



Syrian Civil War

Six Years into the Worst Humanitarian Tragedy Since WWII



Geneva International Centre *for* Justice
(GICJ)

Email: info@gicj.org

Tel: +41 22 788 19 71

Website: www.gicj.org

© June, 2017

All rights reserved

Geneva International Centre for Justice, 2017. *Syrian Civil War: Six Years into the Worst Humanitarian Tragedy Since WWII*, Geneva, Switzerland

All correspondence should be directed to:

Geneva International Centre for Justice

Route de Ferney 150, 1211 Genève

Tel: 022 788 19 71

E-Mail: info@gicj.org

Web-site: www.gicj.or

Table of contents:

| | |
|---|----|
| Executive Summary..... | ii |
| Introduction | 1 |
| Historical Background – from cradle of civilisation to ghost country | 2 |
| Parties Involved in the Syrian Conflict..... | 4 |
| Human Rights Violations in Syria: a permanent stain on the conscience of the international community..... | 10 |
| Attacks on civilians | 12 |
| | 13 |
| Use of indiscriminate weapons, chemical weapons, and barrel bombs..... | 13 |
| Arbitrary arrests..... | 13 |
| Enforced disappearance..... | 14 |
| Torture | 15 |
| Deaths in custody | 16 |
| Unlawful detention of activists and journalists | 17 |
| Summary executions | 17 |
| Attacks on medical facilities, sieges and denial of humanitarian access..... | 18 |
| Conditions of women | 19 |
| Children in Syria..... | 21 |
| The forgotten victims: persons with disabilities in the Syrian conflict | 22 |
| | 23 |
| Being gay in war-torn Syria..... | 23 |
| Aleppo, the timeline of terror | 25 |
| Needs Overview | 27 |
| Health | 27 |
| Nutrition | 28 |
| Water and sanitation | 29 |
| Shelter..... | 30 |
| Consequences of the Conflict..... | 31 |
| Refugee crisis | 31 |
| Unaccompanied minors | 34 |
| Trafficking and smuggling | 35 |
| Internally displaced people..... | 36 |
| UN Involvement in Syria..... | 38 |
| Conclusion..... | 41 |

Executive Summary

This report provides an overview of the six-year-long Syrian civil war. The bloody conflict has created a political, social, and economic turmoil, and has provoked unthinkable losses and unimaginable suffering. This research draws particular attention to the heinous and unjustifiable human rights violations committed by all parties involved in the fighting. Despite the tireless efforts of international agencies, no effective solution has been reached, and the Syrian nightmare continues.

Historical background

The Syrian Arab Republic gained independence in 1946, after 400 years under the rule of the Ottoman empire and twenty-six years of French jurisdiction. From 1958 to 1961, Syria and Egypt were annexed to the United Arab Republic, and the fragile Syrian political system was dismantled. In 1970, the then Minister of Defense Lieutenant General Hafiz al Assad took power following a coup – thus beginning an era of strong authoritarian rule and military control. In 2000, after thirty years of unpopular one-man ruling, Hafiz al Assad died and, thanks to a constitutional amendment, his son Bashar al Assad was elected president by a popular referendum. After a short period of openness and development known as *Damascus Spring*, Bashar al Assad reinstated a strong and controlling authoritarian apparatus, and civic and public freedom were shut down. Syria has been shattered by strong ethnic and sectarian divisions, by countless coups and countercoups, and by long periods of authoritarian rule; moreover, the bloody conflict began in 2011 has further endangered the survival of the proud and ancient Syrian culture.

Parties involved in the Syrian conflict

After years of growing discontent and internal tensions, the protests against the government intensified in 2011, and quickly escalated into a civil conflict. Six years after, the number of parties involved in the fighting has grown exponentially, and the frontlines have shifted repeatedly – thus further complicating the achievement of diplomatic settlements.

Syrian government - Assad's forces: at the beginning of the uprising, the government was unable to engage in constructive political dialogue with the opposition and to prevent the escalation of the conflict. After two years, governmental forces had lost power over strategic areas and main infrastructures. The Russian support was crucial, and allowed the government to regain control over 45% of the country.

The "Free Syrian Army": the originating moderate anti-government faction – which counts on the support of a large international coalition including USA, UK, Turkey, Saudi Arabia, France, and Qatar – has splint into over 60 different armed groups. Part of the FSA has aligned with the al-Nusra front, while other fighters have joined Turkey-led operations in the north of the country.

Daesh and Jabhat al-Nusra (now Jabhat Fatah al-Sham): two of the most dangerous terrorist organisations in the world are involved in the Syrian conflict. Despite the common goal of creating an Islamic state, the two groups employ different methodologies and tactics. Both organisations have been accused of having committed crimes against humanity, including mass killings, suicide attacks, torture, and abductions.

Kurds: being the most active and capable force on the ground, Kurds are mainly involved in the military operations in the northern part of Syria, and act independently on the Syrian territory.

Russia: Russia is one of the most important international backers of the Syrian government, and the survival of the status quo is critical to maintaining Russian interests in the country. Despite international pressures, in 2016 Russia has conducted over 100 sorties and provided the government with vital economic and military support.

United States: the US supports Syria's main opposition alliance, and provides military assistance to the so-called "moderate" rebels. The United States has repeatedly demanded the removal of the Syrian president from office, and has backed the Kurdish alliance in the liberation of the city of Manbij from under Daesh control.

Iran: fearing that a political turmoil could undermine its ability to pursue its interests and to maintain its role in the region, Iran has provided extensive and substantial support to the current Syrian government.

Iraq: fearing that the fall of the current Syrian government could foster the strengthening of terrorist groups and increase the Gulf Countries' influence in the region, Iraq is assisting the government by providing political and military support, and by allowing Iraqi militias to fight on the ground. Moreover, it has permitted Iranian over-flights to deliver weapons and supplies to the Syrian military, it has assisted the Syrian fighters and it is believed to have smuggled cash into Syria (notably sanction-hit country).

Gulf countries: even if avoiding direct involvement in the conflict, Gulf Countries are among the main sponsors of some of the rebel groups; Qatar has allowed the US central military command for the Middle East and Central Asia to use its Udeid air base, and Saudi Arabia has repeatedly called for the removal from power of the Syrian president.

Human rights violations in Syria

The increasing number of actors involved in the war, the complexity of the situation on the ground, overlapping and contrasting interests, and the failure of reaching permanent and comprehensive peaceful settlements have turned the Syrian Arab Republic into a bloody battlefield. All parties involved have committed heinous crimes, have breached international law, international humanitarian law and international human rights law, and have caused an unprecedented humanitarian crisis.

Attacks on civilians: in the fight for territorial control, pro-government forces, backed by Russia, have conducted several attacks on areas controlled by the opposition, and have, thus, killed and injured countless innocent civilians. ISIL and al-Nusra fighters constantly target civilian households and use the Syrian people as human shields to protect the occupied territories. Western coalitions as well are conducting aerial attacks that inevitably affect civilian-inhabited areas.

Use of indiscriminate weapons: barrel bombs, cluster munitions, and incendiary weapons are used to carry out some among the deadliest attacks, as they are extremely inaccurate, can detonate at a later stage, and can provoke substantial damages in widespread areas. The Syrian government and rebel groups have also been accused of using chemical weapons, notably chlorine gas.

Arbitrary arrests: arbitrary detention is a weapon in the hands of all parties involved in the conflict, and it is one of the tools used to maintain the control over given territories and to keep the civilian population in a state of permanent fear and uncertainty. According to the Syrian Network for Human Rights, as of mid-2016, the number of detainees was well above 250,000, with a peak of 741 arbitrary arrests in April 2016 alone (598 of which were carried out by government forces).

Enforced disappearances: The Independent Commission of Inquiry on the Syrian Arab Republic has acknowledged that the practice of forcibly disappearing protestors and civilians is widespread in the country, and has increased since the beginning of the conflict. Such campaign of terror against the civilian population is perpetrated by all parties involved in the conflict, and entails an inhuman level of fear and suffering, which can hardly be relieved.

Torture: all parties involved have been accused of perpetrating horrific tortures on prisoners and civilians, including severe beating (with and without objects such as cables, sticks, pipes, whips etc.), beating on the sole of the feet with sticks, whips or cables, hanging the victims from the ceiling

by the wrists, electrocution, hanging upside/down, pulling out of fingernails, pulling out of teeth, immobilising the victim by tying him/her to a flat board (which sometimes is folded in half), immobilising the victim by forcing him/her into a car tire, holding of stress positions for hours/days, exposure to cold/heat, verbal threats, burning, use of acid, and sexual violence (rape, penetration with objects, prolonged forced nudity, groping, beating and electrocution of genitalia).

Deaths in custody: despite the difficulty of obtaining accurate information on the conditions of detention in governmental and non-governmental facilities, smuggled pictures and testimonies have revealed that detainees die daily as a result of starvation, severe injuries, torture, infections and diseases. Prisoners are also subjected to murder, rape, summary executions, and all forms of inhuman acts.

Unlawful detention of activists and journalists: journalists, activists and political opponents are the first target of governmental security forces, and they are subjected to torture, abuses, sexual violence and all types of inhuman and degrading treatment while in detention. Political space, freedom of assembly and associations, and freedom of speech are brutally shut down.

Summary executions: governmental security forces and terrorist groups are responsible of summary executions and unlawful killings; summary trials often lead to death sentences; detainees are not given the chance to defend themselves nor to speak with a lawyer, and confessions obtained with the use of torture are often the only evidence provided (if any evidence is submitted at all).

Attacks on medical facilities, sieges and denial of humanitarian access: hospitals and medical workers in opposition-controlled area are repeatedly struck, and humanitarian aid convoys are restricted access in besieged and hard-to-reach zones. Between 2011 and 2015, over 697 medical workers were killed; in 2016 alone, 198 attacks were carried out against medical facilities – causing 366 deaths and 468 injuries.

Needs overview

Civilians all over Syria are in desperate need of humanitarian, psychological and medical aid: to date, there are 13.5 million people in need (974,080 in life-threatening situations, 5.7 million with catastrophic/critical/severe need, and 7.8 million in major/moderate/minor need).

Health: aerial bombings, gunshots, and barrel bombs kill and injury people almost daily; war diseases such as cholera, meningitis and poliomyelitis spread quickly when civilians live in precarious conditions and have limited access to basic health care services, and simple diseases or mild injuries often become deadly or provoke permanent mutilations and disabilities. Of the 300,000 people who suffer conflict-related injuries every month, 30% are left with permanent disabilities; 770 health workers have been killed since the beginning of the conflict, almost 300,000 pregnant women are not receiving adequate care, around 50% of children are not immunized, and more than half of health care facilities are closed or only partially functioning.

Nutrition: the prolonged siege has deprived millions of civilians of basic food supplies, and lack of nutrition and drinking water has worsened the health conditions of many, in particular children and pregnant women. On average, the price of a basket of food has increased by around 42% in one year, with a peak of 250% in Aleppo during the siege; consequently, in some cases, citizens have resorted to poor makeshift meals including unsafe water and grass.

Water and sanitation: the Syrian conflict has had a dramatic impact on the availability of drinking water and has provoked a sanitation crisis. On average, access to clean water has decreased to less than half compared to the pre-conflict level – which was of 75 liters per person daily on average – with a peak of 80% less in besieged areas and 95% in the most dramatic situations. The lack of clean water coupled with the poor hygienic conditions has increased the number of cases of diarrhea

and water-borne diseases. In refugee camps and shelters, where over 500 families are hosted, it often happens that more than 70 people have to share one single toilet. 57% of such shelters do not have enough water for all residents, and 50% lack sufficient sanitation facilities.

Shelter: 4.3 million people – almost a quarter of the Syrian population – are in need of shelter, 3.8 million of whom face urgent and impelling needs. In over one third of the country, adequate housing is not available due to conflict and bombings, and in other areas rent is too expensive for the majority of the population. The price of construction material has increased to the point that people cannot afford to rebuild their houses; consequently, 52% of the population is living in sub-standard houses or makeshift shelters.

Consequences of the conflict

The Syrian conflict has triggered negative consequences and has worsened the already fragile conditions of a developing country and a modernizing society. The level of economic and social development has been pushed back of twenty years, thousands of families live in extreme poverty, the lack of employment opportunities is sinking many into debt, children are out of school, and an entire generation risks to be completely annihilated. Moreover, the conflict has forced millions of Syrians to flee their homes and their country – thus triggering the biggest migration crisis since WWII.

Refugee crisis: Since 2011, 4,863,684 Syrians have been registered with refugee status by the UNHCR (last update 19 January 2017) while 6.3 million are internally displaced. Refugees, asylum seekers and migrants are now spreading all over the world, but more and more countries are beginning to turn their back to the fleeing masses. Closed borders and political deals have left thousands of refugees bottlenecked in the Balkan route. Syrians fleeing their homes are now stuck in temporary camps set up by the United Nations High Commissioner for Refugees. Here, the conditions are below the minimum standards set by the European Union: migrants wait for days in makeshift shelters with poor hygienic conditions, and scarcity of food, water and medical supplies. The poor hygienic standards and the exposure to harsh climate conditions is provoking a quick spread of diseases and infections. Necessary reproductive health services are not available, and most of the residents do not know where to find contraceptives or where to access health care facilities in case of pregnancy or serious illnesses.

