

SNHR Report for the UN Human Rights Committee 141 Session

I. Background and Methodology

A. About SNHR

The Syrian Network for Human Rights (SNHR)¹ is an independent human rights organization that works to monitor and document human rights violations in Syria. The group aims to mobilize efforts and capabilities towards limiting such violations, contribute to the protection of victims' rights, expose the perpetrators of violations in preparation for holding them accountable, raise awareness amongst Syrians of their civil and political rights, promote the state of human rights, advance transitional justice, support democratic change, achieve justice and peace in Syria, and to catalogue and preserve the records of the momentous, chronologically documented events.

SNHR has worked constantly on monitoring and documenting human rights violations in Syria since 2011. To that end, the group has identified over 25 distinct patterns of violations, including, *inter alia*, extrajudicial killing, arrest, torture, forced displacement, and the use of unlawful weapons and highly destructive munitions².

B. Framework

As this report shows, Syria has now hit the lowest indicators seen to date on many basic human rights. In fact, Syria is today one of the world's worst countries in terms of multiple types of violations. With the Syrian regime³ led by Bashar Assad remaining in power and continuing to enjoy absolute impunity, we have documented more and more violations by regime forces, especially through the regime's security agencies. These include killings, arrests, enforced disappearances, torture, the use of unlawful and indiscriminate weapons, and restriction of freedoms. Many of these violations have amounted to crimes against humanity. In light of these facts, this report by SNHR examines the extent to which the Syrian Arab Republic has complied with the International Covenant on Civil and Political Rights (ICCPR), including its international human rights obligations concerning the most fundamental human rights. This report summarizes the results of our team's continuous documentation and monitoring processes over the past years, focusing on multiple types of violations committed by the regime over the last four years (Since August 2020 up until June 2024). Those violations are related to Articles 2, 6, 7, 9, 10, 12, 14, 15, 18, 19, 20, 21, 23, 25, and 26 of the ICCPR. This report is set to be submitted to the UN Human Rights Committee ahead of its examination of the state report submitted by the Syrian Arab Republic for the 141st Session.

II. Executive Summary

¹ SNHR was founded in June 2011 by Fadel Abdulghany, now its Executive Director, and a group of fellow activists, in light of the rapid and systematic increase of human rights violations by the Syrian regime. The group, which has grown steadily over the years, currently has 48 staff members, including both paid employees and volunteers, who are scattered across Syria, and in neighboring countries, and nations of asylum worldwide. (See: Syrian Network for Human Rights, <https://snhr.org/>)

² SNHR's dedicated team has built databases on which to archive and catalogue incidents of violations, which are regularly updated to keep pace with developments and changing circumstances in the situation in Syria. On these databases, the SNHR team has tried, insofar as possible, to store all the relevant information on multiple types of gross human rights violations. This methodology has not been developed in a void; rather, SNHR has painstakingly tailored it to the situation, simultaneously taking into consideration the non-international nature of the conflict currently taking place in Syria on one hand, and the international conventions, instruments, and covenants on human rights adopted by the UN on the other. As such, the content of these databases is utilized and reflected in the wide variety of publications regularly released by SNHR. These include, periodic human rights reports (daily, monthly, and annually) on the state of human rights in Syria, statistical and thematic reports incorporating statistical and analytical study of one or more types of human rights, and visual materials including infographics and interactive maps, focusing on certain sets of figures, or on specific violations regularly seen in Syria, in addition to daily news reports that shed light on human rights violations in the country.

³ We generally use the term 'the Syrian regime' rather than 'the Syrian government', because the nature of the ruling power in Syria is that of a totalitarian dictatorship where power is concentrated in the hands of a small circle of individuals, namely the President of the Republic and the heads of the regime's security authorities. As a result, the ministers, including the Prime Minister and the Minister of Interior, play a restricted, largely ceremonial role, which is limited to implementing precisely what the ruling regime orders, with no real decision-making power or active role of their own. Syria is under autocratic/family rule, with no independent decision-making structure. Rather, the government is an empty façade that exists merely for show. The Minister of Interior receives orders from the security branches over which he supposedly presides. The Minister of Justice cannot even summon a low-ranking security office, let alone a security branch head. Syria is ruled by the president assisted by the heads of the security branches.

While we are aware that the United Nations and its agencies use the term 'the Syrian government', we believe that this is a completely inaccurate and misleading term in the Syrian context.

A. Legal and constitutional structure and the level of Syria's commitment to human rights international conventions

None of the current international human rights conventions and instruments ratified by Syria had any tangible effect in the formulation of the Constitution of 2012, or that of any domestic laws and legislative articles. Even worse, the current constitution blatantly contravenes the most basic human rights. For one thing, the Constitution grants the President of the Republic legislative, judicial, and executive powers, making it a far cry from any of the constitutions of those nations which respect even the most basic standards of constitutional rights. Furthermore, the Syrian regime, which has complete and absolute hegemony over the People's Assembly of Syria, i.e., the legislative authority in the country through the Baath Party,⁴ has promulgated dozens of laws that blatantly violate the fundamental rights of Syrian citizens, including those established in the ICCPR. Most prominent among these are:

Legislation No. 69 adopted by the President of the Republic on September 30, 2018, which reserves the authority to prosecute those police officers, personnel of the Political Security Directorate, and customs officers accused of carrying out torture solely for the General Staff of the Army and Armed Forces, despite the fact that the police force, Political Security Directorate and Customs Department are affiliated with the Ministry of Interior, not the General Staff of the Army and Armed Forces. In addition to this, regime intelligence officers cannot be prosecuted in accordance with Article 16⁵ of the 'Law on Establishing the State Security Directorate'⁶, and Article 74⁷ of the 'Law on Internal Regulations for the State Security Directorate and Rules on the Service of its Workers'.⁸

Law No. 55, adopted on April 21, 2011, which accorded police officers and other officers the same legal protection enjoyed by military personnel. In other words, this law enhanced, rather than repealed, the impunity of those with the potential to be involved in torture practices or other types of violations.

'Law on Media' (2011)⁹ whose articles detail banned publications using unquantified terminology. Moreover, almost anything can be banned on the grounds of Article 12 of this law.¹⁰

Legislative Decree No. 17 of 2012¹¹ which provides details of the penalties for publicizing any information that exposes the regime's practices and violations, as defined in Article 28¹² and the 'General Election Law'¹³, which blocks nearly everyone involved in or supportive of the popular uprising¹⁴ from running for, or voting in any elections, particularly in Articles 30 and 105.

Law No. 20 of 2022,¹⁵ adopted by the President of the Republic on April 18, 2022, which revised the regulations governing penalties for cybercrimes included in Legislative Decree No. 17 of 2012.¹⁶ This law contains ambiguous definitions. Our assessment is that it violates the right to freedom of the press, freedom of opinion, and freedom of expression, as well as threatening digital rights and online privacy. The law consists of 50 articles of legislation that significantly increase the penalties for publishing content on the web that is deemed in any way dissident by the authorities. It also prescribes a double penalty of fines and imprisonment against anyone convicted of publishing digital content online with the aim of "toppling of changing the ruling regime in the country" or "targeting the

⁴ Syrian Network for Human Rights (SNHR). (2020, August 14). Holding People's Assembly Elections before Reaching a Political Agreement Is Illegitimate and Undermines the Peace Process. <https://snhr.org/?p=55359>

⁵ Article 16 of the 'Law on Establishing State Security Directorate' states, "No State Security personnel shall be prosecuted for crimes committed during or prior to their undertaking of tasks they were assigned unless through an order issued by the director".

⁶ Promulgated on January 25, 1969, through Legislative Decree No. 14 of 1969.

⁷ Article 74 of the 'Law on Internal Regulations for the State Security Directorate and Rules on the Service of its Workers' states, "No State Security workers, affiliates, collaborators, or contractors shall be directly prosecuted before the judiciary for crimes stemming from their function or during their undertaking of their function before they are referred to the Disciplinary Council and an order by the director for their prosecution had been issued."

⁸ Promulgated on May 25, 1969, through Legislative Decree No. 549 of 1969.

⁹ People's Assembly of Syria, *Legislative Decree No. 108 of 2011 (Law on Media)*.

<http://www.parliament.gov.sy/arabic/index.php?node=5578&nid=4387&First=0&Last=14&CurrentPage=0&mid=&refBack=>

¹⁰ Article 12 of the 'Law on Media' states, "Media outlets are prohibited to publish 1. Any and all content that may affect national unity, national security, disrespect Abrahamic religions, or religious beliefs, or instigate sectarian grudges; 2. Any and all content that instigate the commission of crimes and acts of violence or terror or instigate hatred and racism; 3. News and information on the Army and Armed Force except those items issued by, and allowed to be publicized by the Armed and Armed Forces; 4. Any and all content prohibited to be published by the Public Penal Code and applicable legislations, as well as everything prohibited to be published by the courts and; 5. Any and all content that desecrates the symbols of the state."

¹¹ Ministry of Communications and Technology, *'Law on Communication on the Web and Counter-Cybercrime, Implementing Rules of Law on Social Communication and Counter-Cybercrime'*. <https://shorturl.at/imCM0>

¹² Ministry of Communications and Technology, *Article 28 of 'Law on Communication on the Web and Counter-Cybercrime, Implementing Rules of Law on Social Communication and Counter-Cybercrime'*. <https://shorturl.at/imCM0>

¹³ Syrian Arab News Agency (SANA). (2016, February 25) *Qānūn alāntikhābāt al'āmah* [Law on General Elections]. <https://sana.sy/?p=342119>

This law was promulgated in 2014 and amended in 2016.

¹⁴ The popular uprising that began in March 2011 with calls for freedom and dignity.

¹⁵ Ministry of Communications and Technology, *Law No. 20 of 2022 (Counter-Cybercrime Law)*. <https://moct.gov.sy/news-0015>

¹⁶ People's Assembly of Syria, *Legislative Decree No. 17 of 2012 'on Implementing the Law on Communication on the Web and Counter-Cybercrime'*.

<https://www.parliament.gov.sy/arabic/index.php?node=201&nid=4337&RID=-1&Last=118&First=0&CurrentPage=0>

state or undermining national unity". We have published a legal analysis of this law,¹⁷ in which we documented the numbers of arrests/detentions and deaths due to torture recorded by SNHR's team in connection with it since it came into effect. This only included those cases involving people arrested/detained in connection with this law, who faced charges related to the restriction of freedom of opinion and expression on the grounds of this law,; it does not include any analysis of those detained in connection with the legislation who face charges of a criminal nature, such as information fraud, violation of privacy, drug trafficking on the web, promoting malicious software, and other such charges.

On March 30, 2022, the head of the Syrian regime promulgated Law No. 16 of 2022 on 'criminalizing torture'. The law declares that torture is a felony, with those who perpetrated, participated in, or encouraged it incurring a severe punishment. In Syrian laws, felonies are subject to a 10-year statute of limitations. That is, if the Public Prosecution fails to initiate the legal proceedings on it within the time limit, then the case is dismissed altogether. SNHR assesses that there is a dysfunction within the Syrian regime, in regard to the level of torture¹⁸ and the entire legal system on torture.¹⁹ In fact, the law itself is flawed since it does not retroactively apply to torture crimes perpetrated before its promulgation. The law also fails to make any mention of the cruel and inhumane conditions of detention in regime prisons. As such, this law will be nothing more than ink on paper, and will fail to deter the security authorities from committing torture as long as those other laws that afford these authorities impunity against any judicial prosecution remain in effect.²⁰

On August 10, 2022, the Syrian regime government's Minister of Justice issued Circular No. 22 specifying²¹ the procedures for the conduct of proceedings related to registering deaths at Sharia courts. The circular included new conditions stipulating that five items of evidence must be submitted to and approved by the relevant judges in proceedings related to registering a death. It also requires that all relevant courts involved in death registration cases comply with the circular's content. The circular also gave security clearance to judicial authorities empowering them to register death cases, increasing the security services' intrusion into this process. According to our analysis of the text of this circular, **six constitutional contraventions are contained in this circular:**²²

1- This new circular violates the provisions of Civil Status Law No. 13 of 2021, Articles 35-43 which stipulated the conditions for the procedures to be followed in registering deaths, with these articles containing no requirements, restrictions, or clearance to register the death. This once again proves that legal conditions laid down by national law can be arbitrarily canceled by hastily issued, written or even orally transmitted instructions, further strengthening the already vast powers of the security services, and opening the door even wider to operations of harassment, control, and extortion.

2- This circular is considered a blatant intrusion into the work of the judicial authority, whose independence is, at least nominally, enshrined in the current Syrian constitution, which stipulates that the judge is the sole arbiter and decision-maker in requesting any document, statement, or clearance and that conditions and restrictions may not be imposed on him. This circular also includes a violation of the principles of the separation of powers and the independence of the judiciary, which are protected by Article 132 of the current constitution established by the Syrian regime. The Minister of Justice, as a representative of the executive authority, is not legally permitted to issue a circular containing directives and instructions to the Sharia judges who specialize in issuing these provisions.

