syria-damning-evidence-of-war-crimes-and-other-violations-by-turkish-forces-and-their-allies/> (<https://www.amnesty.org/en/latest/news/2019/10/syria-damning-evidence-of-war-crimes-and-other-violations-by-turkish-forces-and-their-allies/>)

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