Unaccompanied minors: in 2016, a third of the 1.26 million first-time asylum applications in the European Union were filed by minors, 90,000 of whom were unaccompanied. Half of the 90,000 were Afghans, while 16% of them were of Syrian origins. Unaccompanied minors are more vulnerable to abductions and forced recruitment in armed conflict, and are often subjected to trafficking, child labour, early marriage, and child begging.

Trafficking and smuggling: Human trafficking is a billion-dollar business that flourishes around war-torn areas and that, often, becomes the only viable options for desperate civilians who want to flee their country. Moreover, EU regulations require all non-EU nationals to possess a valid visa or travel document in order to legally enter the EU; as such, Syrian migrants – who have almost no chance of obtaining the valid visa necessary to leave their country in safe and legal ways – are forced to rely on smugglers to reach the European shores and file the asylum request only once in European soil. The application of the Dublin Regulations further complicates the situation for migrants who want to reach Northern countries – thus fostering internal smuggling.

Internally displaced people: to date, 6.3 million people, including 2.8 million children are displaced inside the country, and the pace of displacement is of 50 Syrian families forced to move every hour of every day, with an average of 6,150 people displaced per day in 2016. 1.1 million IDPs live in camps, informal settlements and makeshift shelters; the majority find refuge with host families

and neighbouring communities, and 20% has no shelter at all. Shelters and camps often lack the basic infrastructures and amenities, and are extremely overcrowded.

UN involvement in Syria

All relevant bodies of the United Nations have taken steps and adopted resolutions to promote a peaceful settlement of the conflict and to protect civilians. Since 2011, the Human Rights Council has adopted over twenty resolutions condemning the grave human rights violations occurring in the country, an Independent Commission of inquiry on the Syrian Arab Republic has been set up, and a special session has been called on October 2016 to discuss the deteriorating situation in Eastern Aleppo. The General Assembly and the Security Council have been active in this regard as well, but the disagreement among the Permanent Five members has hindered the ability of the United Nations to take decisive and definitive measures to alter the course of the fighting.

The Secretary-General, his Special Advisor on the Prevention of Genocide, the Special Envoy on Syria, the High Commissioner for Refugees, the High Commissioner for Human Rights, eminent experts of Treaty Bodies, and many more high-level officers have expressed their grave concerns on the worsening of the civil war, and have repeatedly called for an immediate cessation of hostilities and of all human rights violations.

UNICEF, OCHA and other UN bodies have worked tirelessly to support and help the civilian populations, including the most vulnerable segments of the society as well as IDPs, migrants and refugees. The UN has set up camps and shelters, has provided legal assistance, food, water and medical care, and has pushed for ceasefires and for the creation of humanitarian corridors to reach all those in need. However, a diplomatic peaceful settlement has not been reached yet.

Conclusion

The diplomatic impasse and the escalation of violence have led the Syrian Arab Republic on the verge of collapse. Short-term needs must be addressed with urgency: the Syrian government and the international community have the duty to protect the population, to set up special measures to assist the most vulnerable segments of society, and to open humanitarian corridors to allow humanitarian aid convoys to reach all those in need.

Moreover, the immediate cessation of hostilities should be followed by a comprehensive set of reconstruction policies. The peace process should provide for the reparation and reconstruction of infrastructures and public spaces, with a particular emphasis on hospitals and schools. The Syrian society should be included in the post-conflict decision-making process, and should rely on strong and competent institutions. Finally, the international community, led by the United Nations, should provide assistance and support to the national government to ensure accountability, and should guide the Syrian population to the establishment of free and fair elections.

GICJ, as part of the NGOs community, is seriously concerned about the fate of the millions of Syria afflicted by the conflict, and by the diplomatic impasse that is hindering the achievement of peaceful settlements. The unanimous call of civil society is addressed to the decision makers and to all those involved in the conflict: the situation is dramatic, and if no immediate action is taken, Syria will be one of the worst tragedies the humanity will remember.

Introduction

In 2011, one of the deadliest conflicts of the last decades violently broke out in the Syrian Arab Republic. Since then, the frontlines have repeatedly shifted, and the conflict has provoked unimaginable suffering to the Syrian population.

Six years after the outset of the civil conflict, Syria is reduced to smoke and rubble. Magnificent ancient buildings have been barbarically destroyed, and the colourful markets have been replaced by blood and desolation. Thousands of innocent civilians; men, women, and children have been tortured, abducted, unlawfully detained, brutally executed and killed by indiscriminate attacks. Millions of people have been forced to flee their country, hundreds of thousands have been killed, wounded and maimed, millions are internally displaced and up to 13.5 million civilians are in need of humanitarian help.

Opposition and governmental forces as well as international coalitions have committed war crimes, and have breached international law, international human rights law, and international humanitarian law. Six years of merciless conflict have brought the country on the verge of collapse, have annihilated an entire generation, and have provoked one of the worst humanitarian and migratory crises since World War II.

The complexity of the situation on the ground is reflected in the inability of reaching permanent diplomatic settlements. International coalitions, individual states and international agencies have taken action to halt the course of the conflict; yet, no permanent solution has been reached. The United Nations (UN) has set up special missions and Commissions of Inquiry, has appointed a Special Envoy, has provided teams of mediators, has instituted task forces, and allocated huge funds to humanitarian workers. However, despite the efforts, the situation on the ground remains dramatic, and immediate action is needed to prevent a further deterioration of the conditions of civilians.

This report provides a comprehensive overview of the unfolding of the Syrian conflict, highlighting the dire impact of the fighting on civilians, and emphasizing the gravity of the human rights violations committed by all parties involved. The interests and positions of all parties are considered, and the involvement of the international community is thoroughly analyzed.

GICJ focuses its work on the analysis of human rights violations in conflict-affected areas, particularly in the Middle East. Our mission is to raise awareness, and to improve lives through the denunciation of all types of violations, regardless of the perpetrators. The seriousness of the situation in Syria means it is imperative for the international community and the United Nations to take urgent action. The diplomatic impasse needs to be overcome, and justice and accountability for the victims must be granted.

Geneva, April 2017

Historical Background – from cradle of civilization to ghost country

The Syrian Arab Republic, as we know it today, could not be further from its ancient splendor. Despite its turbulent and complicated past, Syria has seen periods of fragile peace that have, nonetheless, dragged the country forward in its path of development.

After 400 years under the rule of the Ottoman empire, and twenty-six years (1920-1946) of French jurisdiction, Syria finally gained independence in 1946. However, freedom from outside domination did not bring about peace nor political stability.

From 1946 to 1958, weak civilian governments were alternating coups and countercoups, and the military never ceased to exercise its threatening watchdog role.

As if the internal turmoil was not enough, from February 1958 to September 1961, Syria and Egypt were annexed to the United Arab Republic (UAR), headed by the Egyptian president **Gamal Abdel Nasser**. President Nasser dissolved all the already fragile Syrian political parties, and dismantled the historic Ba'ath party. In 1961, another military coup in Damascus led to the secession of Syria from the UAR, and opened the way for another period of instability and political changes.

In 1963, the Ba'ath revolution marked the beginning of the era of control of the Arab Socialist Resurrection Party (Ba'ath Party). Under the motto “Unity, liberty, socialism”, this Arab nationalist, socialist party advocated for Arab unity and freedom from non-Arab control and interference.

The primacy of the Ba'ath party was interrupted in November 1970 when the then Minister of Defense Lieutenant General **Hafiz al Assad** took the power following another coup. Despite being approved as president by a popular referendum in 1971, Assad soon established an authoritarian regime, built around the lines of sectarian rules and the cult of personality. The stability of the regime was provided by the iron fist of the dictator who gave primacy to the Alawites and strengthened the ties between the government and the military. Economic development was hindered by the lack of coordination and competence of public institutions, and public space and dissent were harshly eliminated.

In 2000, after thirty years of unpopular one-man ruling, Hafiz al Assad died and, following a constitutional amendment, his son **Bashar al Assad** was elected president by a popular referendum. The beginning of his mandate was marked by the promise of political and economic reforms, and, from July 2000 to February 2001, the country experienced a short period of openness and development known as *Damascus spring*. However, the opposition forces and the majority of young people who had never experienced democracy, and had only lived under the strict control of dictators, remained skeptical. To confirm their hesitancy, Bashar al Assad soon followed the footprints of his father, and public freedom and dissent were forcibly shut down again.

Years of harsh dictatorships, the primacy of the Alawite minority, continuing forms of sectarian prejudice and discrimination, the non-existent social space, the lack of economic development, and the spill over effects of the Arab spring led to a growing discontent of the population. Moreover, Syria had been living under **Emergency Law** from 1963 as a result of an ongoing conflict with Israel. Israel



1. Before and after the destruction of Syrian historic sites

defeated Syrians and Egyptians in the 1967 war and took control of the Golan Heights Syrian territories. In addition, Syria had unpleasant experiences during its intervention on behalf of the Palestine Liberation Organization (PLO) in Jordan and was demonized for opposing the US invasion of Iraq in 2003. The state of emergency continued for almost fifty years during which most of the constitutional rights of the citizens were suspended, and was only lifted in 2011 by president Bashar al Assad.

However, even if it may be hard to believe, Syria did not only consist of war and political instability. In 9000 BC, civilization had its origin in the area now known as Syrian Arab Republic, and it is here where the first forms of writing and of musical notation were found. Hundreds of majestic mausoleums were built, and culture and history were visible at every corner. The streets of Damascus, the capital, were filled with architectural masterpieces and symbols of the glorious past and the outstanding achievements of the Syrian people, and every mosque and religious site reminded the world of the deepest roots and values of the Syrian civilization. Unfortunately, the violent and merciless conflict has destroyed most of the ancient buildings and historical traces, and after six years of war the glorious past of Syria is buried under smoking rubbles. The sandy beaches have lost their appeal, the souks are now covered in dust and the streets are filled with rows of dead bodies wrapped in sheets.

In light of the turbulent past of the young Syrian Arab Republic and the strong ethnic and sectarian division within the country, it is hard to believe that there could have been a peaceful transition towards democracy. Yet, from the protests of 2011, the country has sunk into a bloody civil war that not many could have foreseen six years ago. Since March 2011, pro-government groups, the military, non-state actors, terrorist groups, and international actors have turned Syria into a battlefield and have provoked what Mr. Staffan de Mistura, UN Special Envoy for Syria, has described as “the worst humanitarian tragedy since the Second World War”.



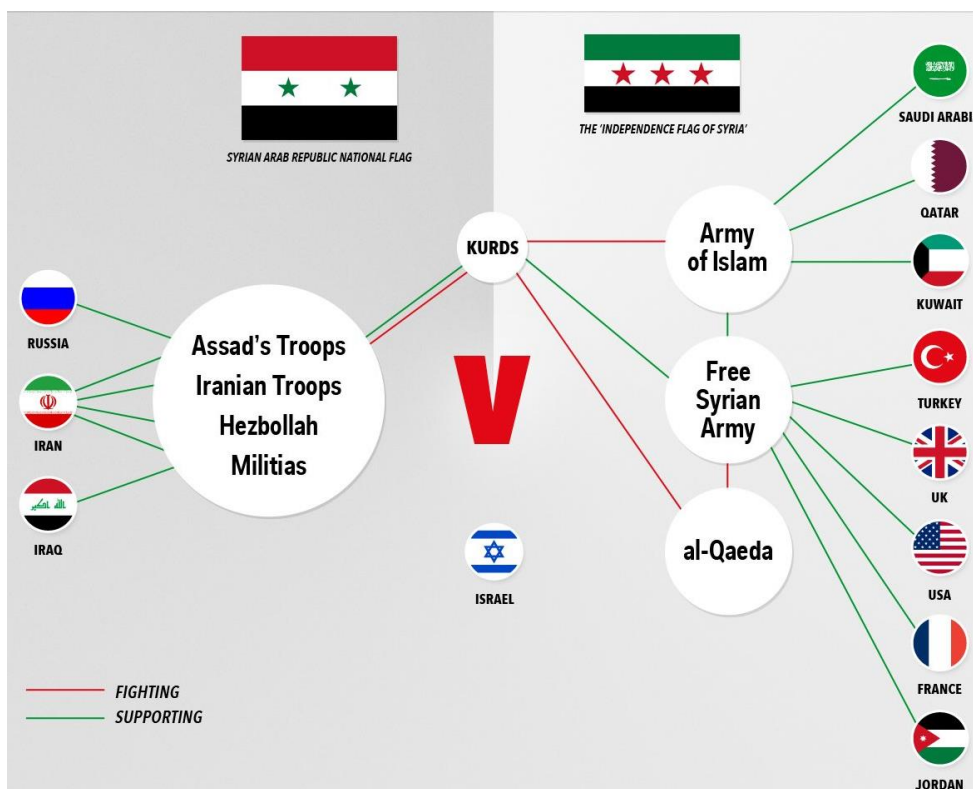
2. Umayyad Mosque before and after the bombing

Parties Involved in the Syrian Conflict

From the beginning of the protests in 2011, the Syrian conflict has grown in magnitude and scope, and has seen the involvement of a number of different parties that have increased with the passing of time.

After years of growing discontent and internal tensions, the protests against the government intensified in 2011. In particular, peaceful pro-democratic protests were held in Dera'a – in the southern part of the country – after the alleged torture of some teenagers who had been arrested for having painted revolutionary slogans on the walls of some buildings. The forcible repression of the government led to the violent response of the opposition forces that eventually began to take up the arms. Violence escalated quickly and the country descended into civil war. The rebels started to form brigades to fight the government forces for the control of cities and of the countryside. The conflict reached Damascus (the capital) in 2012.