3- The circular stipulates that **judges should request that the relevant criminal security branch communicates with other security branches to acquire any available information about the person whose death is to be registered or to obtain security clearance for doing so.** This condition is a restriction by the security authorities on the jurisdiction of the judiciary and is also characterized by ambiguity and a lack of realism because all security departments and branches habitually procrastinate in responding, often failing to provide any response at all, while no ministry or entity has the ability to compel the security services to respond. Also, requesting

¹⁷ Syrian Network for Human Rights (SNHR). (2023, August 18). *Law No. 20 of 2022 Promulgated by the Syrian Regime Further Perpetuates the Oppression of Freedom of Opinion and Expression, and Has Been Used as Grounds for Dozens of Cases of Arbitrary Arrest and Torture.* <https://snhr.org/?p=60100>

¹⁸ For more details, see:

Syrian Network for Human Rights (SNHR). (2022, April 28). *'Laws' 15 and 16 of 2022 Issued by the Syrian Regime: Textually Flawed and Impossible to Implement.* <https://snhr.org/?p=57764>

¹⁹ Ibid.

²⁰ For more details, see:

Syrian Network for Human Rights (SNHR). (2022, December 2). *At Least 196 Arbitrary Arrests/Detentions Documented in Syria in November 2022, Including 11 Children and Three Women, Mostly at the Hands of Syrian Regime Forces.* <https://snhr.org/?p=58878>

²¹ Circular by the Minister of Justice on Registering Deaths, August 2022. See: <https://drive.google.com/file/d/1gOmQHwQlqisEFn31Tkzmdt3RJ1Jvea9/view>

²² Syrian Network for Human Rights (SNHR). (2022, August 19). *The Syrian Regime, Through Its Security Services and State Institutions, Controls the Incidents of Registering the Deaths of Victims Killed/'Disappeared' in the Armed Conflict Since March 2011.* <https://snhr.org/?p=58319>

security clearance to register the death is a vague appeal that raises questions about the justification for such clearance, and about whether or not the security branch is authorized to issue it. It also gives no consideration to how any judge can issue a verdict on the proceedings if he has not received any responses from the security branches.

4- Most proceedings involving the registration of a death are undertaken by the families of the victims who were killed, went missing, or were forcibly disappeared in the Syrian regime's detention centers. Through this recent circular, the Syrian regime has made it clear that it wants the families themselves to register their loved ones as having died, and to abandon any hope of ever knowing how they died, who killed them, when they were killed, and the current location of their bodies, even though, normally, the Syrian regime is supposed to open an investigation into every death of a Syrian citizen and to issue a document based on the findings of this investigation showing the cause and date of the death, and other details.

5- The circular stipulates a requirement to **“regulate a police report of the death incident and an ‘entry/exit’ movement statement for the person whose death is required to be registered by the Immigration and Passports Department, and a statement from the Mukhtar of the district, in which he certifies the authenticity and confirmation of the death.”** Although these procedures, appear to be intended to prevent the falsification of reported deaths, it's clear that since the deceased individuals who are the subject of this circular are those who died of unnatural causes, these are citizens who were subjected to extrajudicial killing; it is quite obvious, therefore, that the purpose of this circular is to ensure that the real causes of death recorded in these proceedings are not provided and to obscure the truth by exploiting families' need to register the death of their loved ones, thereby forcing them to alter the facts. This false reporting may also cause many of the victims' and their families' rights to be lost in the future (such as the right to hold the perpetrators accountable and to reparation).

6- The issuing of security clearances can be used by the regime as a means of material exploitation and extortion of citizens, given their urgent need to complete such transactions which cannot be left unfinished for an indefinite period, forcing them to pay large sums of money to mediators or networks involved in the conduct of such proceedings, including figures such as “lawyers, officers, judges, brokers, and others” to obtain these clearances in order to be able to complete the remaining procedures, with these figures linked to a network of relations with the security services.

On September 3, 2023, the Syrian regime promulgated Legislative Decree No. 32 of 2023,²³ which ended the effectiveness of Legislative Decree No. 109 of August 17, 1968, and its subsequent amendments, including the establishment of Military Field Courts. According to Legislative Decree 32/2023, all cases currently handled by Military Field Courts are to be referred to the military judiciary and to be processed in accordance with the Military Penal Code (Legislative Decree No. 61/1950 and its subsequent amendments). Legislative Decree 32/2023 is to be implemented with immediate effect. Based on several indicators observed by SNHR, the Syrian regime's decision to dissolve the Military Field Court after it had concluded most of the cases brought before it, especially those related to defendants who were tried over matters of political opinion and the ongoing conflict. The court issued many sentences, including death sentences, against such individuals, doing so frequently. We have even documented the Syrian regime carrying out death sentences a few months before the promulgation of Decree 32/2023²⁴.

On November 16, 2023, the Syrian regime promulgated Legislative Decree No. 36 of 2023,²⁵ providing a general amnesty for all crimes committed before the date of the decree. This decree, which excludes political detainees, prisoners of conscience, and those arrested in relation to the conflict, was preceded by three similar decrees within a short period of time, with each of these decrees being separated from the next by no more than a few months. We have analyzed the articles of this decree,²⁶ and concluded that it was

²³ People's Assembly of Syria, *Legislative Decree No. 32 of 2023*.

<http://www.parliament.gov.sy/arabic/index.php?node=201&nid=23616>

²⁴ In addition to this, referring cases handled by the Military Field Court to the military judiciary is nothing but a formality since the security authorities still have the power to detain, interrogate, and bring charges against detainees, and then to choose whichever court (military judiciary, Counterterrorism Court, civil criminal judiciary) will handle their cases. There is also the issue of the military judiciary being affiliated with the Ministry of Defense in the same way as the now-dissolved Military Field Court, meaning that it has no independence. Accordingly, the Minister of Defense wields broad powers within the military judiciary. Moreover, the military judiciary largely resembles an exceptional judicial apparatus. Many of the rulings issued by the military judiciary are not much different to those issued by the Military Field Court, especially since most judges who served at the Military Field Court were re-appointed within the ranks of the military judiciary. Even worse, the effects of the rulings issued by the Military Field Court are still very much active, including the enforced disappearance of many defendants, and the seizure of properties. Based on all the above points, it's clear that this decision is no more than a formality that has no tangible or actual effect on the issue of detainees and forcibly disappeared persons.

²⁵ Syrian Arab News Agency (SANA). (2016, November 16) *Alrr'is al'asad yuṣdiru marsūmān bimanḥi 'afwwin 'ammin 'an aljarā'imi almurtakabah qabal tāriḥ 16/11/2023* [President Assad Issues a General Pardon for Crimes Committed Before November 16, 2023]. <https://www.sana.sy/?p=2001954>

²⁶ Syrian Network for Human Rights (SNHR). (2023, November 18). *Amnesty Decree No. 36 of 2023 Excludes Political Prisoners*. <https://snhr.org/blog/2023/11/21/amnesty-decree-no-36-of-2023-excludes-political-prisoners/>

designed specifically to ensure the release of drug users, deserters, military servicemen, and criminals convicted of committing petty crimes and misdemeanors. Meanwhile, the decree excludes all prisoners of conscience and detainees arrested in the context of the conflict, leaving it devoid of legal value and with no real bearing on the release of detainees and forcibly disappeared persons held in regime detention centers.

On November 30, 2023, the People's Assembly of Syria adopted the 'Law on Managing and Investing Transferrable and Non-Transferrable Assets That Were Seized Pursuant to an Unappealable Judicial Ruling'.²⁷ Under this law, the Ministry of Finance handles matters concerned with managing and investing transferrable and non-transferrable assets, except for land located outside the regulatory zones, which are managed and invested by the Minister of Agriculture and Agrarian Reform. According to the text of the law, its articles apply retroactively, meaning they apply to all unappealable judicial rulings on the seizure of transferrable and non-transferrable assets, regardless of whether these rulings were issued prior to or since this law's promulgation. Moreover, this law was introduced to enable the management and investment of transferrable and non-transferrable assets seized pursuant to an unappealable judicial ruling. Through this legislation, ownership of the assets in question will automatically be transferred to the state. As such, this procedure violates all the laws that protect property rights under the Syrian constitution, domestic laws, and even international humanitarian law, customary international law, and the International Covenant on Civil and Political Rights.²⁸ SNHR believes that this law is the fruit of a deliberate and calculated policy which the regime has perpetuated and expanded since March 2011, of seizing the transferrable and non-transferrable assets of a wide range of the Syrian people - most notably arbitrarily arrested detainee, individuals forcibly disappeared in regime detention centers, and hundreds of thousands of fugitives among the forcibly displaced. In pursuit of this policy, the regime has issued large numbers of decisions authorizing the provisional and judicial seizure of property and assets, ultimately culminating in the regulation of these practices through promulgation of this law.

On December 17, the Syrian regime promulgated Law No. 29 of 2023,²⁹ which is an amendment of Article 50 of the Military Penal Code of 1950. In its original form, Article 50 provided that civilians should be tried before a regular criminal court, instead of before the military judiciary unless their crime was related to a designated military function. However, Article 1 of Law No. 29/2023 provides that "military courts shall handle the cases of all individuals commissioned in the army or armed forces, or in any military unit established in line with a decision by the relevant authority for a certain function during times of war, or times of a state of war, or when the army or the force in question is present in an area where an emergency has been declared provided that the crime stems from their function, as well as civilian workers at the Ministry of Defense in the event that the crime stemmed from their function and the criminal offense committed by the civilians is directed against a military individual as defined in the applicable Military Service Law."

This recent decree has no retroactive bearing on the regime's practices of having civilians arrested in relation to the conflict appear before the military judiciary. This is because the regime brings baseless charges related to targeting its forces against civilians referred to the military judiciary. Even worse, the regime has expanded the personal mandate of the military judiciary to include personnel affiliated with the informal regime forces fighting alongside the regime's official forces. We believe that these inclusions grant those informal forces impunity in case any civilian wishes to file a lawsuit against them, as the procedural protocol dictates that a lawsuit cannot be officially filed unless these forces' superiors among the security branches' officers first give approval, or through a decision issued by the General Staff of the Army and Armed Forces. In the past 13 years, the Syrian regime has never put even one member of its military forces on trial in connection with the conflict.

In addition to all the above points, the Syrian regime has used, in its legal texts, excessively vague and broad terminology lacking any specific meaning, such as "undermining the nation's psyche", "weakening nationalist sentiments", or "instigating sectarian grudges," etc. The Syrian regime has used these laws to unjustly bring charges against whomever it wishes, since these phrases, which the regime has failed to define or quantify, can be projected onto any action, no matter how minor or innocuous.

²⁷ Syrian Arab News Agency (SANA). (2016, November 16) *Majlis alshsha'b yuqirru mashrū' qānūn yasmaḥ bi'idārah wāstithmāri al'imwāli almuṣādarati biḥukmin qaḍā'i* [People's Assembly Passes a Law Authorizing the Management and Investment of Assets Seized Pursuant to a Judicial Ruling]. <https://www.sana.sy/?p=2009083>

²⁸ Syrian Network for Human Rights (SNHR). (2023, November 18). *Amnesty Decree No. 36 of 2023 Excludes Political Prisoners*. <https://snhr.org/blog/2023/11/21/amnesty-decree-no-36-of-2023-excludes-political-prisoners/>

²⁹ Syrian Arab News Agency (SANA). (2016, November 16) *Alra'īs al'asad yuṣḍiru qānūnān bita'dīli almādati (50) min qānūn al'uqūbāti al'askariyah* [President Assad Issues an Order for Amending Article 50 of the Military Penal Code]. <https://shorl.at/kyEJT>

B. Key developments and most notable findings with regard to the implementation of the ICCPR and other related issues

1. Right to life

1. Syrian regime forces³⁰ have continued to violate the right to life of hundreds of thousands of Syrians since March 2011. In this, Syrian regime forces have committed crimes of extrajudicial killing during the period of time covered by this report through three main types of violation that are still ongoing to this day, namely: torture leading to death, executions based on trials that lack legality and legitimacy, and indiscriminate and deliberate bombing of residential neighborhoods resulting in the death of Syrian civilians.

Between August 2020 and June 2024,³¹ SNHR documented the killing of 848 civilians, including 219 children and 72 women at the hands of Syrian regime forces, through indiscriminate or deliberate bombardment using all kinds of weapons, in addition to those who died as a result of torture, siege, starvation, hypothermia, and other causes.³²

2. Syrian regime forces have failed to comply with UN Security Council resolution 2139,³³ and to distinguish between civilians and combatants. Regime forces have also failed to comply with UN Security Council resolution 2254,³⁴ as well as with any of the rules of international humanitarian law and international human rights law.