After almost six years, it is impossible to identify united fronts: the opposition movement is, now, divided into different factions; the international involvement has grown larger, and terrorist groups are spreading death and destruction. Different interests are at stake and alliances and coalitions are built around strategic political and economic stances. Moreover, the international community has failed to provide a unitary response, and the United Nations are paralyzed by internal disagreements: despite a number of resolutions adopted by the Human Rights Council, the General Assembly, and, lately, by the Security Council, humanitarian aid is not reaching all the areas in need, and peacekeeping operations have not been deployed. The growing complexity of the conflict casts worrying doubts on the future of Syria and on the fate of millions of Syrians who remain in the country.

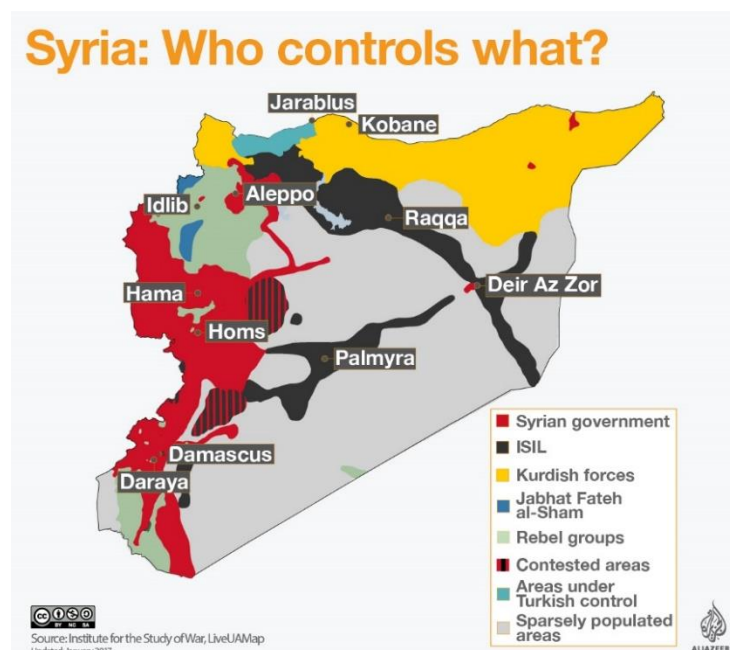


3. Who is fighting who? Parties involved in the Syrian conflict

Syrian government: Assad's forces

From the outset, governmental forces have been involved in the conflict, and have violently tried to shut down the opposition in order to re-establish the strong presidential rule. Forcible repression is not new to the Syrian Arab Republic: in fact, during the regime of Hafez al-Assad, the Muslim Brotherhood uprising had been brutally subdued. The current Syrian government has, again, failed to engage in peaceful negotiation and constructive political dialogue with the opposition – thus triggering a dangerous and deadly spiral of violence.

Two years into the war, it seemed that the government was inevitably going to lose, and the country was on the verge of collapse: the opposition forces had taken control of strategic areas, of the main infrastructures and of the oil fields, and had seized several key cities. Moreover, the number of soldiers had been reduced to a third (the army only counted 100,000 soldiers, 225,000 less than before the beginning of the conflict). However, thanks to the Russian involvement and support, the government was able to regain control over 45% of the country and of some among the most important cities, namely Damascus, Homs, Aleppo (60%), Latakia, and Tartous.



4. Who controls what? Areas of control within Syria

The “Free Syrian Army”

With the escalation of the conflict, the moderate opposition that had started the movement of protests in 2011 began to lose its unity. The original “Free Syrian Army” (FSA) was an anti-government faction that received the support of a large international coalition composed by USA, UK, Turkey, Saudi Arabia, France, and Qatar among others. The external support to the opposition movement consisted in weapons and few million dollars; despite the international endorsement, however, the FSA eventually split into over 60 different armed groups.

As a consequence, today it is hard to identify a united and centralized opposition movement that is carrying the banner of the Syrian people and fighting for a more democratic, free-from-dictatorship country. Moreover, the growing interference of terrorist groups and the intervention of foreign powers is making it harder to draw lines between the different actors involved, in particular as far as the anti-

government faction is concerned. According to few sources, part of the FSA fighters has aligned with the al-Nusra front, while others have joined Turkey-led operations in the north of the country. At this stage of the conflict, it is not easy to identify the so-called “moderate” opposition as all parties have become more violent.

Daesh and Jabhat al-Nusra (now Jabhat Fatah al-Sham)

The involvement of the so-called Islamic State in the Syrian battlefield has largely increased the scope of the conflict. In fact, 67 countries have joined forces to counter ISIS and stop the rise of one of the largest and richest terrorist organizations of the last decade. The international strategy to end the advance of Daesh is broad and comprehensive, and is built on a large-based approach: the capacity building of local forces on the ground (in this case, Iraqi and Kurdish fighters) needs to be summed to economic and military support, as well as to humanitarian assistance and strategic communication.

To date, ISIS counts with about 300-400 thousand adepts coming from over 74 countries, and controls over 30% of the Syrian territory. Risen from al-Qaeda in 2006, the so-called Islamic State has, now, a budget of over 2 billion dollars, mainly obtained by black-market oil speculations. However, even if no country has (or ever will) openly support the Islamic State, the involvement of ISIS in the Syrian conflict and its stance against the government have allowed Western money to flow in its direction.



5. ISIS and Jabhat al-Nusra fighters

Yet, ISIS is not the only terrorist threat emanating from Syria¹. In fact, the al-Qaeda affiliate, Jabhat al-Nusra Front (that in the summer of 2016 has changed its name into Jabhat Fatah al-Sham to separate from al-Qaeda) has proved to be one of the most aggressive and violent opponents to the Syrian government. As far as ideology and goals are concerned, Daesh and Jabhat al-Nusra (JN) are very similar; both strive for the creation of an Islamic state, but they use different methodologies to achieve their goal. In fact, JN prefers a more gradualist and nuanced approach, and employs both violent and more subtle tactics to proselytize and fight all those who oppose the emergence of an Islamic caliphate – including the government of Bashar al-Assad. Since 2012, JN has carried out a number of violent terrorist attacks, killings, massacres of civilians, suicide attacks, abductions, torture, and many other war crimes.

It is hard to say whether the two terrorist organizations represent a bigger threat now that they are separated or if a possible union between the two would be an even deadlier perspective. Indeed, as

¹ *Jabhat al-Nusra in Syria: an Islamic emirate for al-Qaeda*, Middle East Security Report 26, December 2014. Available at <http://www.understandingwar.org/sites/default/files/JN%20Final.pdf>

they strive for the same goal, it is plausible to think that Daesh and JN could compete for supremacy – in the fight for the obtainment of the title of leader of global violent jihad, it is likely that many innocents (and non-innocents) will be killed, tortured, and abducted. But a reunification of the two most dangerous terrorist groups could give life to the most lethal threat we have ever seen.

Kurds



6. Kurdish Peshmerga fighters posing outside Ain al-Arab

In the already confused and fragile Syrian scenario, the Kurds seem to represent a complicating element. After years of tensions, the relationship between the Kurds and the Syrian government has reached a tipping point, and the consequence of the strains could be either cooperation or the exact opposite. Trying to narrow down the Kurdish involvement in Syria is not simple, in particular because the Kurds always need to keep an eye on the Turkish, who consider them a terrorist group.

However, it is generally acknowledged that the Kurds act independently on the Syrian territory, and that they represent the better prepared and most capable force on the ground. At the outset, the Kurds were fighting alongside with the “Free Syrian Army”, but they soon decided to separate from the moderate opposition movement. The main Syrian Kurd fighting unit is the People’s Protection Unit, and is primarily involved in the military operations in the northern part of the country.

Russia

Russia is one of Syrian the most important international backers of the Syrian government, and the survival of the status quo is critical to maintaining Russian interests in the country. So far, Russia has blocked critical resolutions at the UN Security Council and has continued to supply weapons to the Syrian military despite international criticism. The Russian stance is partially explained by Moscow interest in protecting a key naval facility that it leases at the Syrian port of Tartous, which serves as Russia's sole Mediterranean base for its Black Sea fleet, and has forces at an air base in Latakia. As far as Russian direct involvement is concerned, in September 2015 Russia began launching air strikes against rebels, under the pretext of targeting the Islamic State and "all terrorists". The Russian support has been crucial for the Syrian government; without its involvement, governmental forces would have not been able to regain control over “10 thousand square kilometers of Syrian territory”²and more than 400 settlements.

² *Multi-faceted war in Syria and All the involved parties*, Sputnik, 9 September 2016, available at <https://sputniknews.com/middleeast/201609091045147840-syria-war-involved-parties/>

At the international level, Russia has been the most outspoken country in defense of the legitimacy of the Syrian government. Despite several attempted ceasefires, negotiations, and peace talks, in particular during 2016, Russia has conducted over 100 sorties and provided al-Assad with vital economic and military support.

United States

The US has accused President Assad of widespread atrocities and has demanded his removal from office. However, it has agreed on the need for a negotiated settlement to end the war and the formation of a transitional administration. The US supports Syria's main opposition alliance, and provides military assistance to the so-called "moderate" rebels. Since September 2014, the US has been conducting air strikes on ISIS and other rebel groups in Syria as part of an international coalition. Yet, it has avoided attacks that might benefit Assad's forces and interventions in battles between them and the rebels.



7. US aerial bombing

However, as the coalition opposing al-Assad's rule has lost its unity, it is hard to say in whose pockets the American money is flowing to. The US has backed the Kurdish alliance in the liberation of the city of Manbij from under Daesh control, and remains engaged in the opposition movement. The role the US should play in Syria has been among the central topics debated during the 2016 US Presidential campaign; the defeated Democratic candidate, Hillary Clinton, had advocated for the imposition of a no-fly zone to allow humanitarian convoys to reach all areas and to grant civilians a safe way out of the conflict, whereas President-elect Donald Trump contemplates the possibility of cooperating with the Russian coalition and the Syrian government in order to defeat the so-called Islamic state.

Iran

Iran has been one of the strongest supporters of the Syrian government. The country has shown its assistance by endorsing the intervention of the Islamic Revolutionary Guards Corps (IRGC), Ground Forces, intelligence services, and Quds forces. Iran has provided economic and military support to the Syrian government and has assisted pro-government militias. It has also contributed with military advisors and subsidized weapons, as well as lines of credit and oil transfers.

At the outset of the conflict, Iran preferred to limit its involvement in the country by only providing technical and economic assistance. However, with the passing of time and following the escalation of the conflict, its presence on the ground has become more substantial. As of mid-2016, the total number of Iranian paramilitary personnel and IRGC deployed in Syria amounted to around 7000-9000.

The potential political change within Syria would largely undermine the ability of Tehran to pursue its interests and maintain its role in the region; as such, the Iranian government has provided extensive and substantial support to the current Syrian government in order to maintain the regional balance.

Iraq

Iraq is one of the key actors of the area, and its support to the Syrian government should not be underestimated. Baghdad is assisting by providing political and military support, and by allowing Iraqi militias to fight on the ground; moreover, it has permitted Iranian over-flights to deliver weapons and supplies to the Syrian military, it has assisted the Syrian fighters and it is believed to have smuggled cash into Syria (notably sanction-hit country).

Iraq fears that a potential overturn of the current political order might increase the Gulf Countries influence in the region and foster the strengthening of opposition groups both in Syria and inside its own borders.

The Iraqi government has little choice in the matter of accepting a cooperation with the Russian-Syrian-Iranian coalition in the fight against ISIS. In fact, besides providing external support, the country is facing a complex internal situation, further complicated by the terrorist occupation of parts of its national territories.

Gulf countries

The coalition of Gulf Countries shares a general common view on what should be the outcome of the Syrian conflict. These countries are concerned about the increasing influence of Iran in the region, and believe that should the Syrian government win the war, Tehran would not miss the chance to expand its views and interests – thus destabilizing the balance in the area. Therefore, Gulf Countries have been among the main sponsors of some of the rebel groups. Different sources disagree on whether Saudi Arabia and its allies are supporting “moderate” or extremist groups; such debate is understandable given the complex and multifaceted situation on the ground in Syria.

So far, Gulf Countries have avoided direct involvement in the conflict, but Qatar has allowed the US central military command for the Middle East and Central Asia to use its Udeid air base, and Saudi Arabia has repeatedly called for a no-fly zone to be instituted to protect civilians from bombardments of the Syrian government forces and has pushed for the removal from power of al-Assad.

Human Rights Violations in Syria: a permanent stain on the conscience of the international community

The increasing number of actors involved in the war, the complexity of the situation, overlapping and contrasting interests, and the failure of reaching permanent and comprehensive peaceful settlements have turned the Syrian Arab Republic into a bloody battlefield. Almost six years into the conflict, the country is on the verge of collapse. According to GICJ information, all parties involved have committed heinous crimes, have breached international law, international humanitarian law and international human rights law, and have caused an unprecedented humanitarian crisis. The situation is worsened by the economic breakdown and by the permanent damage to public infrastructures.

As it happens in most of the cases, the civilian population is paying the highest toll. Thousands of people have died, millions have fled the country, many more are internally displaced, and the majority of the population is suffering for the lack of basic infrastructures. Innocent men, women, and children are wounded and killed on a daily basis, and many suffer from simple injuries that often become permanent disabilities because of the lack of medical care and health assistance. The population's food, health care, housing, and education needs are not met, and the international humanitarian convoys cannot reach all areas. Since the beginning of the conflict, life expectancy has fallen by 20 years, 4 out of 5 Syrians live in poverty, and one household out of three is indebted because of the excessive cost of food supplies.



8. Destruction of Aleppo

The Syrian Conflict in Numbers (information updated to December 2016):

13.5 million people are in need of humanitarian assistance



11+ million people require health assistance



8.7 million people have acute needs across multiple sectors



4.5 million people live in hard-to-reach besieged areas



6.3 million internally displaced persons



4.7 million refugees



2.4 million people lack adequate shelter



2+ million children and adolescents out of school



1.5 million people with disabilities



450,000+ people were killed





Attacks on civilians

All parties involved in the conflict are responsible of war crimes and of numerous violations of international law. In the fight for territorial control, pro-government forces, backed by Russia, have conducted several attacks on areas controlled by the opposition, and have, thus, killed and injured countless innocent civilians. ISIL and al-Nusra fighters constantly target civilian households and use the Syrian people as human shields to protect the occupied territories, and Western coalitions as well are conducting aerial attacks that inevitably affect civilian-inhabited areas. Airstrikes, suicide attacks and barrel bombs are the main tactics used by warring parties to target civilians; the number of casualties has dramatically increased following the siege of Aleppo, and those who are not killed by direct attacks are very likely to die because of lack of food, shelter and medical care.

According to one of the reports of the Independent International Commission of Inquiry on the Syrian Arab Republic, “destruction of the structures of civilian life – houses, businesses, schools, parks, markets and hospitals among them – continues apace [...] The proliferation of warring parties and front lines has challenged to ability of civilians to survive even further”³. Such proliferation has also complicated the task of identifying those responsible of the attacks. All UN highest-ranked officers have expressed their concern over the indiscriminate attacks on civilians, and the former Secretary-General Ban Ki-Moon has called for immediate cessation of “any such attack”.

Over the last year, the number of indiscriminate attacks on areas with no visible military targets has increased; in such cases, most the victims were civilians. The most concerning example of such heinous tactics is the recent siege of Aleppo: with government forces pushing from the South, ISIS fighting from East, the Syrian Democratic Forces (SDF) entering from the West, and constant aerial bombings, 250,000 civilians remained trapped into a deadly grip.



9. Civilians emerging from the rubbles of their building after an aerial bombing in Aleppo

³Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/31/68, 11 February 2016, available at <http://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/A-HRC-31-68.pdf>



Use of indiscriminate weapons, chemical weapons, and barrel bombs

The main purpose of International Humanitarian law is to define the means and the limits of war. As such, all parties involved in a conflict should distinguish between lawful and unlawful targets, and should use non-prohibited weapons and munitions. In Syria, all parties involved are ignoring international norms and the use of indiscriminate and prohibited arms is widespread. As such, most of the weapons deployed do not adhere to the principle of distinction and inevitably provoke a disproportionate number of casualties.

The Syrian government has repeatedly been accused of using **barrel bombs** to attack civilian-inhabited areas. Such improvised containers, filled with steel components and bulk explosive, are the primary cause of death and displacement. Barrel bombs are lethal and destructive, and are the cheapest way to conduct protracted campaigns.

Other extremely dangerous weapons used in aerial bombings are **cluster munitions**. Such arms break into small metal fragments and release a load of sub-munitions (mainly bomblets) at a pre-set altitude or upon contact. Cluster munitions are extremely inaccurate and they can provoke substantial damages in widespread areas; moreover, many do not immediately explode and may put civilians at risk when bomblets accidentally or suddenly detonate.

Probably, the deadliest attacks by all parties are those that involve the use of air-dropped **incendiary weapons**, which include vacuum bombs and fuel-air explosives. Upon contact, these weapons disperse toxic clouds of gas; those standing in the vicinity of the detonation point are generally killed by ignition, while those standing farther die following the collapse of internal organs. As such, it is almost impossible to take effective shelter to seek protection from these types of attacks.

As far as the use of chemical weapons is concerned, there have been several allegations and an equal number of denials. In its last report, the UN Independent Commission of Inquiry on the Syrian Arab Republic stated that, whilst the investigations on the just-mentioned allegations are still ongoing, the experts were provided with reliable information concerning the use of chlorine gas. According to their sources, on 5 April 2016, in the Sheikh Maqsoud neighbourhood of Aleppo heavy shelling provoked the death of six civilians, while four others had to be taken to the hospital after showing symptoms of chlorine gas inhalations.



Arbitrary arrests

Despite the growing number of testimonies, it is extremely hard to collect precise information or provide exact estimations on the number of arbitrary arrests that have taken place in Syria. Arbitrary detention is a weapon in the hands of all parties involved in the conflict, and it is one of the tools used to maintain the control over given territories and to keep the civilian population in a state of permanent fear and uncertainty. Inspections in the state prisons are denied on a regular basis, and non-state, terrorist actors lock their prisoners in unknown facilities. Moreover, death in detention is extremely likely, detainees often face torture or ill-treatment, and not all those who have been detained nor their relatives are willing to share information for fear of retaliation.

According to the Syrian Network for Human Rights, as of mid-2016, the number of detainees was well above 250,000, with a peak of 741 arbitrary arrests in April 2016 alone (598 of which were carried out by government forces)⁴. The UN Independent Commission of Inquiry as well has observed a “market” of arbitrary detentions in government-held areas. The Syrian military, in fact, arbitrarily arrests and detains all those who are suspected (even with scant evidence) of opposing the government or of being affiliated with terrorist groups. According to the Commission, “government officials demand bribes from families seeking information about their relatives, and for their release”⁵.

In most cases, no legal justification is provided for the arrests, and the prisoners are not told where they are going to be taken. Some of the detainees are held in pre-trial detention for long periods (up to one year) without trial, and without even being formally charged. Many others are not given the chance to defend themselves; they are often prosecuted before military courts, and the sentences are pronounced without allowing them to consult with a lawyer.



10. Detention in Syria, UNHCR photo



Enforced disappearance

According to the International Convention for the Protection of All Persons from Enforced Disappearance, "enforced disappearance is considered to be the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law"⁶.

The crime of enforced disappearance is considered to be one of the most heinous and multifaceted techniques to instil fear, and provoke pain and suffering to the detainee and his family. From the mothers of Plaza the Mayo, we have learnt that the despair of a mother who has lost his son and has no information on his whereabouts never ends. In the same way, Syrian mothers, fathers, sons, daughters, brothers, sisters, wives, and husbands are left in a permanent state of uncertainty and fear, while their loved ones are disappeared.

Since 2011, the Syrian government and other armed groups have used enforced disappearances as a weapon to maintain the control of the population, and to retaliate against those who opposed their

⁴ *The cessation of hostilities agreement did not affect the outcome of detainees*, Syrian Network for Human Rights, 5 May 2016, available at <http://sn4hr.org/blog/2016/05/05/21342/>

⁵ *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/31/68, 11 February 2016, available at <http://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/A-HRC-31-68.pdf>

⁶ *International Convention for the Protection of All Persons from Enforced Disappearance*, art. 2, available at <http://www.ohchr.org/EN/HRBodies/CED/Pages/ConventionCED.aspx>

views or who refused to comply with the orders. The complexity of the crime makes it almost impossible to have correct statistics on the number of disappeared; in addition, relatives and families often refuse to speak up for fear of further retaliation or in the hope that they will eventually obtain information on the fate of the disappeared. However, the Independent Commission of Inquiry on the Syrian Arab Republic has acknowledged that the practice of forcibly disappearing protestors and civilians is widespread in the country, and has increased since the beginning of the conflict. Such campaign of terror against the civilian population is perpetrated by all parties involved in the conflict, and entails an inhuman level of fear and suffering that can hardly be relieved.



Torture

The Syrian Arab Republic is part of the main international conventions banning and condemning the use of torture under any circumstances. In 1969, Syria ratified the International Covenant on Civil and Political Rights (ICCPR), and in 2004 acceded the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Nevertheless, from the outset of the conflict, countless cases of alleged torture and ill-treatment, in particular in detention facilities, have been registered. All actors on the ground, including government forces, have been accused of perpetrating torture on civilians, military personnel and detainees.

Exact estimations of cases of torture are almost impossible to obtain; however, the main detention centres where torture is allegedly perpetrated have been identified, and the main tactics of ill-treatment and punishment have been extracted by the testimonies of those who survived the detention.

From the excruciating testimonies of the survivors, it has been possible to compile the following list, which comprises the most widely used methods of torture:

- Severe beating (with and without objects such as cables, sticks, pipes, whips etc.)
- Beating on the sole of the feet with sticks, whips or cables
- Hanging the victims from the ceiling by the wrists
- Electrocutation
- Hanging upside/down
- Pulling out of fingernails
- Pulling out of teeth
- Immobilising the victim by tying him/her to a flat board (which sometimes is folded in half)
- Immobilising the victim by forcing him/her into a car tire
- Holding of stress positions for hours/days
- Exposure to cold/heat
- Verbal threats, even against members of the family
- Burning
- Use of acid
- Sexual violence (rape, penetration with objects, prolonged forced nudity, groping, beating and electrocution of genitalia)

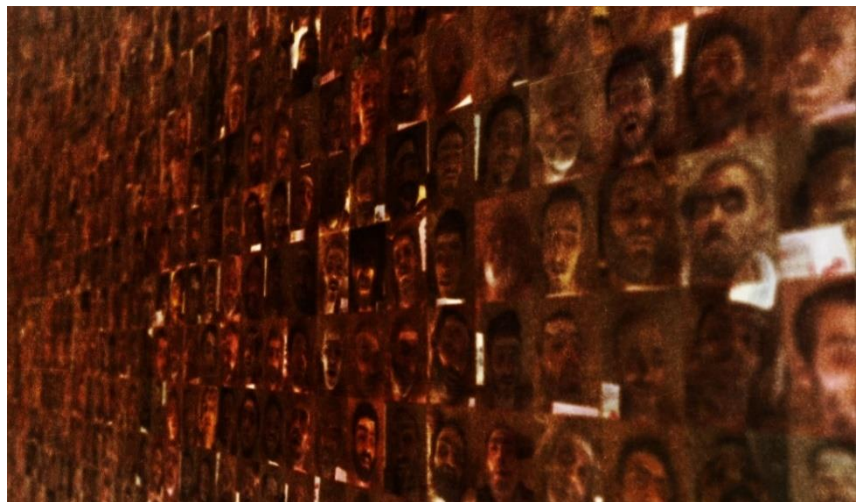
The physical and psychological tortures reach their peak during the interrogations, but the conditions of detention are so degrading that they can easily be considered as torture as well. Detainees are

locked into cells that can measure up to 70 square meters; sometimes they are left alone in the cell, other times the room is so crowded that the prisoners can only stand. All cells are generally extremely dirty, the hygienic conditions are appalling, the prisoners are not provided with adequate portions of food and water, and whoever attempts to complain or protest is immediately beaten, tortured or killed. None is exempt; women, children and elderly are equally subjected to torture and ill-treatment. Many detainees die while being tortured, as a consequence of tortures, or never recover from physical and psychological trauma.



Deaths in custody

Until 2013, there was little evidence on the fate of detainees and the conditions in detention centres. In August 2013, a military defector identified as “Caesar” smuggled thousands of pictures outside the country: the shocking collection contained brutal images representing tens of thousands of bloody and beaten dead bodies. From the images, it is clear that the prisoners were subjected to inhuman and degrading treatments.



11. Mass deaths and torture in Syrian detention facilities

International independent monitoring mechanisms are not allowed in the Syrian detention centres; therefore, it is impossible to obtain accurate statistics on the number of deaths. However, thanks to the smuggled pictures and the information provided by former detainees, local activists and non-governmental agencies, it has been possible to identify the patterns of violations as well as the main causes of death.

Former prisoners and guards have revealed that tens of detainees die daily in the detention centres run by the Syrian government’s security agencies. According to the testimonies, “there were rarely any days when no prisoner died”⁷, and those who survived envy the fate of those who were killed by barrel bombs or airstrikes. Government forces are running a strict and ferocious campaign against the opposition, and having one song critical of the government on the phone seems to be a sufficient reason to be detained, beaten, tortured, and eventually killed while in custody. In the government-controlled prisons, detainees die of starvation, or as a result of severe injuries, torture, infections and diseases. Prisoners are also subjected to murder, rape, summary executions and all forms of inhuman acts.

⁷*If the Dead Could Speak, Mass Deaths and Torture in Syria’s Detention Facilities*, Human Rights Watch, 16 December 2015, available at <https://www.hrw.org/report/2015/12/16/if-dead-could-speak/mass-deaths-and-torture-syrias-detention-facilities>

But the fate of those in the hands of anti-government armed groups and terrorist groups is just as desperate. According to the UN Commission of Inquiry on the Syrian Arab Republic, such opposition groups have established makeshift places of detention where civilians and government soldiers are tortured, and executed. ISIS and al-Nusra are accused of “serious abuses, including torture and summary executions”⁸.