3. Syrian regime forces have carried out ground and aerial military attacks on many Syrian governorates, but mostly on the Idlib region in northwestern Syria. Those attacks targeted populated areas far from the dividing lines, in which Syrian regime forces have failed to uphold the principles of distinction³⁵ and proportionality³⁶ as required by international humanitarian law. Accordingly, those attacks resulted in civilian casualties and destruction of vital civilian facilities.

4. Syrian-Russian alliance forces also escalated their military attacks on the northwestern Syria region from October 5, 2023. These attacks resulted in civilian casualties, destruction of vital civilian facilities, and the forced displacement of tens of thousands of residents.³⁷

5. Syrian regime forces have continued to use cluster munitions.³⁸ In total, three attacks at least have been documented, which resulted in the killing of 12 civilians, including 5 children and 2 women. Additionally, cluster bomblets and submunitions which were left by cluster munitions attacks and later exploded killed 35 civilians, including 17 children.

³⁰ Syrian regime forces include army, security, local militias, Shiite foreign militias.

³¹ All figures mentioned hereafter are specifically related to this period of time, unless stated otherwise. These deaths are distributed by year:

- From August 2020 until the end of 2020: 113 civilians, including 11 children and five women.
- In 2021: 261 civilians, including 68 children and 32 women.
- In 2022: 196 civilians, including 30 children and seven women.
- In 2023: 225 civilians, including 57 children and 24 women.
- Since the start of 2024: 53 civilians, including eight children and four women.

³² For more details see:

Syrian Network for Human Rights (SNHR). (2021, January 16). *SNHR's 10th Annual Report: Most Notable Human Rights Violations in Syria in 2021*. <https://snhr.org/?p=55886>

Syrian Network for Human Rights (SNHR). (2022, January 16). *SNHR's 11th Annual Report: Most Notable Human Rights Violations in Syria in 2022*. <https://snhr.org/?p=57255>

Syrian Network for Human Rights (SNHR). (2023, January 23). *SNHR's 12th Annual Report: Most Notable Human Rights Violations in Syria in 2022*. <https://snhr.org/?p=59062>

Syrian Network for Human Rights (SNHR). (2024, January 16). *SNHR's 13th Annual Report: Most Notable Human Rights Violations in Syria in 2023*. <https://snhr.org/?p=63467>

³³ The UN Security Council adopted resolution 2139 on February 22, 2014, demanding that "all parties immediately cease all attacks against civilians, as well as the indiscriminate employment of weapons in populated areas, including shelling and aerial bombardment, such as the use of barrel bombs,"

See P.3 of:

UN Security Council. (2014, February 22). *Resolution 2139 (2014)*. [https://undocs.org/S/RES/2139\(2014\)](https://undocs.org/S/RES/2139(2014))

³⁴ UN Security Council. (2015, December 18). *Resolution 2254 (2015)*. [https://undocs.org/S/RES/2254\(2015\)](https://undocs.org/S/RES/2254(2015))

³⁵ "The parties to the conflict must at all times distinguish between civilians and combatants. Attacks may only be directed against combatants. Attacks must not be directed against civilians." See:

Customary IHL - Rule 1. *The Principle of Distinction between Civilians and Combatants*. <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule1>

"The parties to the conflict must at all times distinguish between civilian objects and military objectives. Attacks may only be directed against military objectives. Attacks must not be directed against civilian objects." See:

Customary IHL - Rule 7. *The Principle of Distinction between Civilian Objects and Military Objectives*. <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule7>

³⁶ "Launching an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated, is prohibited."

Customary IHL - Rule 14. *Proportionality in Attack*. <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule14>

³⁷ Syrian Network for Human Rights (SNHR). (2023, October 23). *Syrian-Russian Alliance Forces Have Committed Violations that Constitute Crimes Against Humanity and War Crimes Through Unlawful Attacks Against Northwestern Syria*. <https://snhr.org/?p=60356>

³⁸ Syrian Network for Human Rights (SNHR). (2023, January 31). *Cluster Munitions Remnants are an Open-Ended Threat to the Lives of Syria's Future Generations*. <https://snhr.org/?p=59103>

6. Syrian regime authorities have taken no actual steps on the ground to protect civilians against the violations committed by regime forces against territories controlled by al-Nusra Front (Hay'at Tahrir al-Sham [HTS]), ISIS, Kurdish Self-Management forces, and armed opposition factions, which include killing, torture, displacement, and seizure of properties. Even worse, Syrian regime forces have bombed civilians in these areas, exacerbating their suffering and displacement.
7. The Syrian regime, Hezbollah, and pro-Iranian militias have been responsible for concealing Captagon and other narcotics traffickers and warehouses among Syrian civilians,³⁹ putting the lives of their families, as well as the lives of residents living near those individuals, at serious risk.⁴⁰ Since May 8, 2023, we have recorded the killing of at least 25 civilians, including nine children and eight women, in attacks targeting areas in southern Syria that were carried out by fixed-wing warplanes believed to be affiliated with the Jordanian air force under the guise of combating Captagon and narcotics trafficking.
8. The Syrian regime enlisted pro-Iranian militias, including the Lebanese group Hezbollah, to inflict widespread and systematic crackdowns against the Syrian people.
9. Russia's military intervention has massively increased the scale of violations, including crimes against humanity.⁴¹
10. Syrian regime forces have imposed siege on a number of areas in Aleppo governorate, Homs, southern Syria,⁴² and al-Rukban Camp.⁴³ This involved restricting and blocking entry from and into the besieged areas, as well as the restriction and blockage of the delivery of food and medical supplies and fuel. There were also threats of carrying out military offensives. All of these have exacerbated the suffering and worsened the living and health conditions of civilians.⁴⁴

2. Right to liberty and security of person and violations related to unlawful arrests and detention and enforced disappearance

1. Even though Syria supported the recommendations included in the UPR of 2012's first cycle (numbered 101.10, 101.11, 101.12, 101.13, 101.14, 101.15, 101.16, 101.17, and 101.18) and declared that they have already been implemented, pro-regime forces have continued to hunt down and target civilians in the regime areas of control over their political dissent and expression of opinions, which should be protected in accordance with the Syrian constitution and international humanitarian law. This confirms a crucial and inescapable truth: no Syrian citizen can feel safe from arrest since these are carried out without any legal grounds or any oversight by any independent judiciary. Most detainees are subsequently reclassified as enforced disappearance cases. At least 4,013 cases have been recorded in the period of time mentioned above.
2. Most of the arrests that take place at regime checkpoints or during raids are carried out without the arresting officers showing any official arrest warrant. Detainees arrested in this way are usually referred to either the Military Field Courts, Counterterrorism Court, or the Military Court, all of which are courts of an abnormal and politicized nature, run as state security facilities and lacking the most fundamental standards of due legal process, resembling state security facilities rather than actual legitimate courts. Detainees, who

³⁹ Syrian Network for Human Rights (SNHR). (2023, May 12). *Jordanian Forces and the Syrian Regime are Responsible for the Killing of Seven Syrian Civilians, including Five Children and One Woman*. <https://snhr.org/blog/2023/05/12/jordanian-forces-and-the-syrian-regime-are-responsible-for-the-killing-of-seven-syrian-civilians-including-five-children-and-one-woman/>

⁴⁰ Syrian Network for Human Rights (SNHR). (2024, January 29). *SNHR Investigation Proves Jordanian Forces' Responsibility for An Attack on Orman Town in Rural Suwayda That Killed 10 Syrian Civilians, Including Two Girls and Five Women on January 18, 2024*. <https://snhr.org/?p=63829>

⁴¹ In their air and ground attacks in recent months, Russian forces have again targeted civilian areas under the control of armed opposition factions and HTS, killing 108 civilians and displacing thousands more people, as well as destroying vital civilian facilities. Our monitoring shows that Russian forces deployed reconnaissance aircraft in tandem with artillery attacks by regime forces. (see: Syrian Network for Human Rights (SNHR). (2023, September 29). *SNHR's Eighth Annual Report on the Most Notable Violations by Russian Forces Since the Launch of Russia's Military Intervention in Syria on September 30, 2015*. <https://snhr.org/?p=60302>)

⁴² Syrian Network for Human Rights (SNHR). (2021, September 4). *Condemnation of the Syrian regime's barbaric threats and actions against the people of Daraq to force them into displacement*. <https://snhr.org/blog/2021/09/04/56765/>

⁴³ Syrian Network for Human Rights (SNHR). (2022, August 3). *Urgent appeal to end the suffering of thousands of IDPs in al Rukban Camp by supplying urgently required drinking water*. <https://snhr.org/blog/2022/08/03/urgent-call-to-put-a-stop-to-the-needs-of-thousands-of-idps-in-al-rukban-camp-due-to-shortages-of-drinking-water/>

⁴⁴ On sieges and threats of military operations by the Syrian regime, see:

Syrian Network for Human Rights (SNHR). (2021, January 26). *Tenth Annual Report: The Most Notable Human Rights Violations in Syria in 2020*. <https://snhr.org/blog/2021/01/26/55886/>

Syrian Network for Human Rights (SNHR). (2022, January 21). *Eleventh Annual Report: The Most Notable Human Rights Violations in Syria in 2021*. <https://snhr.org/blog/2022/01/21/57255/>

Syrian Network for Human Rights (SNHR). (2023, January 23). *SNHR's 12th Annual Report: Most Notable Human Rights Violations in Syria in 2022*. <https://snhr.org/blog/2023/01/24/snhrs-12th-annual-report-most-notable-human-rights-violations-in-syria-in-2022/>

Syrian Network for Human Rights (SNHR). (2024, January 16). *SNHR's 13th Annual Report: Most Notable Human Rights Violations in Syria in 2023*. <https://snhr.org/blog/2024/01/23/snhrs-13th-annual-report-most-notable-human-rights-violations-in-syria-in-2023/>

also usually face baseless charges, are forced to give confessions under duress of torture and intolerable pressure, and are denied any opportunity to contact a lawyer.⁴⁵

3. Arbitrary arrest and enforced disappearance practices by Syrian regime forces are by no means haphazard or individual-level isolated occurrences. Rather, they are the result of a calculated and deliberate policy that aims to crush and control the public, and that involves the highest echelons of power within the state and the security apparatus, including the various security and military bodies, as well as the judiciary (which is affiliated with the Ministry of Justice or the Ministry of Defense). The judiciary has taken no action to protect the rights of forcibly disappeared persons, not even those who are standing trial, or those forcibly disappeared at the hands of the security authorities after they had been referred to the judiciary from the central/civilian prisons, especially the Counterterrorism Court in Damascus.⁴⁶ The judiciary has also been a key instrument in enforced disappearance practices, exemplified by the Military Field Courts⁴⁷ that have issued many secret sentences against thousands of forcibly disappeared persons.

4. Issuing death sentences through unfair trial is an automatic violation⁴⁸ of Article 7 of the ICCPR. Death sentences have been carried out in a widespread manner in regime detention centers, even against children.

5. The Syrian regime has committed enforced disappearance as part of a widespread attack directed against the civilian population⁴⁹. The Syrian regime gave orders for the arrest and then the enforced disappearance of anyone and everyone with any connection to the popular uprising, with full awareness of the outcome of these orders, which constitutes a crime against humanity,⁵⁰ and a war crime.⁵¹ This also violates UN Security Council resolutions 2042⁵² and 2139.⁵³ The number of persons forcibly disappeared during this period has reached 2,109, including children and women.⁵⁴

3. Torture and inhumane punishment and treatment

7. Torture has been practiced in Syria with the same frequency and using the same methods since 2011. We do not believe, nor do we see any indicator or hope that it will be stopped by the Syrian regime or that it will end without a complete political change of the country's leadership, with the regime never ordering or carrying out any serious investigation or engaging in any efforts to hold those involved in practicing torture accountable for their actions.⁵⁵ Regime forces inflict various types of torture in their detention centers

⁴⁵ Syrian Network for Human Rights (SNHR). (2024, January 2). *At Least 2,317 Arbitrary Arrests/Detentions Documented in 2023, Including of 129 Children and 87 Women, With 232 Documented in December Alone*. <https://snhr.org/blog/2024/01/02/at-least-2317-arbitrary-arrests-detentions-documented-in-2023-including-of-129-children-and-87-women-with-232-documented-in-december-alone/>

⁴⁶ Syrian Network for Human Rights (SNHR). (2020, October 15). *At Least 10,767 Persons Still Face Trial in Counter-Terrorism Court, nearly 91,000 Cases Heard by the Court and 3,970 Seizures of Property*. <https://snhr.org/blog/2020/10/15/55561/>

⁴⁷ Syrian Network for Human Rights (SNHR). (2023, September 13). *An Instrument of Death and Disappearance: How the Syrian Regime Uses Military Field Courts Against Activists and Dissidents*. <https://snhr.org/blog/2024/01/02/at-least-2317-arbitrary-arrests-detentions-documented-in-2023-including-of-129-children-and-87-women-with-232-documented-in-december-alone/>

⁴⁸ This is on the grounds that the ICCPR's second optional protocol aims to cancel the death sentences under all circumstances.