Unlawful detention of activists and journalists

Journalist, activists and political opponents are the first target of government security forces. According to Human Rights Watch, “in July 2012, Syria adopted an overly broad Counterterrorism Law that criminalizes almost all peaceful opposition activity”⁹. Such law has been used in the new Counterterrorism Court and in military courts to punish dissent and target activists and protestors. The victims are accused of engaging in reactionary movements and protests and of representing a threat for the government. However, most political prisoners are detained for having distributed humanitarian help, documented human rights abuses, incited to free speech and freedom of assembly, and participated in peaceful protests. Regular civilians who dare to provide assistance, food or medical care to internally displaced or wounded persons are equally targeted.

Human rights defenders, political prisoners and journalists are subjected to torture, abuses, sexual violence and all types of inhuman and degrading treatments while in detention. Security forces are particularly brutal with these groups of prisoners in the attempt of extracting precious information that could benefit government forces in the fight against the opposition.

The main targets are usually young men, but several cases of female activists tortured and detained have been reported. Women are often sexually abused while in detention, and many die because of the severe injuries they are inflicted or for the psychological trauma they suffer.

Political space, freedom of assembly and associations, and freedom of speech are brutally shut down. Speaking up or denouncing the cruelty of the government’s actions automatically becomes a death sentence, and even those who have not engaged in protests are falsely accused or detained with scant evidence.



Summary executions

As stated in one of the reports presented by the UN Commission of Inquiry for the Syrian Arab Republic, Syria “is party to international conventions that protect the lives of detainees and prohibit killings and summary executions, enforced disappearance, torture and other forms of ill treatment, including the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and the Arab Charter on Human

⁸*Out of Sight, Out of Mind: Deaths in Detention in the Syrian Arab Republic*, A/HRC/31/CRP.1, 3 February 2016, available at http://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/A-HRC-31-CRP1_en.pdf

⁹*Syria: Political Detainees Tortured, Killed - Military and Counter-Terrorism Courts Used to Punish Peaceful Dissent*, Human Rights Watch, 3 October 2013, available at <https://www.hrw.org/news/2013/10/03/syria-political-detainees-tortured-killed>

Rights”¹⁰. As such, the government should provide effective remedy and reparation to the victims of violations, and should undertake impartial and effective investigations of all violations.

However, government security forces and terrorist groups are responsible of summary executions and unlawful killings. In 2013, several dead bodies appeared on the streets of Aleppo; investigations confirmed that most of the corpses pertained to detainees held in government-controlled centres. Many of them had their hands tied behind their back and had been executed by gunshot. Summary trials often lead to death sentences; detainees are not given the chance to defend themselves nor to speak with a lawyer, and confessions obtained with the use of torture are often the only evidence provided (if any evidence is submitted at all).

ISIS and Jabhat al-Nusra have established makeshift courts and detention centres; civilians and government soldiers are unlawfully detained and often subjected to unfair trials. Both terrorist groups are known for conducting mass summary executions and for making public photographs and videos of the killing. The footages are used as weapons to spread terror and as means of propaganda. The prisoners are usually executed by gunshot, are beheaded or hanged.



Attacks on medical facilities, sieges and denial of humanitarian access

The Syrian Arab Republic is facing an unprecedented state of emergency. Airstrikes, torture, fighting, bombings, and gunshots are killing and wounding people on a daily basis, and the need for well-functioning health care facilities is stronger than ever. Unfortunately, as reported by several newspapers and by the WHO, medical facilities and personnel are continuously targeted, in particular by pro-government forces.

According to the WHO, government forces have repeatedly struck hospitals and medical workers in opposition-controlled areas, and they have restricted the access to humanitarian aid in besieged and hard-to-reach zones. Between 2011 and 2015, over 697 medical workers were killed; in 2016 alone, 198 attacks were carried out against medical facilities – causing 366 deaths and 468 injuries¹¹. UN, WHO and ICRC have provided medical supplies, surgery supplies, hygiene kits, antibiotics, medicines to treat chronic diseases, and essential equipment in general; however, millions of people inside the country remain in urgent need of medical care.

During the recent siege of Aleppo, every hospital in the Eastern part of the town was bombed – thus leaving over 250,000 men, women, and children without access to hospital care. The safety and neutrality of health care facilities and medical personnel has not and is not being respected, in the most outrageous disrespect of international humanitarian law.

Sieges and denial of humanitarian access are causing thousands of deaths: government and opposition forces are holding civilians hostage, and humanitarian convoys are either attacked or denied entrance. International supplies can only be delivered following the approval of the government, and some areas remain off limits. In besieged or hard-to-reach zones, hundreds of thousands of civilians remain

¹⁰ *Out of Sight, Out of Mind: Deaths in Detention in the Syrian Arab Republic*, A/HRC/31/CRP.1, 3 February 2016, available at http://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/A-HRC-31-CRP1_en.pdf

¹¹ *Attacks depriving people of urgently needed health care*, WHO bulletin, January 2017, available at <http://www.who.int/emergencies/attacks-on-health-care/en/>

without food and basic supplies. Besides being condemned to starvation and deprived of basic medical care, they are continuously subjected to bombing and shelling.



12. Syrian hospital destroyed by aerial bombings



Conditions of women

The escalation of the civil war has exacerbated the gender-based discrimination faced by Syrian women – one of the most vulnerable categories during armed conflict. Since 2011, the threats and violence they face have dramatically increased. All parties involved in the war perpetrate sexual violence and harassment, and the cultural stigma that is associated with being raped pressures women to marrying their rapists and to underreport cases of abuses.

For instance, in 2013, the UN helped 38,000 victims of sexual violence in Syria, but such number is likely to be only a small fraction of the real one. In fact, shame and rejection of the abused or raped woman are embedded in the Syrian culture; therefore, in order to save the family's honour, women are often forced to marry their assaulters or are killed by a family member. The number of “honour crimes” has drastically increased since the outset of the conflict, and it is reported that there are between 300 and 400 such killings annually. In addition, the Syrian penal code facilitates impunity for rape, and the law does not recognise nor account for spousal rape.

According to statistics gathered by the UN officers on the field, the number of cases of domestic violence and spousal rape has increased since the beginning of the conflict, and women are imprisoned in the violent cage of marriage with no possibility of escaping. Rapists face mitigated

sentences that require two years of imprisonment, but the families of the victims often force the girls into marrying their assaulters or push them to commit suicide.

Sexual violence and rape have become weapons of war and are perpetrated by all parties involved in the conflict. Women and girls are often raped and harassed while in detention centres, during interrogatories, at checkpoints or when the security forces search their houses. Detainees are often threatened with sexual violence or are forced to cooperate for fear that their children and relatives will be raped or killed. Local non-governmental agencies and activists have revealed the anguishing reality of the conditions of detention in the government-controlled facilities, but the victims often do not report cases of abuses for fear of being stigmatised or rejected by their husbands and families. Female activists are subjected to the worst kind of punishments: they are tortured and harassed in inhuman ways, and are physically and psychologically abused by security officers in order to obtain precious information on the opposition movement.

Sexual violence has become one of the main causes of displacement, but women who leave the country are just as vulnerable. UN reports reveal that several women and girls are subjected to honour killings and rape in refugees' camps, and many engage in the selling of sex inside the camps.

Security forces are not the only perpetrators of violence, “the Security Council identified six armed groups as being credibly suspected of committing sexual violence in Syria in 2014, including the Islamic State, al- Qaeda affiliated Jabhat al-Nusra, al- Islam Brigade, Aknaf Bait al- Maqdis Brigades, Ansar Bait al- Maqdis Brigades and Ahrar Ash-Sham Islamist Movement”¹². Armed groups engage in sexual violence and rape, they sell women and girls, they promote sexual enslavement, and abuse them in any possible way.

However, sexual harassment is not the only form of violence and discrimination faced by women and girls. For instance, the lack of medical facilities and health care supplies has forced over 200,000 to give birth in unsafe conditions, and many others are denied necessary reproductive health access, as well as treatment specific to those victimized by gender-based violence. Raped women and girls are forced to ensue pregnancy because of the lack of the medical equipment and personnel needed to perform abortion, and because Syrian law only permits abortion when it is necessary to save the woman's life.

In addition, according to Article 3 of the Syrian Nationality Law, “anyone born inside or outside the country to a Syrian father” shall be considered Syrian: as such, the women are denied the right to pass their nationality on to their children. Following the escalation of the conflict, many women became widows prior giving birth – consequently, their children suffer conditions of statelessness, marginalisation and social exclusion.

Women and girls are the most vulnerable category of victims, and the very Syrian legislation and culture hinder their ability of obtaining reparation. Consequently, to date, millions of women have died, have suffered abuses, and have been deprived of their basic rights and their dignity.

¹² *Human Rights Violations Against Women and Girls in Syria*, Submission to the United Nations Universal Periodic Review of THE SYRIAN ARAB REPUBLIC, Submitted March 24, 2016, available at <https://www.madre.org/sites/default/files/PDFs/Syria%20UPR%20submission%20Final.pdf>



13. Injured Syrian woman



Children in Syria

Women, children, persons with disabilities and elderly are the most vulnerable categories, and, unfortunately, one of the primary targets and victims of war crimes and human rights violations. According to a report issued by UNICEF in March 2015, two million children lack regular access to aid, over 200,000 children live under siege, 2.4 million were forced to flee the country, and thousands have been recruited to fight. Moreover, 3.7 million children were born since 2011 (2.9 inside Syria and over 800,000 in neighboring countries): this means that they have known nothing but war during their entire life. According to the sources, over 10,000 children were killed between 2011 and 2013, and the number has dramatically grown in the last three years, in particular following the deadly siege of Aleppo. In addition, in 2015 alone, over 500 children¹³ were maimed following aerial bombings and attacks with explosive weapon. In 2016, 8.4 million children were in need of humanitarian help, nearly 7 million live in poverty and children as young as three years old are working. 2.4 million children have become refugees, and 2.8 million are out of school.

In addition to the economic and the humanitarian needs resulting from the conflict, children are facing several other difficulties. All parts involved in the war have increased the forced recruitment of children as young as seven years old. Armed groups offer them salaries up to 400\$ per month, and often recruit them to support the first lines in the combat without the consent of their parents. Children

¹³ *The impact of five years of war on Syria's children and their childhoods*, UNICEF report, 14 March 2016, available at <http://childrenofsyria.info/wp-content/uploads/2016/03/SYRIA5Y-REPORT-12-MARCH.pdf>

undergo military trainings and actively participate in the combats and in the maintenance of weapons and munitions, and are often involved in executions and unlawful mass killings.

In four years, over 6000 schools have been destroyed and around 30% of the education staff has been killed or injured. The lack of education, the worrying number of children involved in conflict and violent activities, the percentage of children killed, maimed or wounded, and the black curtain that has descended on the future and hopes of the Syrian youth has led to the creation of the epithet “Lost Generation”. Despite the efforts and the commitment of humanitarian workers and international agencies, the majority of Syrian children is caught in the deadly grip of a fading future and a collapsing country: children have lost hope, they have been deprived of their future, and will inherit the rubbles of a country that has suffered a horrific setback. Almost all children have lost one of their parents or relatives, many will remain forever scarred and mutilated by the conflict, and the emotional and psychological wounds will never heal.

The dramatic situation of children is, if possible, even worse for girls who are often forced to marry older men. In a desperate attempt to provide for them and give them the chance of a brighter future, many families force the daughters to get married: from the beginning of the conflict, the percentage of child brides has increased from 13% to 32%, but the statistics could be much higher as many marriages are unregistered. In addition, child marriage and sexual violence on boys and girls have become a weapon of war used to spread terror and subjugate entire communities.



The forgotten victims: persons with disabilities in the Syrian conflict

Among the vulnerable categories involved in the horrific Syrian conflict, persons with disabilities are often the forgotten ones. As we analyze their condition, we need to consider separate categories of disabilities: those existing prior the beginning of the conflict, and both mental and physical disabilities caused by the conflict itself.

In general, persons with disabilities face bigger difficulties in accessing the services and the support they need, and the 18 independent experts of the UN Committee on the Rights of Persons with Disabilities already expressed their concern on the lack of adequate infrastructures and services prior the outburst of the conflict. Moreover, since 2011 many medical facilities have been hit by aerial strikes and the basic health-care supplies needed to support persons with disabilities on a daily basis are lacking.

However, since the beginning of the conflict, the number of persons with disabilities has dramatically increased: many are wounded, mutilated, injured and maimed by barrel bombs, cluster munitions and incendiary weapons, and many others suffer from mental disabilities caused by brain damages and military operations. The lack of health-care personnel and supplies have drastically reduced the quality of medical attention and rehabilitation. Consequently, patients are discharged too soon and injuries often become long-term disabilities. Even if correct reliable statistics are not available, to date, thousands of people are amputees, and their disabilities are worsened by the lack of follow-up care and rehabilitation.

Moreover, many injuries and disabilities require mobility devices such as prosthetic limbs and wheelchairs. The lack of such devices and the excessive price of the few existing ones forces the majority of people with physical disabilities to spend most of their time in bed. In rural, besieged and

hard-to-reach areas there is an increasing need of “pain relief medications, anti-coagulants, anti-bedsore mattresses, and colostomy bags”¹⁴.

The inability of properly treating injuries and diseases and the lack of decent medical services have allowed the spread of typical wartime diseases such as poliomyelitis, tuberculosis and meningitis. In addition, many children diagnosed with spinal or brain damages cannot be properly treated and suffer permanent injuries and disabilities.

Yet, physical disabilities only represent one side of the Syrian tragedy. The ongoing conflict has traumatized and affect millions of persons: almost 4 million children have only known war and destruction, thousands have been tortured and witnessed mass atrocities, and countless Syrians have seen death and despair. The horrifying experiences they endured have provoked different types of Post-Traumatic Stress Disorders, while psychological and social support as well as counselling are lacking.

The Syrian government and the international community have not been able to provide a concrete and adequate support to deal with the challenges faced by people with disabilities. Consequently, thousands of wounded, disabled, and seriously injured persons remain confined in hard-to-reach areas without the basic medical equipment necessary to conduct a dignified life.



Being gay in war-torn Syria

Discrimination and persecution of homosexuals are not new in Syria. Even before the beginning of the conflict, gay and lesbians were rejected by their families, isolated, and often subjected to “honor killings”. For instance, article 50 of the Syrian legislation calls for a three-year sentence for “carnal knowledge against the order of nature.”¹⁵

However, surveillance and harassment have increased since 2011. Today, homosexuals are trapped in a country where all parties have vowed to persecute, torture and kill them. Terrorist groups such as ISIS and al-Nusra have reached unprecedented levels of violence and brutality against gay men; government forces threaten and detain all suspected homosexuals, and the families of alleged gay and lesbians often out their own relatives who are considered a disgrace to the family.

Whoever is suspected of being homosexual is imprisoned and almost inevitably exposed to the most brutal forms of torture, humiliation and abuses. Terrorist groups use barbarisms against LGBTI people as weapons of war, and there are records of horrific public mass executions of gay men and women. Government forces and all parties use digital control techniques to expose and harass homosexuals. At checkpoints, everyone suspected to be gay is required to hand over the mobile phone: every unexplained message, photo or phone call with a same-sex person could be compromising. Moreover, security forces often use gay dating apps to trick homosexuals into lethal rendez-vous.

Those who manage to escape the tortures and abuses of the fighting parties do not find the support of their own community nor of their family. In one case, the crowd has stoned to death alleged

¹⁴ *The Syrian War and People with Disabilities*, Disabled World, 3 September 2013, available at <https://www.disabled-world.com/editorials/syria.php>

¹⁵ *The Double Threat for Gay Men in Syria*, Human Rights Watch, 28 April 2014, available at <https://www.hrw.org/news/2014/04/28/double-threat-gay-men-syria>

homosexuals that had been thrown from the top of a building by a member of ISIS. Before the execution, the mob was cheering and laughing¹⁶.

Threats and persecutions are not limited within the borders of the country. Homosexuals are often harassed even in Lebanon and other neighboring countries where they seek asylum and protection. As many victims have affirmed, “it cannot get any worse than being gay in Syria today”.¹⁷

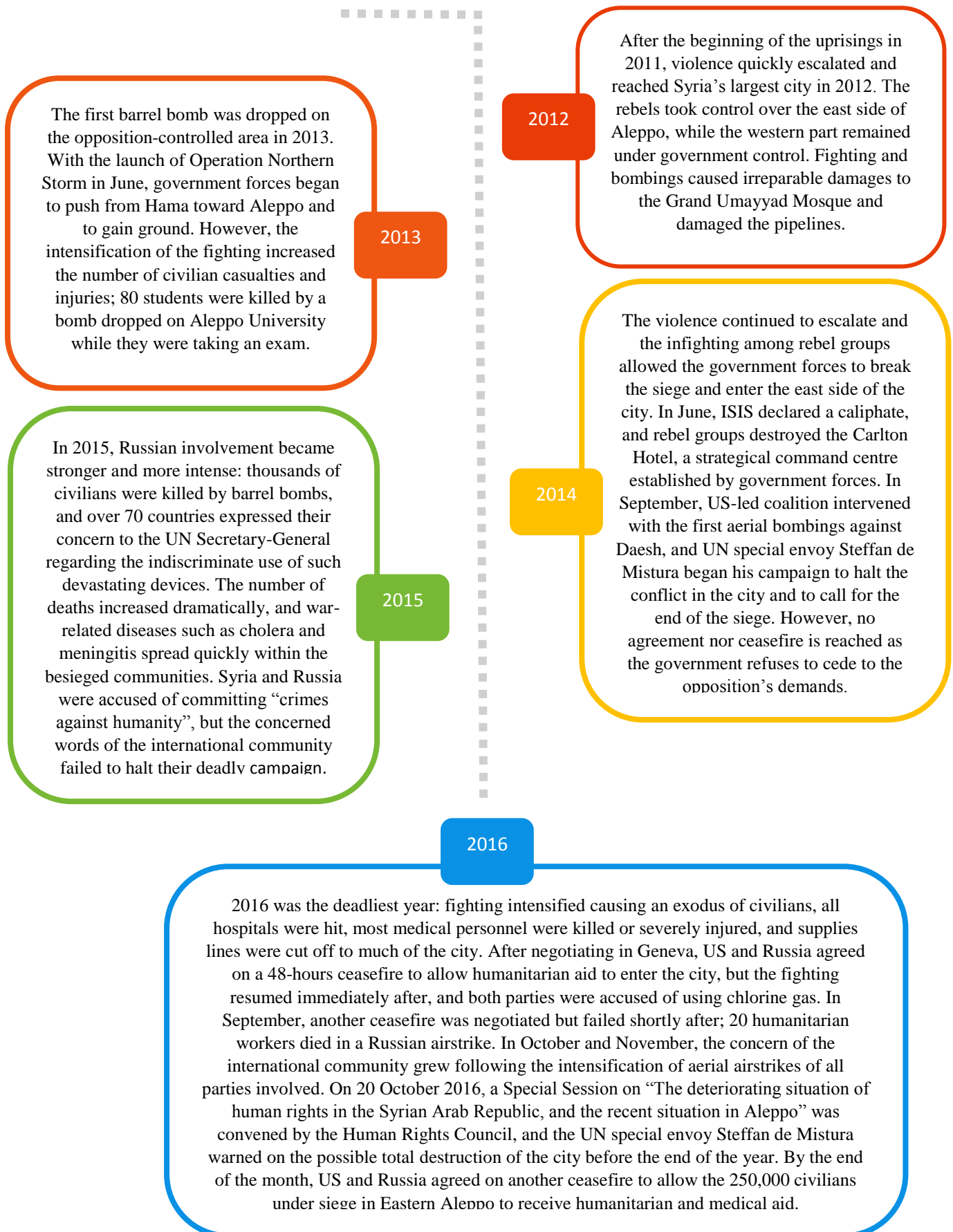


14. Homosexuals executed by ISIS fighters

¹⁶ *It can't get any worse than being gay in Syria today*, The Sydney Morning Herald, 17 October 2015, available at <http://www.smh.com.au/good-weekend/it-cant-get-any-worse-than-being-gay-in-syria-today-20151001-gjze4o.html>

¹⁷ Ibid

Aleppo, the timeline of terror



Aleppo remains the most appalling example of the horrifying reality of the Syrian tragedy: media and news agencies have shown disturbing images of children trapped under the bricks of their homes, and of men and women killed or maimed by airstrikes and barrel bombs. Yet, the international community has failed, again, to halt the conflict, and to allow innocent civilians to escape the brutality of the endless conflict.



15. Civilians rescuing babies from the rubbles, Aleppo

Needs Overview

Civilians all over Syria are in desperate need of humanitarian, psychological and medical aid; yet, humanitarian convoys are often targeted by aerial strikes or are not endorsed by the Syrian government and, consequently, are prevented from fulfilling their mandate. In the 2017 Humanitarian Needs Overview¹⁸, prepared by the UN Office for the Coordination of Humanitarian Affairs, Syrians are divided into different categories and 16 areas on the basis of the severity of their needs.

According to the report, of the 13.5 million people in need,

- 974,080 people are facing a life-threatening situation caused by
 - Acute lack of access to food and water
 - Acute lack of health care
 - Extreme restrictions on freedom of movement
 - Proximity to conflict areas
- 5.7 million people live in areas where the severity of need is considered to have reached catastrophic, critical or severe levels
 - 1 million people: level of need considered catastrophic
 - 383,000 people: level of need considered critical
 - 3.3 million people: level of need considered severe
- 7.8 million people live in areas where the severity of need is considered to have reached major, moderate or minor levels
 - 5.2 million people: major severity
 - 2.3 million people: moderate severity
 - 315,460 people: minor severity

Unfortunately, due to several operational challenges, international agencies and local humanitarian workers are not able to meet the population's needs nor to provide the needed support on a sustained and timely manner.



Health

Well-functioning medical facilities and trained medical personnel are fundamental in peace times and become vital during a conflict. Aerial bombings, gunshots, and barrel bombs kill and injure people almost daily; war diseases such as cholera, meningitis and poliomyelitis spread quickly when civilians live in precarious conditions and have limited access to basic health care services, and simple diseases or mild injuries often become deadly or provoke permanent mutilations and disabilities. All parties involved in the conflict have deliberately attacked health facilities, and, often, in besieged areas there is no functioning hospital. Humanitarian convoys are regularly denied access in certain areas, and the lack of basic medical supplies has caused a dramatic increase in the number of deaths.

- 300,000 people suffer conflict-related injuries every month, 30% of whom are left with permanent disabilities
- 770 health workers have been killed since the beginning of the conflict
- On average, only 50% of the planned humanitarian aid reaches destination every month

¹⁸ 2017 Humanitarian needs overview, Syrian Arab Republic, UNOCHA Report, December 2016, https://www.humanitarianresponse.info/system/files/documents/files/2017_syria_hno_2.pdf

- In the first half of 2016, 101 attacks on hospitals were reported, 14 health workers were killed and 40 injured
- In September, an attack on a humanitarian convoy that was trying to reach Big Orem in Aleppo killed 33 people
- 147 humanitarian workers were killed since the beginning of the conflict, 66 were killed in 2016 alone
- Almost 300,000 pregnant women are not receiving adequate care
- Around 50% of children are not immunised
- More than half of health care facilities are closed or only partially functioning

Mental health is another major concern. Doctors Without Borders reported several cases of mutism, bedwetting, and aggressive or regressive behaviour provoked by traumatic events. Thousands of Syrians have witnessed mass killings, have lost one or more relatives, have been subjected to inhuman treatment, and constantly live in fear of being killed, tortured, or wounded, or to have one of their loved ones undergo a similar fate. Unfortunately, psychological support is even more scarce than medical supplies, and most Syrians are condemned to coexist with their trauma for the rest of their lives.



Nutrition

The prolonged siege has deprived millions of civilians of basic food supplies, and lack of nutrition and drinking water has worsened the health conditions of many, in particular children and pregnant women. The World Food Programme is carrying out its hardest and longest operation in the Syrian Arab Republic by assisting 4 million people inside the country, and around 1.5 million refugees in neighbouring countries. WFP delivers food to people affected by the conflict and provides targeted assistance to malnourished children, pregnant women and elderly. However, the shortage of funding forced the WFP to reduce its level of support.

The situation is further complicated by the dramatic increase of staple food prices. The prolonged conflict is preventing regular food supplies from reaching local markets, and the approaching of the cold season has provoked a sharp rise in fuel prices. On average, the price of a basket of food has increased by around 42% in one year, with a peak of 250% in Aleppo during the siege. Luckily, during the last week of December, the prices have decreased in the former Syrian capital as humanitarian access opened up.

According to a report released by UNICEF in March 2016, in some cases, “residents have resorted to poor makeshifts meal including unsafe water and grass”¹⁹. In 2013, a regional draught further reduced the supplies, and over 30% of children and women of reproductive age suffer from a severe lack of essential micro-nutrients and proteins. The lack of technical capacities and of basic supplies has led to death and diseases linked to malnutrition and medical complications.

¹⁹*Whole of Syria, Facts & Figures*, UNICEF, March 2016, available at http://reliefweb.int/sites/reliefweb.int/files/resources/Nutrition%20UNICEF%20Facts%26Figures_March%202016.pdf



Water and sanitation

The Syrian conflict has had a dramatic impact on the availability of drinking water and has provoked a sanitation crisis. On average, access to clean water has decreased to less than half compared to the pre-conflict level – which was of 75 litres per person daily on average – with a peak of 80% less in besieged areas and 95% in the most dramatic situations. Humanitarian convoys are denied access to some parts of the country, and the incessant bombings have damaged or destroyed vital pumping stations and water infrastructures. In addition, as reported in an assessment released by UNICEF, “frequent power cuts, fuel shortages, and lack of maintenance of pipes and water works”²⁰ are further worsening the situation. Consequently, more and more people rely on tanks – thus increasing their financial burden – to meet their water needs.

The lack of clean water coupled with the poor hygienic conditions has increased the number of cases of diarrhoea and water-borne diseases. In refugee camps and shelters, where over 500 families are hosted, often happens than more than 70 people have to share one single toilet. 57% of such shelters do not have enough water for all residents, and 50% lack sufficient sanitation facilities. Moreover, basic sanitary supplies such as soap, laundry detergent, baby diapers, pads, and toilet paper are difficult to find – or the prices are beyond the reach of most families. Treatment of sewage has dramatically decreased as well, and solid waste management has become a serious problem in besieged areas in particular where the risk of water and soil contamination has grown.