⁴⁹ The Syrian regime's enforced disappearance strategy has also involved a number of aspects and practices that we have identified through analysis of our data (See: Syrian Network for Human Rights (SNHR). (2023, August 30). *SNHR's 12th Annual Report on Enforced Disappearance in Syria on the International Day of the Disappeared: Enforced Disappearance is an Ongoing Crime in Syria*. <https://snhr.org/blog/2023/08/30/snhrs-12th-annual-report-on-enforced-disappearance-in-syria-on-the-international-day-of-the-disappeared-enforced-disappearance-is-an-ongoing-crime-in-syria/>). These include the Syrian regime forcibly disappearing thousands of arrested people even before they can be taken to detention centers, which further confirms our fears that they may have been eliminated or executed by the regime checkpoint personnel responsible for their arrest without ever being transferred to any detention centers. The best-known example of this was seen in the atrocities committed by regime troops in al-Tadamun neighborhood in Damascus (see: Syrian Network for Human Rights (SNHR). (2023, January 24). *SNHR's 12th Annual Report: Most Notable Human Rights Violations in Syria in 2022*. <https://snhr.org/?p=59062>). In addition, the regime employs no legal or formal effective means to look for forcibly disappeared persons, nor does it disclose the fate of any of the missing persons. Enforced disappearance is also closely related to torture and exceptional trials.

⁵⁰ See Article 7 of the Rome Statute of the International Criminal Court. As such, the statute of limitations does not apply to those crimes. The same articles establish the rights of the victims to reparations and knowing the fate of their missing beloved ones.

⁵¹ See Article 8 of the Rome Statute of the International Criminal Court. Regime practices constitute a war crime since they were committed "as part of a plan or policy" primarily by the Syrian regime in its response to the popular uprising for democracy.

⁵² UN Security Council. (2012, April 14). *Resolution 2042 (2012)*. [https://undocs.org/S/RES/2042\(2012\)](https://undocs.org/S/RES/2042(2012))

⁵³ UN Security Council. (2014, February 22). *Resolution 2139 (2014)*. [https://undocs.org/S/RES/2139\(2014\)](https://undocs.org/S/RES/2139(2014))

⁵⁴ Syrian Network for Human Rights (SNHR). (2023, August 30). *SNHR's 12th Annual Report on Enforced Disappearance in Syria on the International Day of the Disappeared: Enforced Disappearance is an Ongoing Crime in Syria*. <https://snhr.org/blog/2023/08/30/snhrs-12th-annual-report-on-enforced-disappearance-in-syria-on-the-international-day-of-the-disappeared-enforced-disappearance-is-an-ongoing-crime-in-syria/>

⁵⁵ Syrian Network for Human Rights (SNHR). (2024, March 18). *On the 13th Anniversary of the Start of the Popular Uprising, 231,278 Syrian Civilians Have Been Documented Killed, Including 15,334 due to Torture, 156,757 Have Been Arrested and/or Forcibly Disappeared, While 14 Million Remain Forcibly Displaced*. <https://snhr.org/blog/2024/03/18/on-the-13th-anniversary-of-the-start-of-the-popular-uprising-231278-syrian-civilians-have-been-documented-killed-including-15334-due-to-torture-156757-have-been-arrested-and-or-forcibly-disappea/>

which vary in their severity and brutality.⁵⁶ Moreover, torture practices are so widespread and systemic that almost every former detainee has been subjected to one or multiple forms of torture. To this day, we are still documenting new cases of barbaric torture, and deaths due to torture, and we are seriously concerned for the fate of tens of thousands of forcibly disappeared persons.

8. Even though Syria ratified the Convention Against Torture in 2004, and supported many of the recommendations outlined in the 1st cycle of the UPR, which it declared that they are under implementation at the time (102.2, 102.3, 102.4, 102.5, 102.6, and 102.7), regime forces continue to perpetrate the most horrific forms of torture against dissidents in Syria on a daily basis, as they've done since March 2011. The effects of torture range from long-term psychological trauma to disability and to death. Many brutal torture methods are used including 'ghosting, crucifixion, and the 'German Chair'.⁵⁷

9. On March 13, 2022, the Syrian regime promulgated Law No. 16 of 2022,⁵⁸ We believe this law was an ostensible attempt to feign compliance with the Convention Against Torture, since this legislation is merely an article of ink on paper with no possibility of its being implemented amid the existing oppressive environment, and the interconnected range of laws that protect the regime's security agencies against accountability. There is also the issue of the law itself being deeply flawed, with SNHR detailing, in a special report,⁵⁹ five major flaws in the law's texts that render it devoid of any effect or meaningfulness on the ground.

10. We recorded that at least 285 individuals died due to torture, mainly as a result of the poor health conditions in regime detention centers.⁶⁰

11. The Syrian regime's government has failed to comply with the order issued by the ICJ,⁶¹ Since the order was issued on November 16, 2023, up until June 2024, we documented:

First: 537 arbitrary arrests, including of eight children and 21 women, who were imprisoned in regime detention centers. Of these, 63 were released, while 474 have been reclassified as enforced disappearance cases.

Second: At least 29 individuals have been killed under torture in regime detention centers.

Third: We documented no fewer than 14 cases of individuals classified as forcibly disappeared being registered as dead in the state civil registry records.

12. In most cases, the Syrian regime does not notify victims' families of their loved ones' deaths in regime detention centers on the date of their death. Usually, families find out about their loved ones' deaths either through former prisoners, following multiple visits to the Military Police's headquarters in Damascus, or through the records in civil registry offices. Families usually learn of their loved ones' deaths years after they happened.

13. Since the beginning of 2018, the Syrian regime has begun notifying some families of forcibly disappeared persons of their relatives' deaths through civil registry offices, without returning the victims' bodies to their families.⁶² We have documented 1,631 such cases, with those recorded as dead including 24 children and 21 women. We believe all of these individuals died due to torture or were

⁵⁶ Syrian Network for Human Rights (SNHR). (2023, October 10). *The Syrian Regime is Accused of Killing 15,051 Individuals, Including 190 Children and 94 Women, Under Torture in Its Detention Centers Since March 2011, While Nearly 136,000 Remain Forcibly Disappeared*. <https://snhr.org/blog/2023/10/10/the-syrian-regime-is-accused-of-killing-15051-individuals-including-190-children-and-94-women-under-torture-in-its-detention-centers-since-march-2011-while-nearly-136000-remain-forcibly-disappear/>

⁵⁷ Syrian Network for Human Rights (SNHR). (2021, October 19). *Documentation of 72 Torture Methods the Syrian Regime Continues to Practice in Its Detention Centers and Military Hospitals*. <https://snhr.org/blog/2019/10/21/54362/>

⁵⁸ Syrian Arab News Agency (SANA). (2022, March 30). *President al-Assad issues law that incriminates torture*. <https://www.sana.sy/en/?p=268111>

⁵⁹ Syrian Network for Human Rights (SNHR). (2022, April 28). *Laws' 15 and 16 of 2022 Issued by the Syrian Regime: Textually Flawed and Impossible to Implement*. <https://snhr.org/blog/2022/04/28/laws-15-and-16-of-2022-issued-by-the-syrian-regime-textually-flawed-and-impossible-to-implement/>

⁶⁰ Syrian Network for Human Rights (SNHR). (2023, June 26). *SNHR's 12th Annual Report on Torture in Syria on the International Day in Support of Victims of Torture*. <https://snhr.org/blog/2023/06/26/snhrs-12th-annual-report-on-torture-in-syria-on-the-international-day-in-support-of-victims-of-torture/>

⁶¹ On November 16, 2023, the Hague-based ICJ issued an order indicating provisional measures in the case brought by Canada and the Netherlands on the Application of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment against the Syrian regime.

⁶² Syrian Network for Human Rights (SNHR). (2018, July 18). *The Syrian Regime Records Forcibly Disappeared Persons as Dead in Civil Registration Offices*. <https://snhr.org/?p=52450>

Syrian Network for Human Rights (SNHR). (2018, August 27). *By Acknowledging the Death of 836 Forcibly-Disappeared Syrians at its hands, the Syrian Regime Convicts itself, yet the Security Council Does Nothing*. <https://snhr.org/?p=52615>

Syrian Network for Human Rights (SNHR). (2022, April 15). *The Syrian Regime Acknowledges the Death of 1,056 Syrian Citizens Forcibly Disappeared by the Regime Through the Civil Registry Departments, Including 54 from Deir al Asafeer, Whose Fate the Regime Revealed in February and March 2022*. <https://snhr.org/?p=57705>

Syrian Network for Human Rights (SNHR). (2022, December 20). *SNHR Obtains Hundreds of Death Certificates for People Forcibly Disappeared by the Syrian Regime, Whose Families Have Not been Notified of Their Deaths, Which Have Not been Announced by Civil Register Offices*. <https://snhr.org/?p=58930>

executed in accordance with rulings issued by the Military Field Court.⁶³ Since August 2020, we have documented 596 such cases, including of 15 children and 19 women.

14. The COI has documented the Syrian regime's practices of torture, describing them as crimes against humanity and genocide.⁶⁴ Those practices have also been documented by international human rights organizations including Human Rights Watch (HRW)⁶⁵ and Amnesty International.⁶⁶ As we have reiterated previously, there is extensive and irrefutable evidence that the Syrian regime's torture practices are part of a calculated and central policy that has led to the deaths of at least approximately 15,000 Syrians, which as such constitutes a crime against humanity.⁶⁷

15. All the amnesty decrees issued by the Syrian regime since March 2011, at least 23 to date, have all failed to lead to the release of the overwhelming majority of detainees and forcibly disappeared persons.⁶⁸ On the contrary, indeed, we are documenting more and more arrests of anyone involved in any political activism in various contexts. We have released many reports analyzing these decrees from a legal and human rights standpoint⁶⁹ and outlining the findings of our monitoring of the implementation of those amnesty decrees in regime detention centers. We can confirm that none of these amnesty decrees have had any tangible or noticeable outcome in terms of securing the release of any unjustly imprisoned detainees and forcibly disappeared persons from regime detention centers.

16. The Syrian regime surpasses many of the world's other authoritarian regimes by virtue of having absolute hegemony over the legislative and judicial branches of government. The regime has wielded this hegemony to promulgate a multitude of laws and decrees that violate international human rights law, as well as the principles of law and the parameters of arrests and interrogation established in domestic legislation and the current Syrian Constitution of 2012. The most notable of these illegitimate laws are Law No. 19 of 2012, known as the Counterterrorism Law,⁷⁰ which is used as grounds to try most detainees (in addition to the Syrian Penal Code⁷¹ which is used as grounds to try detainees accused of crimes against state security and national security as specified in said code), and its

⁶³ Syrian Network for Human Rights (SNHR). (2022, December 20). *SNHR Obtains Hundreds of Death Certificates for People Forcibly Disappeared by the Syrian Regime, Whose Families Have Not been Notified of Their Deaths, Which Have Not Been Announced by Civil Register Offices.* <https://snhr.org/?p=58930>

⁶⁴ Independent International Commission of Inquiry on the Syrian Arab Republic (COI). (2023, July 12). *No End in Sight": Torture and ill-treatment in the Syrian Arab Republic 2020-2023.* <https://reliefweb.int/report/syrian-arab-republic/no-end-sight-torture-and-ill-treatment-syrian-arab-republic-2020-2023-independent-international-commission-inquiry-syrian-arab-republic-ahrc53crp5-enar>

⁶⁵ Human Rights Watch (HRW). (December 16, 2015). *Syria: Stories Behind Photos of Killed Detainees.* <https://www.hrw.org/news/2015/12/16/syria-stories-behind-photos-killed-detainees>

⁶⁶ Amnesty International. (2016, August 18). *Syria: 'It breaks the human': Torture, disease and death in Syria's prisons.* <https://www.amnesty.org/en/documents/mde24/4508/2016/en/>

⁶⁷ Syrian Network for Human Rights (SNHR). (2023, June 26). *SNHR's 12th Annual Report on Torture in Syria on the International Day in Support of Victims of Torture.* <https://snhr.org/blog/2023/06/26/snhrs-12th-annual-report-on-torture-in-syria-on-the-international-day-in-support-of-victims-of-torture/>

⁶⁸ Syrian Network for Human Rights (SNHR). (2022, November 16). *Breaking Down the Amnesty Decrees Issued by the Syrian Regime Between March 2011 and October 2022.* <https://snhr.org/blog/2022/11/16/breaking-down-the-amnesty-decrees-issued-by-the-syrian-regime-between-march-2011-and-october-2022/>

⁶⁹ Syrian Network for Human Rights (SNHR). (2020, May 15). *Two Months Since Issuing Amnesty Decree, the Syrian Regime Released Only 96 of Nearly 130,000 Detainees and Arrested 113 More.* <https://snhr.org/blog/2020/05/15/54991/>

Syrian Network for Human Rights (SNHR). (2021, July 15). *The Syrian Regime Has Released 81 Individuals Under Amnesty Decree No. 13 of May 2021 and Arrested Nearly 176 Since Its Issuance.* <https://snhr.org/blog/2021/07/15/56546/>

Syrian Network for Human Rights (SNHR). (2022, May 27) *After Nearly a Month, the Syrian Regime Has Released Only 527 Detainees Under Decree 7/2022 and Continues to Detain Around 132,000 Others.* <https://snhr.org/blog/2022/05/27/after-nearly-a-month-the-syrian-regime-has-released-only-527-detainees-under-decree-7-2022-and-continues-to-detain-around-132000-others/>

Syrian Network for Human Rights (SNHR). (2020, May 15). *Amnesty Decree No. 36 of 2023 Excludes Political Prisoners.* <https://snhr.org/blog/2023/11/21/amnesty-decree-no-36-of-2023-excludes-political-prisoners/>

⁷⁰ People's Assembly of Syria, Law No. 19 of 2012.