16. Civilians in Aleppo waiting in line for food and water supplies delivered by the UNHCR

²⁰*Running dry: Water and sanitation crisis threatens Syrian children*, UNICEF Report, February 2013, available at https://www.unicef.org/mena/Syria_Crisis_WASH-Syria-Feb-2013-En.pdf



Shelter

The six-year long Syrian conflict has caused the forced displacement of millions of civilians and has destroyed thousands of households. Consequently, 4.3 million people – almost a quarter of the Syrian population – are in need of shelter, 3.8 million of whom face urgent and impelling needs. Unfortunately, the number of persons needing housing assistance and shelter is growing at a fast pace, and international humanitarian agency are failing to keep up with the increasing demands. According to UN OCHA report²¹, in 2016, need for shelter has increased by 84%. In over one third of the country, adequate housing is not available due to conflict and bombings, and in other areas rent is too expensive for the majority of the population. The price of construction material has increased to the point that people cannot afford to rebuild their houses; consequently, 52% of the population is living in sub-standard houses or makeshift shelters.

Internally displaced people and refugees face the hardest conditions. Even if around 30% of the Syrian population hosts people in need, over one million displaced persons live in collective shelters, which often lack basic services. OCHA reports reveals that one shelter usually hosts three or more families on average, while 15-20% of displaced persons have no shelter at all.

Most shelters within Syria are located in proximity of the urban centres of Damascus, Homs, Hama and Aleppo, with high numbers in Al-Hasakeh governorate. However, the majority of makeshift housing settlements can be found outside the country in refugees' camps where millions of Syrians are hosted. Camps and shelters are strained by the increasing flow of people in need, and water and sanitation facilities would be barely sufficient to provide for half of the residents.



17. Atmah IDP camp, Syria

²¹ 2017 *Humanitarian needs overview, Syrian Arab Republic*, UNOCHA Report, December 2016, https://www.humanitarianresponse.info/system/files/documents/files/2017_syria_hno_2.pdf

Consequences of the Conflict

The Syrian conflict has triggered negative consequences and has worsened the already fragile conditions of a developing country and a modernising society. The level of economic and social development has been pushed back of twenty years, and the next generations will inherit the rubbles of a once dignified country. Thousands of families live in extreme poverty, the lack of employment opportunities is sinking many into debt, children are out of school, and an entire generation risks to be completely annihilated. In addition to the above mention needs, some categories of people face even harder conditions: the conflict has forced millions of Syrians to flee their homes and their countries – thus triggering the biggest migration crisis since WWII. Internally displaced people and refugees risk their lives daily, and are often deprived of any type of support from international agencies and the international community in general.



18. Migrants approaching Greek shores

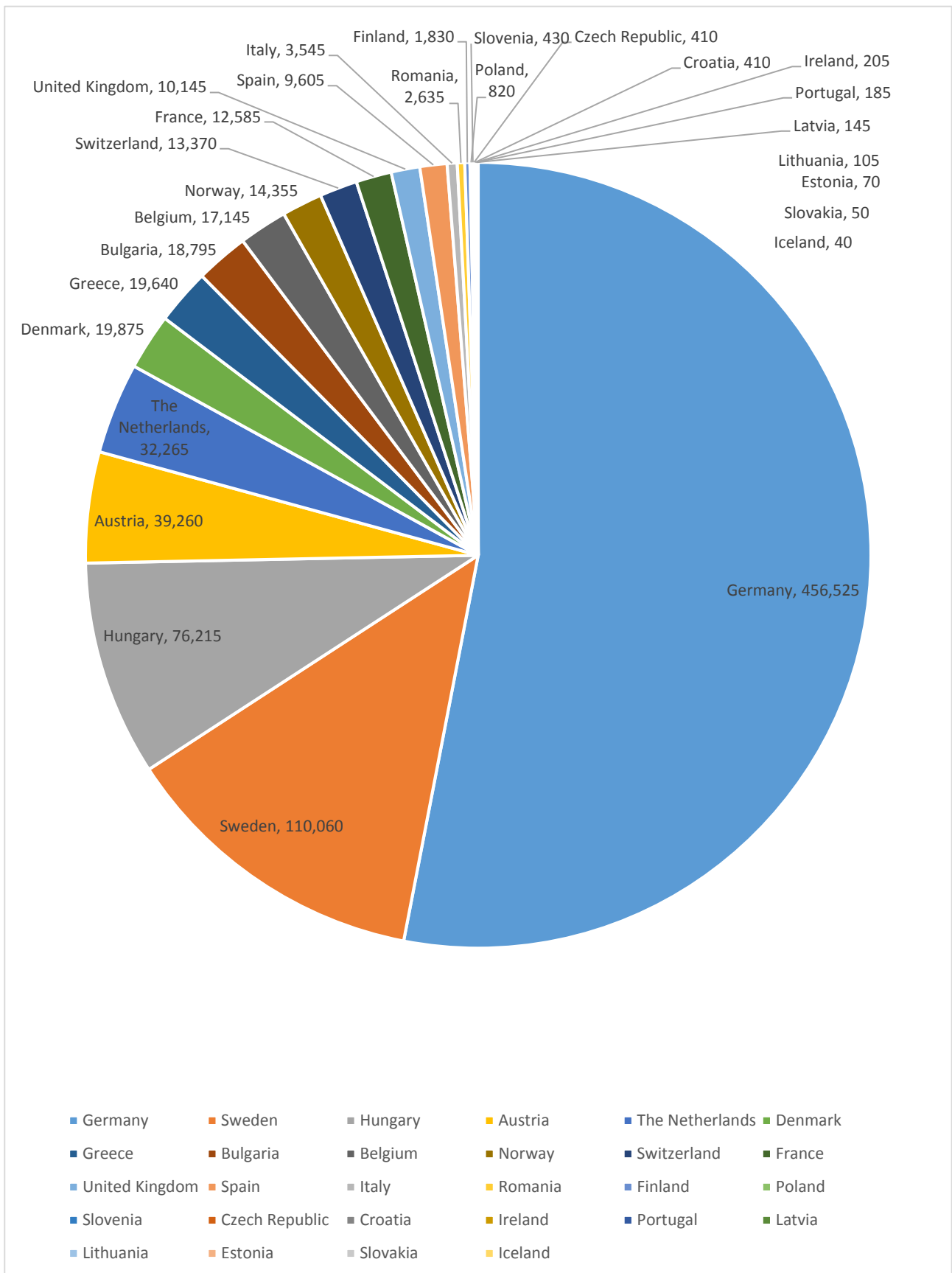


Refugee crisis

The refugee crisis is not merely a Syrian problem; on the contrary, all neighbouring countries are deeply affected, the European Union is strained by the constant influx of asylum seekers and the burden is not equally shared by all international actors involved in the conflict. Since 2011, 4,863,684 Syrians have been registered with refugee status by the UNHCR²² (last update 19 January 2017) while 6.3 million are internally displaced. Refugees, asylum seekers and migrants are now spreading all over the world in the hope of finding better conditions and escaping certain death. Not all countries have responded in the same ways, and more and more nations are beginning to turn their back to the fleeing masses.

²² *Syria Regional Refugee Response*, Inter-agency Information Sharing Portal, UNHCR, available at http://data.unhcr.org/syrianrefugees/regional.php#_ga=1.17390075.357738481.1480678891

Number of refugees hosted by European Countries



To date, Turkey hosts 2.7 million refugees (more than any other country in the world), 1 million Syrians fled to Lebanon, 655,675 to Jordan, 228,894 sought refuge in the already fragile Iraq, and 115,204 resettled in Egypt. A large portion of Syrians reached the European shores and requested asylum to European countries; between April 2011 and October 2016, Germany and Sweden together welcomed 64% of the applications. Currently, Germany hosts 456,525 refugees, Sweden 110,060, Hungary 76,215 Austria 39,260, The Netherlands 32,265, Denmark 19,875, Greece 19,640, Bulgaria 18,795, Belgium 17,145, Norway 14,355, Switzerland, 13,370, France 12,585, United Kingdom 10,145, Spain 9,605, Italy 3,545, Romania 2,635, Finland 1,830, Poland 820, Slovenia 430, Czech Republic 410, Croatia 410, Ireland 205, Portugal 185, Latvia 145, Lithuania 105, Estonia 70, Slovakia 50, and Iceland 40²³. Oil-rich gulf countries including Qatar, United Arab Emirates, Saudi Arabia, Kuwait, and Bahrain, and other high income countries including Russia, Singapore and South Korea have offered zero resettlement places to Syrian refugees.

However, official data may not be completely accurate as the number of undocumented migrants is not included in the statistics but, indeed, accounts for a large portion of Syrians fleeing their country. The problem of unregistered migrants is worsening, and public opinion is shaping the new policies that are being implemented in this regard. Lately, rising populist movements are giving voice to the popular discontent and are pushing for the strengthening of nationalist stances in opposition to the “open border policies” implemented so far. Consequently, several countries have begun to build walls and fences to protect their borders, while reaching Europe is becoming more and more complex. Even Germany, the European country which has welcomed the highest number of refugees, is shifting towards more conservative policies.

To date, Hungary has built a razor-wire barrier on its borders with Serbia and Croatia, and has threatened to build a fence to block the influx from Romania. Macedonia, Slovenia and Croatia have announced that they will no longer welcome migrants entering from Greece unless they have proper visas – thus shutting down the Balkan route to access Europe, and forcing migrants to seek alternative path and intensifying smuggling and trafficking. Austria as well has erected a four-kilometres fence on its border with Slovenia, and Bulgaria has built several barriers along its borders.



17. Migrants stranded at the Greek border

In addition, in March 2016, the 28 EU heads of state concluded a largely contested EU-Turkey deal with President Erdogan. The agreement aims at reducing the massive influx of migrants that has strained European countries, and allows Greece to return to Turkey all irregular migrants entering its territory. In exchange for the Turkish “generosity”, EU countries have agreed to accelerate visa liberalisation for Turks and to increase financial support for the refugee population residing in Turkey. The self-imposed deal puts Europe in an unpleasant situation. In order to implement the agreement,

²³ *Syrian Refugees, a snapshot of the crisis – in the Middle East and Europe*, European University Institute, available at <http://syrianrefugees.eu/asylum/>

EU countries should violate several EU laws regarding the right to appeal and detention, and risk to remain caught in bureaucratic and legal procedures – while, at the same time, violating most of their human rights commitments. Moreover, the UN has warned that such deal may violate international law as "the collective expulsion of foreigners is prohibited under the European Convention of Human Rights"²⁴, and human rights organisations have warned that "any returns of individuals who have not had their asylum applications properly considered, or who are returned to a country where they do not have the right to international protection, would be illegal under international refugee law"²⁵

Closed borders and political deals have left thousands of refugees bottlenecked in the Balkan route. Syrians fleeing their homes are now stuck in temporary camps set up by the United Nations High Commissioner for Refugees. Here, the conditions are below the minimum standards set by the European Union: migrants wait for days in makeshift shelters with poor hygienic conditions, and scarcity of food, water and medical supplies. It is not rare to witness crowds of migrants protesting along the Greek border, demanding for asylum and hoping to be reconnected with their relatives who already resettled in other European countries. Syrians often spend all their money to reach Greece and Turkey's borders, and have no other options than waiting in precarious camps, sometimes even for months. Their conditions are worsened by the inclement winter weather and by the wet season. Entire families often live in tents or poor shelters, and are forced to set fire to everything they can find in order to warm up and dry up their clothes. Unfortunately, the poor hygienic standards and the exposure to harsh climate conditions is provoking a quick spread of diseases and infections. Necessary reproductive health services are not available, and most of the residents do not know where to find contraceptives or where to access health care facilities in case of pregnancy or serious illnesses.

Women and children are suffering the most, and according to a report issued by the Refugee Rights Data Project, cases of rape, forced prostitution, trafficking, forced marriage and gender based violence are not rare in the camps²⁶. Most women are afraid of being assaulted, and they often sleep in dwellings with no locks at the door. Safe spaces for women and children are necessary, but the local governments and the UNHCR have failed to provide the necessary protection to the most vulnerable categories of people.



Unaccompanied minors

In 2016, a third of the 1.26 million first-time asylum applications in the European Union were filed by minors, 90,000 of whom were unaccompanied. Half of the 90,000 were Afghans, while 16% of them were of Syrian origins. Activists and humanitarian workers reported to have witnessed children as young as 6 years old travelling without guardians and parents, and 13% of the applicants were younger than 14²⁷.

From a western perspective, imagining a 12-year-old child facing a dangerous and insidious journey all alone across Europe is unbearable, but many of the children have revealed that, in their home countries, they are considered old enough to leave for Europe and become self-sustainable. Moreover,

²⁴ *UN says EU-Turkey refugee deal would violate law*, Al Jazeera, 9 March 2016, available at <http://www.aljazeera.com/news/2016/03/eu-turkey-refugee-deal-contravene-law-unhcr-160308160629966.html>

²⁵ *ibid*

²⁶ *RRDP: Women fear violence and rape in refugee camps*, Al Jazeera, 25 January 2017, available at <http://www.aljazeera.com/news/2017/01/rrdp-women-fear-violence-rape-refugee-camps-170123180556027.html>

²⁷ *Refugee crisis: Nearly 90,000 unaccompanied children sought asylum in Europe in 2015*, Independent, March 2016, available at <http://www.independent.co.uk/news/world/nearly-90000-unaccompanied-minors-sought-asylum-in-eu-in-2015-a7010976.html>

the odyssey to Europe is extremely expensive, and most Syrian families can only afford to send their children and do not hesitate to invest all their savings in the hope of giving them the possibility of a better and brighter future. Children do not know whether they will reach the European shores when they leave, the only know they need to escape from death, extreme poverty and persecution; unfortunately, they often end up stranded and living in horrific conditions, without protection, information and basic services. In addition, unaccompanied minors are more vulnerable to abductions and forced recruitment in armed conflict, and are often subjected to trafficking, child labour, early marriage, and child begging.