See:

<http://www.parliament.gov.sy/arabic/index.php?node=201&nid=4306&RID=-1&Last=112&First=0&CurrentPage=0&VId=-1&Mode=-1&Service=-1&Loc1=0&Key1=&SDate=&EDate=&Year=-1&Country=&Num=19&Dep=-1&>

⁷¹ People's Assembly of Syria, Law No. 148 of 1949.

See:

<http://www.parliament.gov.sy/arabic/index.php?node=201&nid=12278&RID=-1&Last=20&First=0&CurrentPage=0&VId=-1&Mode=-1&Service=-1&Loc1=0&Key1=&SDate=&EDate=&Year=-1&Country=&Num=148&Dep=-1&>

subsequent amendment, Law No. 15 of 2022,⁷² the Military Penal Code,⁷³ and the Counter-Cybercrime Law.⁷⁴ The Syrian regime has weaponized its arsenal of laws through exceptional courts, such as the Counterterrorism Court,⁷⁵ and the Military Field Court.

17. The Military Field Court⁷⁶ is one of the worst exceptional criminal courts ever created in Syria's history. It has been a chillingly effective instrument wielded by the regime to crush activists and dissidents. Even though the court was dissolved on September 3, 2023, through Legislative Decree 32/2023,⁷⁷ its rulings remain in effect as of this writing. With the disbandment of the Military Field Court, all the cases previously handled by it were referred to the Military Judiciary, which is by no means less awful. The Military Judiciary is set to prosecute and handle those cases in accordance with the Procedural Law and Military Procedural Law established through Legislative Decree No. 61 of 1950 and its subsequent amendments.

18. The Syrian regime has admitted the execution of 7,872 individuals, including 114 children and 26 women, out of 14,843 detainees who received death sentences issued by Military Field Courts between March 2011 and August 2023. In all the cases where the death sentence had been issued and carried out, the victims' bodies still haven't been returned to the families, nor have the families been officially notified of their loved ones' deaths⁷⁸. Moreover, no fewer than 24,047 of those forcibly disappeared by the regime, including 98 children and 39 women, have been referred to the Military Field Court in the same period of time, between March 2011 and August 2023, with their fate remaining unknown.⁷⁹

19. The judiciary in Syria is completely and wholly subservient to the executive branch. Bashar Assad is the head of the High Judicial Council under the 2012 Constitution. He also has the power to appoint the judges of the Supreme Constitutional Court of Syria.⁸⁰ In mid-May 2022, the head of the Syrian regime issued Decree 127/2022 which discharged four members of the High Constitutional Court and appointed four new members in their place, while seven other members, including the head of the Court, retained their seats. The President of the Republic having the ability to select the members of the constitutional court is a manifestation of an absolutist, autocratic rule that obliterates any sense of judicial independence and separation of powers.

20. As the Commander-in-Chief of the Army and Armed Forces, Bashar Assad has been implicated in hundreds of crimes against humanity. Yet, instead of standing trial, he was re-elected through use of the brute force wielded by the security agencies in May 2021.⁸¹

⁷² People's Assembly of Syria, Law No. 15 of 2022

See:

<http://www.parliament.gov.sy/arabic/index.php?node=201&nid=22937&RID=-1&Last=120&First=0&CurrentPage=0&Vld=-1&Mode=-1&Service=-1&Loc1=0&Key1=&SDate=&EDate=&Year=-1&Country=&Num=15&Dep=-1&>

⁷³ People's Assembly of Syria, Law No. 61 of 1950

See:

<http://www.parliament.gov.sy/arabic/index.php?node=201&nid=11811&RID=-1&Last=56&First=0&CurrentPage=0&Vld=-1&Mode=-1&Service=-1&Loc1=0&Key1=&SDate=&EDate=&Year=-1&Country=&Num=61&Dep=-1&>

⁷⁴ People's Assembly of Syria, Law No. 20 of 2022

See:

<http://www.parliament.gov.sy/arabic/index.php?node=201&nid=22958&RID=-1&Last=10449&First=0&CurrentPage=1&Vld=-1&Mode=&Service=-1&Loc1=&Key1=&SDate=&EDate=&Year=&Country=&Num=&Dep=-1&>

⁷⁵ The Counterterrorism Court was established in accordance with Presidential Decree No. 22 of 2012 as serving as a substitute for the exceptional Supreme State Security Court, examining detainees' cases according to the Counterterrorism Law No. 19 of 2012, an article of legislation similar to the legislation on 'counter-revolutionary goals' issued in 1964, which violates the most basic principles and rules of law and human rights, under which a person can be arrested simply because he or she is suspected of not supporting the Syrian regime, with the court ruling on most cases of arrest carried out by regime forces. The Counterterrorism Court consists of three judges appointed by the President of the Republic, according to the proposal submitted by the Supreme Judicial Council, which is also chaired by the President of the Republic, and which tries civilians, military personnel, and juveniles, and issue sentences in absentia. In addition, these sentences may not be appealed except in the case of those who surrender themselves voluntarily. Although the body's official name is the Counterterrorism Court, it tries all types of crimes and can therefore be called an exceptional court; it is, in fact, part of the regime's security apparatus.

⁷⁶ Syrian Network for Human Rights (SNHR). (2023, September 12). *An Instrument of Death and Disappearance: How the Syrian Regime Uses Military Field Courts Against Activists and Dissidents*. <https://snhr.org/?p=60220>

⁷⁷ People's Assembly of Syria, Legislative Decree No. 32 of 2023.

See:

<http://www.parliament.gov.sy/arabic/index.php?node=201&nid=23616>

⁷⁸ We believe this figure to be the bare minimum of the actual number of executions carried out against detainees and forcibly disappeared persons in regime detention centers.

⁷⁹ Syrian Network for Human Rights (SNHR). (2023, September 12). *An Instrument of Death and Disappearance: How the Syrian Regime Uses Military Field Courts Against Activists and Dissidents*. <https://snhr.org/?p=60220>

⁸⁰ Syrian Network for Human Rights (SNHR). (2022, May 19). *The Syrian Regime's President Appoints and Dismisses the Supreme Constitutional Court Judges in a Blatant Embodiment of Dictatorship*.

<https://snhr.org/blog/2022/05/19/the-syrian-regimes-president-appoints-and-dismisses-the-supreme-constitutional-court-judges-in-a-blatant-embodiment-of-dictatorship/>

⁸¹ Syrian Network for Human Rights (SNHR). (2021, April 26). *The Presidential Elections That the Syrian Regime Unilaterally Plans to Hold Are Illegitimate, Imposed by Regime Security Services and Undermine the Political Process*. <https://snhr.org/blog/2021/04/26/56150/>



4. Media, freedom of opinion, expression, and peaceful assembly

21. In June 2012, following the presidential elections, the residents of several areas in Daraa governorate held demonstrations expressing their rejections of the election outcomes, which were met with a military campaign by the Syrian regime.⁸² This involved raids, bombardments, and imposing sieges on multiple areas and neighborhoods.⁸³ However, the bombardment by regime forces and pro-regime militias killed dozens of civilians, including children and women, while tens of thousands were displaced. Furthermore, Syrian regime forces carried out several arbitrary arrest campaigns in the neighborhood.⁸⁴

22. The Syrian regime bears by far the greatest responsibility for Syria's abysmal global ranking with regard to freedom of press and media work, which also tarnishes the image of Syria and the Syrian people. The Syrian regime has been responsible for a wide range of violations against journalists and media workers, including numerous types of serious violations, such as extrajudicial killings, arrest/enforced disappearance, torture, assaults on facilities, and imposing laws that restrict the freedom of press, opinion, and expression. The

23. The Syrian regime has forced relatives of political dissidents, who live in areas under their control, to appear on pro-regime media⁸⁵ and read out whatever messages are dictated by the regime security authorities, including statements condemning and disowning their dissident relatives. The Syrian regime has also maintained full and absolute control over all government media outlets, which is used to deny all the violations committed by the regime, and claim that they were done by terrorists in an attempt by the regime to blur, confuse, and plant doubts.

24. The Syrian regime still maintains its ban on all independent media outlets, imposing full and absolute control over state media, and quashing any freedom of opinion and expression for media workers and citizens through restrictive laws⁸⁶ and decrees⁸⁷ (or the People's Assembly of Syria, which is also completely subservient to the regime) that explicitly violate international human rights law, and alarmingly limit the freedom of the press, opinion, and expression.⁸⁸

25. On March 28, the Syrian regime promulgated Law No. 15 of 2022;⁸⁹ which included amendments to the Syrian Penal Code.⁹⁰ With respect to the amendments concerning expression of opinion or the Syrian conflict, SNHR noticed that the Syrian regime has expanded

⁸² Syrian Network for Human Rights (SNHR). (2021, August 9). *The Syrian Regime Takes Revenge on Daraa Governorate for Its Peaceful and Civilized Rejection of the Regime's 'Presidential Elections'*. <https://snhr.org/blog/2021/08/09/56651/>

⁸³ The offensive lasted until September 5, when the negotiation committee representing Daraa city's civilian population reached an understanding with Russia and the Syrian regime's security committee to end the military escalation in the city. This was followed by similar agreements with the remaining areas in the neighborhood throughout October 18. (see: Map showing locations of attacks carried out by the Syrian regime on al-Yadoda village in western rural Daraa on July 29, 2021. <https://drive.google.com/file/d/14sJ7ihkZL3d9yLqbN4Y0oNNSUBPmkit/view>)

⁸⁴ Syrian Network for Human Rights (SNHR). (2021, September 4). *Condemnation of the Syrian regime's barbaric threats and actions against the people of Daraa to force them into displacement*. <https://snhr.org/blog/2021/09/04/56765/>

⁸⁵ Syrian Network for Human Rights (SNHR). (2021, May 21). *The Syrian Regime Threatens, Arrests and Tortures the Families of Dissident Political and Military Activists, Using Mafia-Like Methods*. <https://snhr.org/blog/2021/05/21/56247/>

⁸⁶ For example, Article 12 of the Media Law has five paragraphs detailing what cannot be published, including "any and all content that would be deemed a threat to the national unity and security, or an insult to Abrahamic religions, religious beliefs, or instigating sectarian or creed-related grudges." Paragraph 5 also bans "any and all slight to the symbols of the state". All those terms are undefined and can be used to ban almost everything.

The law also gives the regime's National Council for Media the right to regulate the media sector. The Council, according to Article 20 of the same law, is composed of "nine members, including the head of the Council and their deputy, and must be Syrian nationals. And they shall be appointed through a decree issued by the Head of the Syrian Regime for a term of three years renewable once." In that, the Syrian regime perpetuates the individualist dominance over all state institutions, completely eroding any autonomy and objectivity the media sector is supposed to have. For the full text of the law see: <http://www.parliament.gov.sy/arabic/index.php?node=5578&nid=4387&First=0&Last=14&CurrentPage=0&mid=&refBack=>

⁸⁷ On May 7, 2012, Legislative Decree No. 17 on Implementing the Rules of Social Media and Counter-Cybercrime Law was issued. According to Article 28, the minimum sentence specified in the applicable criminal laws is doubled in the event the internet, a PC, or an information system was used. Paragraph C of the same Article names multiple forms of the crime punishable by law, including "promoting terrorism using information technology." It is well known that the Syrian regime describes all of its dissidents, and anyone who publishes any information exposing its practices and violations as a "terrorist". For the full text of this decree, see:

<http://www.parliament.gov.sy/arabic/index.php?node=201&nid=4337&RID=-1&Last=2&First=0&CurrentPage=0&VId=-1&Mode=-1&Service=-1&Loc1=0&Key1=&SDate=&EDate=&Year=2012&Country=&Num=17&Dep=-1&>

⁸⁸ "Media outlets are prohibited from publishing... 1. Any and all content that would be deemed a threat to the national unity and security, or an insult to Abrahamic religions, religious beliefs, or instigating sectarian or creed-related grudges... 5. Any and all slight to the symbols of the state." People's Assembly of Syria, Article 12 of Legislative Decree No. 108 of 2011, known as the Media Law.

<https://www.parliament.gov.sy/arabic/index.php?node=5578&nid=4387&First=0&Last=14&CurrentPage=0>

"A. The council shall be composed of nine members, including the head of the Council and its deputy. The members shall be chosen based on their experience in the fields of media, communication, intellect, culture, and the technical specialties related to the media, and must be fully naturalized Syrian nationals... C. The head of the Council and its deputy shall be appointed through a council, which also specifies their compensation, for a term of three years, renewable once." People's Assembly of Syria, Article 20 of Legislative Decree No. 108 of 2011, known as Media Law.

<https://www.parliament.gov.sy/arabic/index.php?node=5578&nid=4387&First=0&Last=14&CurrentPage=0>

⁸⁹ People's Assembly of Syria, Law No. 15 of 2022, which contains a number of amendments to the articles of the Public Penal Code promulgated through Legislative Decree No. 148 of 1949 and its amendments.

<http://www.parliament.gov.sy/arabic/index.php?node=201&nid=22937&RID=-1&Last=120&First=0&CurrentPage=0>

⁹⁰ People's Assembly of Syria, Public Penal Code (Legislative Decree No. 148 of 1949) and its amendments in Legislative Decree No. 1 of 2011.

<http://www.parliament.gov.sy/arabic/index.php?node=201&nid=12278&RID=-1&Last=20&First=0&CurrentPage=0>

what was already a vaguely broad list of crimes to apply to an even broader range of civilians who, under this law, can be prosecuted for exercising the most basic forms of expression of opinion or making the mildest criticism of the ruling authorities. We believe these amendments were adopted in an effort to contain the rising levels of popular resentment in regime areas, with those speaking out including even pro-regime figures as the public grapple with rapidly worsening economic and living conditions. In short, anyone who dares to critique virtually anything can be subject to arrest, which further tightens the regime's iron fist and provides more legal grounds for arrests.

26. One of the more recent laws that were passed placing further more restrictions on the freedom of press, opinion, and expression is Law No. 20 of 2022 on Cybercrime,⁹¹ adopted by the President of the Republic on April 18, 2022, which revised the regulations governing penalties for cybercrimes included in Legislative Decree No. 17 of 2012.⁹² This law contains ambiguous definitions. Our assessment is that it violates the right to freedom of the press, freedom of opinion, and freedom of expression, as well as threatening digital rights and online privacy. The law consists of 50 articles of legislation that significantly increase the penalties for publishing content on the web that is deemed in any way dissident by the authorities. It also prescribes a double penalty of fines and imprisonment against anyone convicted of publishing digital content online with the aim of "toppling of changing the ruling regime in the country" or "targeting the state or undermining national unity".⁹³

28. On April 23, 2024, the Syrian regime promulgated Law No. 19 of 2024,⁹⁴ which introduces a new Ministry of Media, which is set to supplant the older one established in accordance with Legislative Decree No. 186 of 1961. In line with the previous legal texts, SNHR believes that this law aims to place further and unprecedented restrictions on freedom of opinion and expression, as well as being riddled with contradictions, with a number of its articles contravening international instruments on human rights.⁹⁵ Even more absurd is the fact that this law conflicts with the Syrian Constitution adopted by the Syrian regime itself in 2012.⁹⁶ The most glaring of those contradictory features are found in Articles 4, 8, and 9 of Law No. 19⁹⁷.

29. We recorded that Syrian regime forces have killed xxx journalists and media workers. Moreover, we have recorded 61 cases of arbitrary arrest/detentions involving journalists and media workers, including 39 who are still under arrest and/or forcibly disappeared persons as of this writing.

30. In early-August 2023, a number of civil peaceful protesters staged demonstrations in regime areas, which ensued raid and arrest campaigns by Syrian regime forces who targeted many of those who participated in those protests, or expressed their demands. Those protest held the Syrian regime responsible for the worsening economic, social, and political situation in the country. Those protests

⁹¹ Ministry of Communications and Technology, *Law No. 20 of 2022 (Counter-Cybercrime Law)*. <https://moct.gov.sy/news-0015>

⁹² People's Assembly of Syria, *Legislative Decree No. 17 of 2012 'on Implementing the Law on Communication on the Web and Counter-Cybercrime'*. <https://www.parliament.gov.sy/arabic/index.php?node=201&nid=4337&RID=-1&Last=118&First=0&CurrentPage=0>

⁹³ On August 18, 2023, SNHR released the report, 'Law No. 20 of 2022 Promulgated by the Syrian Regime Further Perpetuates the Oppression of Freedom of Opinion and Expression, and Has Been Used as Grounds for Dozens of Cases of Arbitrary Arrest and Torture', which provides a legal and technical analysis of the text of this law, and more importantly its implementations on the ground and how it affected the lives of the Syrian people, as well as how it restricts freedom of opinion and expression, and other basic human right. The report also documented the numbers of arrests/detentions and deaths due to torture recorded by SNHR's team in connection with it since it came into effect. This only included those cases involving people arrested/detained in connection with this law, who faced charges related to the restriction of freedom of opinion and expression on the grounds of this law,; it does not include any analysis of those detained in connection with the legislation who face charges of a criminal nature, such as information fraud, violation of privacy, drug trafficking on the web, promoting malicious software, and other such charges.

⁹⁴ Syrian Arab News Agency (SANA). (2024, April 23). *President al-Assad issues law on establishing information ministry to replace the one issued in 1961*. <https://www.sana.sy/en/?p=329582>

⁹⁵ For instance, Article 19 of the Universal Declaration of Human Rights and Article 19(2) of the International Covenant on Civil and Political Rights.

See:

UN Human Rights Office (OHCHR). *Universal Declaration of Human Rights – English*. <https://www.ohchr.org/en/human-rights/universal-declaration/translations/english>

Also, see Article 19 of the ICCPR:

UN Human Rights Office (OHCHR). *International Covenant on Civil and Political Rights*.

<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

⁹⁶ Articles 42 and 43 of the 2012's Syrian Constitution. For the full text of the 2012's Syrian Constitution see:

Constitute. *Syrian Arab Republic 2012*. https://www.constituteproject.org/constitution/Syria_2012

⁹⁷ which provide for the new Ministry of Media to have absolute supervisory authority over all journalistic and media work in the country; as the new law establishes, this new authority is expressed in a number of ways, including formulating plans and regulations, conducting studies, research, and polls, supervising advertisements and disseminating brochures, establishing a monopoly over TV production and Syrian media abroad, handling the licensing of publishing houses and media service companies, and controlling TV production through a body called the National Committee on Drama, which would be responsible for framing the policies for production, scripting, and distribution. SNHR believes that the Syrian regime is trying to impose an even tighter grip on TV production in particular, and all media outlets in a more general sense, in order to promote its propaganda that it has been spouting for years, which is based on omitting facts, discrediting the narrative of the Syrian people's uprising for democracy, polishing the image of the Syrian regime, denying its crimes, and asserting its narratives.

continued, albeit at a more sporadic rate, until now. Syrian regime forces have also responded to many of those protests with live bullets, killing⁹⁸ and injuring civilians.⁹⁹

5. Refugees, IDPs, and freedom of movement

31. The widespread violations committed by Syrian regime forces and their allies since March 2011, have led to the internal displacement of 6.8 million Syrians, with 6.8 million others fleeing the country and seeking asylum in other countries.¹⁰⁰ The COI¹⁰¹ has concluded that there are grounds to believe that pro-regime forces may have committed what amounts to a crime against humanity through forced displacement.

32. In late-December 2021, Tafas city, in Daraa, saw its first displacement movement since the settlement agreement two years before that. About 10,000 of the city's residents (i.e., about one-third of Tafas's total population) fled in light of threats made by the Syrian regime's Fourth Division to launch an offensive against the city. There have also been other displacement waves from neighborhoods in Daraa city under attack by regime forces and their allies, with some residents even fleeing on foot.¹⁰²

33. The recent developments in southern Syria have also led to two more forced displacement agreements concerning former armed opposition fighters who were displaced to northern Syria:

- On May 20, 2021, the families of 30 former armed opposition fighters who refused a settlement with the Syrian regime left Um Batna village in rural Quneitra for northwestern Syria in accordance with a forced displacement agreements under a Russian sponsorship. The agreement came following an attack by unidentified gunmen on regime checkpoints in the vicinity of the village at the end of April. This prompted regime forces to impose a siege on the village¹⁰³, which was also shelled with mortar shells on May 1. The Syrian regime demanded that the fighters leave the village in exchange for ending the restriction on the village's residents and the release of two detainees from the village. Those displaced were denied entry to SNA-held areas at Abu al-Zandin Checkpoint in eastern Aleppo until the evening of the following day, May 21, when they were allowed to travel to northern rural Idlib via al-Gazzawiya checkpoint through northern rural Aleppo. The convoy arrived on the next day to reception centers designated for IDPs in Deir Hassan area in Idlib.
- Following the recent military escalation by regime forces in Daraa governorate in late-June, an agreement was struck to displace about 80 individuals who left in two convoys for northern Syria via Abu al-Zandin Checkpoint that separates regime areas from SNA-held areas. The first convoy departed on August 24 with eight people, with a second convoy left with 70 people, including women and children, on August 26, that included the families of those who were forcibly displaced.

34. We recorded pillaging and violations of property rights by regime and affiliated forces in areas that saw displacements. From July 27, 2021, onwards, the Syrian regime's Fourth, Fifth, Ninth, and Fifteenth Divisions, backed by Iranian militias, looted dozens of civilians' homes in several areas of Daraa governorate, after civilians fled their homes in those areas that had turned into battlefronts. Subsequently, those houses were repurposed as military outposts from which regime troops in regime areas could launch attacks against besieged areas.¹⁰⁴

35. Not only has the Syrian regime bombed and destroyed homes, but its violations have also extended to enacting laws that contravening the most basic principles of human rights. These laws, such as Decree 66, Decree 63, and Law No. 10,¹⁰⁵ are specifically

⁹⁸ Syrian Network for Human Rights (SNHR). (2023, September 5). *Most Notable Human Rights Violations in Syria in August 2023*. <https://snhr.org/blog/2023/09/05/most-notable-human-rights-violations-in-syria-in-august-2023/>

⁹⁹ Syrian Network for Human Rights (SNHR). (2023, August 26). *The Syrian Regime is Responding to the August 2023 Protests with the Same Savage Mindset with Which It Reacted to the Protests of March 2011*. <https://snhr.org/blog/2023/08/26/the-syrian-regime-is-responding-to-the-august-2023-protests-with-the-same-savage-mindset-with-which-it-reacted-to-the-protests-of-march-2011/>

¹⁰⁰ UN Refugee Agency (UNHCR). *Syria emergency*. <https://www.unhcr.org/emergencies/syria-emergency>

¹⁰¹ Independent International Commission of Inquiry on the Syrian Arab Republic (COI). (2021, January 21) 22nd Report by the Independent International Commission of Inquiry on the Syrian Arab Republic. <https://undocs.org/A/HRC/46/54>

¹⁰² The neighborhoods of Daraa al-Balad, with the Tareeq al-Sad neighborhood, the Palestinian Refugee Camp in Daraa, and the camp designated for IDPs from the besieged Golan in Daraa city, saw a displacement wave, where residents had to travel on foot for other regime-held neighborhoods in the city of Daraa to flee the bombardments in August of that year. Some people had to take shelter in schools and public institutions. From August 30 onwards from that year as well, the towns of western rural Daraa saw a similar displacement movements in light of the intensified military offensive.

¹⁰³ Image of the residents gathering ahead of their forced deportation from Um Batna village in rural Quneitra to northern Syria – May 20, 2021

<https://drive.google.com/file/d/1Uxs33HPzshGKIT8SR1Mw9e6oUUKyBaAM/view>

¹⁰⁴ Syrian Network for Human Rights (SNHR). (2021, October 19). *Widespread Violations Committed by the Syrian and Iranian Regimes against Daraa after Taking Control Over It in July 2018 to Crush Any Opposition to the Syrian Regime*. <https://snhr.org/blog/2021/10/19/56939/>

¹⁰⁵ Syrian Network for Human Rights (SNHR). (2023, May 25). *The Laws Employed by the Syrian Regime to Control Real Estate Ownership and Lands Before and After the Beginning of the Popular Uprising in March 2011*. <https://snhr.org/blog/2023/05/25/the-laws-employed-by-the-syrian-regime-to-control-real-estate-ownership-and-lands-before-and-after-the-beginning-of-the-popular-uprising-in-march-2011/>

designed to legitimize the seizure of the homes of those the regime has displaced, both IDPs and refugees. Syrian regime forces have also engaged in systematic pillaging of houses and other properties,¹⁰⁶ as well as impounding areas of agricultural land owned by citizens through public auctions.^{107 108}

36. Since the start of 2014 up until June 2024, SNHR has documented no fewer than 4,716 cases of arbitrary arrest/detention by Syrian regime forces of returning internally displaced persons (IDPs) and refugees. Of these, 2,402 have been released, while 2,314 remain under arrest, including 1,520 who have been subsequently categorized as forcibly disappeared persons. Also, we recorded 39 cases of death due to torture. These are distributed as follows:

1. 3,534 refugees, including 251 children and 214 women (adult female) returning from their countries of asylum or residence to their places of residence in Syria. Of these, the Syrian regime has released 2,149, while 1,385 remain under arrest, including 971 who have been subsequently categorized as forcibly disappeared persons.
2. 168 individuals, including 6 children and 9 women, who were forcibly repatriated from Lebanon since the start of April 2023. Most of those were arrested by the Syrian regime's Military Security Intelligence branch in al-Masna border area.
3. 1,014 IDPs, including 22 children and 19 women, returning from their areas of forced displacement to regime-held areas. Of these, the Syrian regime has released 253, while 761 remain under arrest, including 549 who have been subsequently categorized as forcibly disappeared persons.
4. We have also recorded that 39 returning refugees and IDPs died due to torture in regime detention centers during the same period: 31 were refugees returning from their countries of asylum and eight were returning IDPs, six of them had been forcibly deported from regime-controlled areas to northern Syria under the forced displacement agreements struck with the Syrian regime. There will be no safe and voluntary return as long as the current regime remains in power.¹⁰⁹

37. Northwestern Syria houses the overwhelming majority of IDPs, who were estimated, at the time of the February 6 earthquakes in 2023, to number 3.2 million people from all over Syria. These IDPs fled the violations committed by the Syrian regime and its Iranian and Russian allies. Children and women account for approximately 75 percent of the IDPs. Since 2011, no more than two percent of the IDPs have returned to their original areas, which are only a few kilometers from their place of displacement, due to their fear of more regime violations. Even after the regime has already displaced them, we have documented hundreds of deliberate regime attacks on civilians and vital facilities targeting the areas to which they fled. Furthermore, the Syrian regime has deliberately severed IDPs' access to all basic services, including water and electricity. The region also suffers from widespread destruction and poor infrastructure due to the military operations targeting it, most notably at the hands of Syrian-Russian-Iranian alliance forces. The February 6 earthquakes only exacerbated the scale of destruction.

38. In addition to causing massive numbers of deaths and injuries, the February 6 earthquakes also resulted in the displacement of 160,000 Syrians according to SNHR's estimates, most of whom had already been previously displaced and had been living in utterly dire conditions. Despite this harrowing tragedy, the Syrian regime bombed the earthquake-affected areas in the wake of this catastrophe. In fact, our monitoring showed that some of these attacks took place during rescue operations following the earthquakes. Regime ground attacks on northwestern Syria lasted throughout the nine weeks following the earthquake,¹¹⁰ with some of these attacks

¹⁰⁶ Syrian Network for Human Rights (SNHR). (2021, January 26). *Tenth Annual Report: The Most Notable Human Rights Violations in Syria in 2020*. <https://snhr.org/blog/2021/01/26/55886/>

¹⁰⁷ Syrian Network for Human Rights (SNHR). (2022, January 21). *Eleventh Annual Report: The Most Notable Human Rights Violations in Syria in 2021*. <https://snhr.org/blog/2022/01/21/57255/>

¹⁰⁸ Syrian Network for Human Rights (SNHR). (2022, October 20). *The Syrian Regime Announces New Auctions of Lands in Idlib Province Belonging to Displaced Persons and Refugees With the Aim of Seizing Them*. <https://snhr.org/blog/2022/10/20/the-syrian-regime-announces-new-auctions-of-lands-in-idlib-province-belonging-to-displaced-persons-and-refugees-with-the-aim-of-seizing-them/>

¹⁰⁹ Syrian Network for Human Rights (SNHR). (2023, April 27). *Lebanon's Forced Repatriation of Syrians Violates the Principle of Non-Refoulement of Refugees, With 168 Syrian Refugees Returned to Syria Since the Beginning of April 2023*. <https://snhr.org/blog/2023/04/27/lebanons-forced-repatriation-of-syrians-violates-the-principle-of-non-refoulement-of-refugees-with-168-syrian-refugees-returned-to-syria-since-the-beginning-of-april-2023/>

Syrian Network for Human Rights (SNHR). (2023, May 18). *Readmitting the Syrian Regime into the Arab League Does Not Mean that Syria is Safe for the Return of Refugees Since the Regime is Still Committing Crimes Against Humanity*. <https://snhr.org/blog/2023/05/18/readmitting-the-syrian-regime-into-the-arab-league-does-not-mean-that-syria-is-safe-for-the-return-of-refugees-since-the-regime-is-still-committing-crimes-against-humanity/>

Syrian Network for Human Rights (SNHR). (2023, June 20). *On World Refugee Day: Syria is Still Unsafe, The Return of Millions of Refugees Hinges on Realizing a Democratic Political Change*. <https://snhr.org/blog/2023/06/20/on-world-refugee-day-syria-is-still-unsafe-the-return-of-millions-of-refugees-hinges-on-realizing-a-democratic-political-change/>

¹¹⁰ Syrian Network for Human Rights (SNHR). (2023, April 13). *The Syrian Regime Has Bombed the Areas Affected by the February 6 Earthquake 132 Times, including 29 Attacks that Targeted Areas Far from the Dividing Lines*. The Syrian Regime Has Bombed the Areas Affected by the February 6 Earthquake 132 Times, including 29 Attacks that Targeted Areas Far from the Dividing Lines

targeting areas close to camps where some people affected by the earthquake were living, leading to further traumatic displacement, as well as further damage to vital civilian facilities.

39. The Syrian regime has exploited the February 6 earthquake catastrophe since the earthquake took place, both politically and economically, cynically exploiting the influx of humanitarian relief aid and the outpouring of human empathy for those affected by the earthquake to make political gains. The Syrian regime has never been concerned about the suffering of the country's people, whether those living in its areas of control or those living in other areas.¹¹¹ Instead, the regime has engineered the systematic theft of aid¹¹² primarily through organizations that are completely and wholly subservient to itself – most prominently¹¹³ the Syria Trust for Development (STD), the Syrian regime's Civil Defense,¹¹⁴ and the Syrian Arab Red Crescent (SARC).¹¹⁵ To that end, the Syrian regime used NGOs as instruments to steal donor funds and took over funds intended as humanitarian assistance in order to further its goals and control the fate of those to which those aid funds were intended.¹¹⁶

40. The Syrian regime has used citizens' need for passports to take their money by demanding ludicrous sums to obtain passports (\$300-800).¹¹⁷ The Syrian regime then uses these funds to fund its war and its security apparatus.¹¹⁸

6. Freedom to hold political views and participate in free elections

41. In May 2021, the Syrian regime held presidential elections unilaterally, on the basis of the 2012 Syrian Constitution that the regime also adopted unilaterally, thus diverging from the political resolution path laid out by UN Security Council resolution 2254.¹¹⁹ These elections were widely rejected by the Syrian people in the areas outside the regime's control, as well as in the regime-held region of southern Syria. In other words, 40 percent of all of Syria rejected these unilateral elections. Even more, the overwhelming majority of the world's democratic states – most prominently, the United States, the United Kingdom, France, Germany, Italy,¹²⁰ and Canada¹²¹ - viewed these elections as lacking legitimacy and failing to reflect the will of the Syrian people. The UN has also stated that it is not involved in those elections.¹²²

41. Throughout the political campaigning period, which began from the moment the Constitutional Court revealed the names of the candidates, SNHR monitored campaigns by the Baath Party to mobilize citizens, employees, and students in public squares and universities to promote the elections.

42. We have also documented the deprivation of personal liberty of tens of thousands of Syrian citizens in university and school halls, as well as, government institutions,¹²³ including all of their employees, in order to force them to cast their votes. Some university

¹¹¹ Syrian Network for Human Rights (SNHR). (2023, February 28). *A Total of 7,259 Syrians, including 2,153 Children and 1,524 Women, Died Due to the Turkey-Syria Earthquake: 2,534 Died in Non-Regime Territories, 394 in Regime Territories, and 4,331 in Türkiye*. <https://snhr.org/blog/2023/02/28/a-total-of-7259-syrians-including-2153-children-and-1524-women-died-due-to-the-turkey-syria-earthquake-2534-died-in-non-regime-territories-394-in-regime-territories-and-4331-in-turkey/>

¹¹² When we note that the Syrian regime steals 90 percent of all relief aid and should not be trusted to distribute aid, we do not mean that the people in regime-controlled areas should not receive relief aid. These areas host massive numbers of people who are effectively hostages. Our message is that there is an urgent need to work on devising recommendations and plans that ensure the delivery of at least 60, 70, or 80 percent of relief aid to those affected, in a way that ensures that the intended recipients receive most of it and the Syrian regime is unable to steal as much of it, rather than stopping relief aid altogether.

¹¹³ One of the most visible types of evidence on the regime's theft of aid is the fact that these organization do not release financial transparency reports. No-one actually knows how much money they have received or how those funds have been spent. These bodies do not disclose their hierarchy, and solely employ people with close ties to the regime and the security apparatus.

¹¹⁴ The Syrian regime's Civil Defense is a governmental, non-independent organization affiliated with the Syrian regime's Ministry of Defense, which is managed by regime army officers, rather than independent civilian experts, according to the organization's own definition which can be found on the [defense ministry's](http://www.mod.gov.sy/index.php?node=554&cat=3251) own official website.

¹¹⁵ The SARC was founded in accordance with Legislative Decree No. 117 of 1969, issued by then-President Nureddin al-Atassi, and at that time had extensive privileges and administrative and financial independence.

¹¹⁶ Syrian Network for Human Rights (SNHR). (2023, December 28). *How The Syrian Regime Uses the Humanitarian Organizations SARC and STD to Steal Humanitarian Aid*. <https://snhr.org/blog/2023/12/28/how-the-syrian-regime-uses-the-humanitarian-organizations-sarc-and-std-to-steal-humanitarian-aid/>

¹¹⁷ The Syrian Arab Republic's Presidency of the Council of Ministers. *Law No. 18 of 2017 on Consulate Fees*. <https://shorturl.at/corKL>

¹¹⁸ Syrian Network for Human Rights (SNHR). (2024, February 28). *The Syrian Regime Perpetrates Multiple Types of Violations Against Citizens Obtaining Passports In and Outside Syria*. <https://snhr.org/blog/2024/02/28/the-syrian-regime-perpetrates-multiple-types-of-violations-against-citizens-obtaining-passports-in-and-outside-syria/>

¹¹⁹ UN Security Council. (2015, December 18). *Resolution 2254 (2015)*. [https://undocs.org/S/RES/2254\(2015\)](https://undocs.org/S/RES/2254(2015))

¹²⁰ US Department of State. (2021, May 25). *Joint Statement by the Secretary of State of the United States of America, the Foreign Secretary of the United Kingdom, and the Foreign Ministers of France, Germany, and Italy*. <https://www.state.gov/joint-statement-by-the-secretary-of-state-of-the-united-states-of-america-the-foreign-secretary-of-the-united-kingdom-and-the-foreign-ministers-of-france-germany-and-italy-2/>

¹²¹ Government of Canada's Global Affairs Canada. (2021, May 25). *Statement on Syria's upcoming presidential elections*. <https://www.canada.ca/en/global-affairs/news/2021/05/statement-on-syrias-upcoming-presidential-elections.html>

¹²² United Nations (UN). (2021, May 26). *Daily Press Briefing by the Office of the Spokesperson for the Secretary-General*. <https://press.un.org/en/2021/db210526.doc.htm>

¹²³ https://drive.google.com/file/d/1H0Es_1MlvdbydrYfBD_owUSnW-RdZgGv/view?usp=sharing

students were threatened¹²⁴ with administrative penalties should they decide to not comply, or even potentially bringing them in for interrogation at security branches. Under those coercive threats, the overwhelming majority of students were forced to vote for Bashar Assad. We have also recorded arrests/detentions of civilians for failing to participate and cast their votes for Bashar Assad.

43. The electoral process saw many violations and breaches of Syria's General Election Law,¹²⁵ with no accountability or even any objection by other candidates at the pre-decided outcome of the presidential elections. The outcome of the elections¹²⁶ held by the Syrian regime on its own was as expected: On May 27, Hammouda Sabbagh, the Speaker of the People's Assembly of Syria, announced that Bashar Assad has been elected president with an overwhelming majority of 95.1 percent of the total number of eligible and valid votes. According to Sabbagh, 14,239,140 Syrians, in the country and abroad, cast their votes in an election with a voter turnout of 78.64 percent of all eligible voters. This election and its outcome were nothing short of a farce, particularly considering that the wildly inflated figures given suggest that Syria has a population of 40 million people.

44. On September 18, 2022, the Syrian regime held elections for the local administration in areas under its control. These elections, which also violated numerous electoral laws, as well as international human rights law, were also held as the Syrian regime continued, as it still continues, to commit numerous violations in areas under its control, such as arbitrary arrest, torture, and enforced disappearance, which constitutes crimes against humanity. Furthermore, those elections took place in a limited, confined part of the country, with several governorates being outside the regime's control, while over half the Syrian people have been displaced either as IDPs or refugees. SNHR believes that those elections have no shred of legitimacy, and by no means represent or reflect the will and rights of the Syrian people, primarily due to six main reasons,¹²⁷ that have been detailed in a special report.¹²⁸ These six factors are:

- These elections are based on a constitution adopted through an illegitimate process.
- Absence of oversight by the Supreme Constitutional Court of Syria over these elections.
- The impossibility of the High Electoral Commission, the primary body supervising all types of electoral competitions in Syria, being impartial¹²⁹.
- The Syrian regime tampered with the figures of the population¹³⁰.
- The elections are held under the threat and intimidation of the regime's security services¹³¹.
- Lastly, the local administration elections are illegitimate because the local administrations themselves lack independence and non-centrality, as they operate under a highly centralized authority in the Syrian regime. This would naturally impede any functionality within the local administration units in Syria. For those local administrations to actually play their proper role, they must enjoy two characteristics: independence and decentralization.

¹²⁴ <https://drive.google.com/file/d/1nx0cYbS6bmfzPgD9RkkmKINP5Mz-LBTK/view?usp=sharing>
<https://drive.google.com/file/d/19cQxNJXJuN9cqKt2PNFxoSQD0jXXJULn/view?usp=sharing>

¹²⁵ People's Assembly of Syria, General Elections Law.

See:

<http://www.parliament.gov.sy/arabic/index.php?node=5516&cat=327>

¹²⁶ Syria Arab News Agency (SANA). *Dr. Bashar al-Assad elected President of the Syrian Arab Republic with the majority of votes.* <https://www.sana.sy/en/?p=235531>

¹²⁷ Syrian Network for Human Rights (SNHR). (2022, October 13). *The Local Administration Elections Held by the Syrian Regime are Illegitimate and do not Represent the Will or Uphold the Rights of the Syrian People.* <https://snhr.org/blog/2022/10/13/the-local-administration-elections-held-by-the-syrian-regime-are-illegitimate-and-do-not-represent-the-will-or-uphold-the-rights-of-the-syrian-people/>

¹²⁸ Ibid.

¹²⁹ it is impossible for the Supreme Electoral Commission to be independent or objective in any of its functions regarding elections, including its supervisory exercise of the integrity of elections, because this commission is, in fact, a body operating under the Executive Authority's control due to the mechanism employed in its appointment. The head of the Syrian regime dominates the commission by controlling the appointment of its members; Decree No. 131, issued by the head of the Syrian regime on May 22, 2022, stipulates the formation of the Supreme Judicial Elections Committee, which consists of seven original judges and seven reserve judges. The decree shows its lack of independence, because appointing its members, determining their remuneration and promotion, removing them, or initiating public proceedings against them is the sole prerogative of the head of the Executive Authority and the Minister of Justice, in his capacity as Deputy Chairman of the Supreme Judicial Council. Therefore, the Commission cannot practice its role as a supervisor of elections, whether these are presidential or local administration elections.

¹³⁰ Most of the candidates and winners are also members of the ruling Baath party. The security authorities also control the lists of candidates.

¹³¹ Through abuse of their power, the security services prevent voters from any free exercise of electoral choice, with the essence of a genuine electoral process being based on freedom of choice, which is almost non-existent in Syria, with voting taking place in the presence of security services best known for their barbaric practices against Syrian citizens through kidnappings, fatal torture, and enforced disappearance lasting for many years. In order for any government employee or university student to ensure their own safety and not feel threatened, they resort to the safest option, namely electing candidates affiliated with the Syrian regime. In addition, these elections did not take place in all regions of Syria, but only in those areas controlled by the Syrian regime, which detracts from the legitimacy of sovereignty and the legitimacy of the laws applied. Normatively, elections should be comprehensive and general. One aspect of the general nature of a legitimate electoral process is being open to everyone and held in all regions of the country, a condition which is absent in Syria in light of the internal armed conflict, and which has led to control of Syrian territory being scattered among different parties. No free elections can be held on all Syrian territory before a political solution is implemented that moves Syria towards a democratic system.

45. In October 2022, the Syrian regime promulgated Law No. 42132 that aims to bolster the centralization of authority and to turn local administration councils into mere administrative apparatuses that report to the central authority¹³³.

III. Conclusions and Recommendations

Conclusions

- The Syrian regime has practiced torture in a widespread and systematic manner. Torture practices have led to violations as severe as the loss of life, constituting blatant violations of international human rights law. It has also been well-established that the Syrian regime is fully aware of these practices, and of the fact that the inhumane detention conditions will eventually lead to death. Furthermore, the conscious decision to carry out these practices has been made from the very top of the regime's power hierarchy, starting with the President of the Republic, who directly controls the ministries of interior and defense, the National Security Bureau, and their various subsidiary security agencies and security and military committees.
- There are no legal grounds for convicting detainees and leveling charges against them, whether on the basis of the Counterterrorism Law or the Public Penal Code, with rulings usually being based on confessions extracted under torture and coercion. These are not genuine courts in any recognized legal and judicial sense.
- The Syrian regime has eroded the state judiciary's authority, placing it under its own full control, doing the same with the state's legislative authority. In effect, there is today only one ruling authority, namely the executive authority, which is in the hands of the head of the republic and the security agencies that report to him. The Syrian regime is a *bona fide* dictatorial, totalitarian regime which explicitly and blatantly violates the principle of the separation of powers.
- The Military Field Court is not an independent court (there is no separation of powers), nor is it impartial. The fact that it was not established according to the rule of law means that it contravenes many texts in international human rights law (mainly Article 14 of the ICCPR), and international humanitarian law. The UN Human Rights Committee has stated that any criminal conviction issued by a body that is not an independent and impartial court and was not founded in accordance with the law does not fulfill the requirements of Article 14 of the ICCPR.
- The Syrian regime has failed to protect the country's people from crimes against humanity and war crimes. This responsibility entails the prevention of such crimes, and the prevention of incitement to commit them by all possible means; furthermore, when the state clearly fails to protect its population from atrocity crimes, or is itself committing such crimes against them, as in the case of the Syrian regime, this means that it is the responsibility of the international community to intervene to take protective measures in a collective, decisive and timely manner.¹³⁴
- The legislative process in Syria has been stripped of all standards regulating legislation, especially those related to conflicts. This process has also contravened constitutional and legal articles in many of the articles of legislation that have been promulgated. The legislative authority, i.e., the People's Assembly of Syria, lacks any autonomy and is completely subservient to the executive branch in every way, from appointing its members to controlling the laws passed by it.

¹³² It should be noted that obtaining a copy of Law No. 42 is rather difficult, similar to a number of Syrian legal texts that cannot be found on the official websites of the Syrian regime's organs. This undermines the right to access information.

¹³³ According to Law No. 42, specifically to Articles 1, 2, 3, and 4, 133 contracts (whether leases, investment, or sale contracts) signed by local administrative councils are to be approved by officials from the executive authority (i.e., the central authority). This law specifies that the approval of contracts is the responsibility of the economic committees that report to the head of the Council of Ministers (Article 1), Minister of Local Administration (Article 2), Minister of Tourism (Article 3), or the Governor (Article 4). Which specific authority is responsible for approving a given contract is dictated only by the value of said contract. It must be stressed that the Syrian regime has deliberately adopted contradictory laws. We have pinpointed four reasons that make Law No. 42 an instrument to strengthen the Syrian regime's central authority, one of which is the fact that this law further asserts the total and utter lack of independence which the regime purports that local administration enjoy according to Article 30 of Legislative Decree No. 107 of 2011 on Local Administration. We have released a brief report analyzing the text of that law (see: Syrian Network for Human Rights (SNHR). (2022, December 16). *Law No. 42/2022 Further Consolidates the Syrian Regime's Central Authority and Erodes the Powers of the Local Administration Councils*. <https://snhr.org/blog/2022/12/16/law-no-42-2022-further-consolidates-the-syrian-regimes-central-authority-and-erodes-the-powers-of-the-local-administration-councils/>).

¹³⁴ United Nations General Assembly (UNGA), 2005 World Summit Outcome <https://undocs.org/en/A/RES/60/1>

- Most of the real estate laws adopted by the Syrians regime violate many fundamental human rights, through confiscating properties, increasing taxes and fees, and requiring security clearance for many real estate transactions.
- The frequent nature of the regime's issuance of amnesty decrees, which are not aimed at securing the release of political prisoners, only harms the state's penal policies, since these decrees lead to the release of thousands of actual offenders. The exceptionally frequent issuance of these amnesty decrees also leads to many dysfunctions in court procedures at all levels. At this point, many judges are deferring their decisions on legal rulings in numerous cases since they may be included in future decrees.
- The Syrian regime has violated Principle 21 of the Guiding Principles on Internal Displacement.¹³⁵
- Profiteering from the issuance and renewal of Syrian passports is one of the regime's main sources of income, earning it hundreds of millions of dollars annually, helping fund its devastating war against the Syrian people, and aiding in consolidating and sustaining the regime's power.
- The Syrian regime has been practicing systematic and calculated violations against Syrians wishing to obtain passports, including turning Immigration and Passport Departments into centers for persecuting and arresting dissidents, deliberately degrading and humiliating citizens, and leaving them easy prey for middlemen, fraudsters, and forgers. This is in addition to the regime's frequent disruptions of the legitimate operations of the Immigration and Passport Department, which have often undermined the situation of Syrians, especially those living abroad.
- Commanders and other superior officers are criminally responsible for war crimes committed by their subordinates pursuant to their orders,¹³⁶ if they knew, or had reason to know, that the subordinates were about to commit or were committing such crimes and did not take all necessary and reasonable measures in their power to prevent their commission, or if such crimes had been committed, to punish the persons responsible.¹³⁷
- The repercussions of the cumulative and continuous catastrophic violations over 13 years have caused and intensified the collapse of the Syrian state because the Syrian regime is embedded in it as a cancerous tumor fatally poisoning the entire body, and will not accept any political transition even if Syria turns into the world's most catastrophically failed state, leading to the fragmentation of Syrian society and the displacement of millions more people.
- The UN Security Council is the main body responsible for the state of absence of security in Syria in light of its utter failure to protect civilians over the past 13 years, and its failure to bring about a political transition. As the conflict goes on, so does the devolution into anarchy, criminality, and illegal acts.

Recommendations

- At a minimum, pressure must be applied on the Syrian regime to ensure that international observers, including the Independent International Commission of Inquiry, are given unconditional and unrestricted access to women and girls in detention centers.
- Support the political transition process and impose pressure to compel the parties to implement the political transition within a period of no more than six months so that most of the violations end and millions of displaced people can safely return to their homes.
- Stop any forcible return of Syrian refugees, since the situation in Syria continues to be unsafe, and instead impose pressure to achieve a political transition that would ensure the automatic return of millions of refugees.
- Act more urgently in regard to bringing about a political resolution that would enable the Syrian people to hold free and fair political, parliamentary, and local elections that respect the rules of the electoral process.
- Condemn the laws issued by the Syrian regime that violate the rights of millions of Syrian people, which are being enforced under the threat of arms and authority.

¹³⁵ United Nations (UN), Guiding Principles on Internal Displacements

<https://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=E/CN.4/1998/53/Add.2&Lang=E>

¹³⁶ "Commanders and other superiors are criminally responsible for war crimes committed pursuant to their orders." - International Committee of the Red Cross, Rule 152 of customary international humanitarian law.

<https://ihl-databases.icrc.org/en/customary-ihl/v1/rule152>

¹³⁷ "Commanders and other superiors are criminally responsible for war crimes committed by their subordinates if they knew, or had reason to know, that the subordinates were about to commit or were committing such crimes and did not take all necessary and reasonable measures in their power to prevent their commission, or if such crimes had been committed, to punish the persons responsible." - International Committee of the Red Cross, Rule 153 of the customary international humanitarian law.

<https://ihl-databases.icrc.org/en/customary-ihl/v1/rule153>

- The Syrian regime must allow the freedom to engage in union and partisan work.
- Allow local, Arabic, and international media outlets to operate freely in Syria with no restrictions or preconditions.
- Cease the restrictions and direct threats against journalistic institutions and their workers, and allow the establishment of dissident media outlets while ensuring freedom of work and movement for their staff.
- Allow human rights work in Syria, as well as establishing human rights organizations, with no prosecution, harassment, or restriction against their work.
- Repeal all “security laws” that massively oppress freedom of opinion and expression.
- Stop using the media to further the agendas of the Syrian regime, justify the violations being committed by its forces and militias, and distort the truth.