Trafficking and smuggling

Human trafficking is a billion-dollar business that flourishes around war-torn areas and that, often, becomes the only viable options for desperate civilians who want to flee their country. Even though trafficking affects every society and every demographic, marginalised and poor groups are often the most vulnerable victims. In Syria, the endless civil war has, sadly, increased the number of smugglers and traffickers who are taking advantage of the millions of Syrians internally displaced or in seek of a better future in Europe or neighbouring countries. Families are often forced to give all their belongings and savings to the smugglers to have the chance of a better future, but their hopes and dreams often sink in the deadly Mediterranean Sea, or remain confined within refugee camps.

The growing cost of the crossing is unaffordable for many Syrians, who often go into debt and become more vulnerable to situation of human trafficking. The line separating migrant smuggling from trafficking is extremely blurred, and the deteriorating economic conditions within the country often leave Syrians with no other viable alternative for survival other than exploitation and trafficking. Migrants, including asylum-seekers, and refugees are susceptible to many crimes, including extortion, rape, and human trafficking. It is not rare for migrants fleeing conflicts to rely on smugglers at some point during their journeys. and, in some instances, they end up trapped in schemes designed to deceive and force them in sex or labour trafficking.



18. Overcrowded boat in the Mediterranean Sea

Unfortunately, EU regulations require all non-EU nationals to possess a valid visa or travel document in order to legally enter the EU; as such, Syrian migrants – who have almost no chance of obtaining the valid visa necessary to leave their country in safe and legal ways – are forced to rely on smugglers to reach the European shores and file the asylum request only once in European soil. The application of the Dublin Regulations further complicates the situation for migrants who want to reach Northern countries. The Dublin System (which includes all EU member countries apart from Croatia, along with Iceland, Lichtenstein, Norway and Switzerland) allows people to ask for protection solely in the first country of arrival (mainly Italy and Greece). As such, Syrians often try to avoid checkpoints where they would be forced to leave their fingerprints and apply for asylum, and rely on land smugglers to reach their desired country of destination.

Interestingly, Syrians enjoy a privileged status, compared to other refugees - if qualifying for war refugee status can be considered a privilege. Provided they have a Syrian passport or identification card, even expired, they can apply for and receive political asylum on the same day. No other alien nationals have this right. If a refugee has a relative already benefiting from asylum in another Dublin System country, they can apply to be reunited with them. This would take two to three months.



Internally displaced people

Besides the huge exodus of refugees, the Syrian civil war has provoked massive waves of displacement within the country. Internally displaced people flee from violence, human rights violations and armed conflict, but, as they do not leave the country, they remain under the legal protection of the Syrian government. As such, IDPs enjoy the same rights as all other citizens.

However, remaining within the Syrian borders entails the same degree of suffering and difficulties faced when trying to seek refugee elsewhere, and the wave of displacement caused by the six-year-long civil war has reached unprecedented magnitude. To date, 6.3 million people, including 2.8 million children are displaced inside the country, and the pace of displacement is of 50 Syrian families forced to move every hour of every day, with an average of 6,150 people displaced per day in 2016: according to UN sources, this may be the biggest internally displaced population in the world.

IDPs are just as vulnerable as migrants and asylum seekers: in fact, they are often forced to flee their places at short notice or after destructive aerial attacks, thus leaving behind many of their belongings. 1.1 million IDPs live in camps, informal settlements and makeshift shelters, the majority find refuge with host families and neighbouring communities, and 20% has no shelter at all. Shelters and camps often lack the basic infrastructures and amenities, and are extremely overcrowded, to the point that three or more families are frequently forced to share the same dwelling. According to UN statistics, 57% of collective centres are without sufficient water, 50% lack sufficient sanitation facilities, and 54% are over-crowded. Many IDPs face protracted displacement as the frontlines of the combat shift, and as their financial resources become depleted and are forced to move into cheaper, poorer quality and more crowded accommodation.²⁸

IDPs face incredible challenges and barriers in accessing cash, food, essential items and livelihood opportunities, especially because hosting communities as well often struggle with economic hardships. Security issues and vulnerability increase with every displacement, and two direct attacks

²⁸ 2017 Humanitarian needs overview, Syrian Arab Republic, UNOCHA Report, December 2016, https://www.humanitarianresponse.info/system/files/documents/files/2017_syria_hno_2.pdf

to IDPs camps were registered in 2016. On 5 May, two rockets struck a civilian IDP settlement in Idlib, killing 26 people and wounding 23 others, and on 14 April, ISIL destroyed the IDP settlement near the border with Turkey in Aleppo. Luckily, there were no casualties as the settlement had been evacuated no long before, but all tents were burned and damaged.

Collecting accurate data and statistics on the actual number of people internally displaced poses several challenges: 4.5 million Syrians are estimated to be stuck in out-of-reach areas, and some governorates in the north east of the country are extremely hard to enter because of the presence of terrorist groups. In addition, secondary and tertiary displacements are harder to track, and it is almost impossible to know the exact number of people in besieged areas who have had their homes destroyed but are unable to flee. The growing pace and magnitude of displacement as well as the volatility of the conflict's frontlines represent additional barriers that may prevent from obtaining accurate information; as such, all data concerning IDPs may be not completely reliable.



191. IDPs camp after attack

UN Involvement in Syria

The Syrian civil war has called the world's attention, and international coalitions, non-governmental agencies and international institutions – led by the United Nations – have intervened and taken action to alter the course of the Syrian massacre. Unfortunately, to date, it seems that no action has been effective enough to halt the fighting, interrupt the advance of violent terrorism, and reduce the dramatically high number of civilian casualties. So far, conflicting interests, diverse strategies and different priorities have hindered the ability of international institutions to effectively intervene to pose an end to the war.

All relevant bodies of the United Nations have taken steps and adopted resolutions to promote a peaceful settlement of the conflict and to protect civilians. Since 2011, the Human Rights Council has adopted over twenty resolutions condemning the grave human rights violations occurring in the country, an Independent Commission of inquiry on the Syrian Arab Republic has been set up, and a special session has been called on October 2016 to discuss the deteriorating situation in Eastern Aleppo. The General Assembly and the Security Council have been active in this regard as well, but the disagreement among the Permanent Five members has hindered the ability of the United Nations to take decisive and definitive measures to alter the course of the fighting. As such, millions of Syrians have lost faith in the international community and feel abandoned to their dire fate.

The resolutions adopted by UN bodies primarily concern four areas of interest: protection of civilians, humanitarian access and besieged communities, international contributions to the humanitarian response, and political developments. In order to end a complex and multifaceted conflict, a comprehensive and unified approach is needed; yet, despite the different angles from which the matter has been tackled, no real improvements have been made.

In 2016 alone, the Security Council adopted six resolution on Syria endorsing the cessation of hostilities, calling for the resumption of political talks, renewing the mandate of the UN-OPCW Joint Investigative Mechanism for a further year, demanding UN access to monitor evacuations from Aleppo, renewing the authorisation for cross-border aid delivery, and finally welcoming the efforts by Russia and Turkey to end violence and jumpstart a political process.

Individual Member states have tried to reach agreements on ceasefires, and US and Russian representative have met in Geneva to discuss the terms of their commitment. However, none of the agreements has lasted long, and both parties have resumed their military activities and breached the terms of their commitments.

Assessing the impact of UN intervention in the Syrian conflict can be complicated. Indeed, the resolutions adopted have failed to meet the needs of the population and to halt the devastating war; yet, it is also true that UNICEF, OCHA and other UN bodies have worked tirelessly to support and help the civilian populations, including the most vulnerable segments of the society as well as IDPs, migrants and refugees. The UN has set up camps and shelters, has provided legal assistance, food, water and medical care, and has pushed for ceasefires and for the creation of humanitarian corridors to reach all those in need.

The Secretary-General, his Special Advisor on the Prevention of Genocide, the Special Envoy on Syria, the High Commissioner for Refugees, the High Commissioner for Human Rights, eminent experts of Treaty Bodies, and many more high-level officers have expressed their grave concerns on the worsening of the civil war, and have repeatedly called for an immediate cessation of hostilities and of all human rights violations. In addition, through the Human Rights Council, states have decided to create an Independent Commission of Inquiry to investigate the crimes committed by both

government and opposition forces, and the Special Session on Aleppo led to the creation of a second Commission of Inquiry entrusted with the monitoring of the situation in the besieged city.

However, as long as Member States fail to comply with their legal obligations under international law, international human rights law, and international humanitarian law, and fail to reach a sustainable agreement, the United Nations as such cannot directly intervene and interfere within the sovereign territory of the Syrian Arab Republic.



20. Security Council meeting

International political divisions over the Syrian case have had dramatic consequences, and the inability of the Security Council to send a clear and decisive message in 2011 to both the Syrian government and armed rebels has opened the way for one of the worst humanitarian tragedies of our times. Disagreements between the Permanent Five members have prevented the Security Council to fulfil its mandate, and to maintain and foster international peace and security. Had the Council been able to prove united before the Syrian tragedy, and to deliver a message of concerted opposition to the atrocities perpetrated in the country, the course of the conflict might have been different. Instead, absence of accountability and international disagreements have encouraged more extreme forms of violence and brutalities.

Syria is the biggest diplomatic failure of the twenty-first century. The Security Council has failed to impose negotiations and non-military coercive measures as means of dispute resolutions, and, furthermore, it has failed to provide adequate protection to the Syrian people.

Yet, efforts to halt the conflict have been made. During 2011 and 2012 the government consented to, but shortly after reneged upon, two different peace agreements. On November 2011, an agreement with the Arab League was signed, but was soon followed by a dramatic increase in state violence. Then on March 2012 President Assad agreed to a six-point plan proposed by the recently appointed joint UN-Arab League Special Envoy, Kofi Annan. The so-called Annan Plan called for the implementation of a ceasefire, for the withdrawal of government troops from cities, and for the release of political detainees. Moreover, the plan of the former Secretary-General also included provisions regarding freedom of movement for journalists, freedom of association and the right to demonstrate, initiation of political negotiations led by Syrians, and humanitarian assistance to hard-to-reach and besieged cities.

In order to monitor the ceasefire and the implementation of the plan, the Security Council established a UN Supervision Mission (UNSMIS). UNSMIS succeeded – if we can talk about success – in investigating and documenting several atrocities including massacre sites, types of weapons used and impact of the conflict on civilians. Despite UNSMIS was forced to interrupt its activities, only 14 days later the “Geneva Communiqué”, which drew directly on Annan’s six-point plan, was signed, and enabled the creation of an international “Action Group,” which included the secretaries-general of the UN and Arab League, as well as the foreign ministers of United States, France, Russia, China, United Kingdom, Turkey and other concerned states. Unfortunately, as UNSMIS interrupted its mission, the ceasefire was breached, the Annan plan became irrelevant, and Kofi Annan resigned few weeks later.

In spite of the bilateral targeted sanctions imposed on Syria by several countries and the closure of at least 14 embassies in Damascus, the Syrian civil war has continued to worsen, reaching unprecedented lows. The establishment of the Independent Commission of Inquiry and the appointment of the Special Envoy on Syria show that the UN and the international community have not forgotten the Syrian war. Yet, notwithstanding the dozens of reports submitted by experts and civil society, and the actions taken within the Human Rights Council, the Security Council has not been able to strengthen its position. The Syrian case has revealed the discrepancies among the Permanent Five members, and the sharp disagreement between the P2 (Russia and China) and the P3 (United Kingdom, France, and United States), who only recently reached an agreement and were able to adopt a resolution with no vetoes.

In an attempt to improve the chances of halting the ongoing massacre, France proposed to the Security Council to “develop a code of conduct whereby the permanent members of the Security Council collectively agree to refrain from using their veto with respect to mass [atrocities] crimes, which the responsibility to protect is supposed to prevent.”²⁹ However, Russia has continued to oppose the resolutions proposing the creation of humanitarian corridors, no-fly zones or demanding the immediate cessation of hostilities.

Whether the French amendment will ever be adopted or not, the Security Council has the duty of intervening to halt mass atrocities, wars, and human rights violations. As such, the failure of altering the course of the six-year long conflict is inexcusable. The UN involvement in the Syrian civil war can only be seen as a grave defeat: all efforts have not been able to substantially change the path of the conflict and to protect millions of Syrian lives. Quoting Matthew Rycroft, Permanent Representative of the United Kingdom in New York, “Syria is a stain on the conscience of the Security Council. I think it is the biggest failure in recent years, and it undoubtedly has consequences for the standing of the Security Council and indeed the United Nations as a whole”³⁰

²⁹ *Failure to protect: Syria and the UN Security Council*, Global Center for the Responsibility to Protect, 2015, available at http://www.globalr2p.org/media/files/syriapaper_final.pdf

³⁰ *Russian vetoes are putting UN security council's legitimacy at risk, says US*, The Guardian, September 2015, available at <http://www.theguardian.com/world/2015/sep/23/russian-vetoes-putting-un-security-council-legitimacy-at-risk-says-us>

Conclusion

The diplomatic impasse and the escalation of violence have led the Syrian Arab Republic on the verge of collapse. Despite the continuous failures, the international community must not divert its attention from the matter and must not turn its back to the millions of Syrians in need. Now, more than ever, concerted action is needed to prove to the suffering population that the world is not indifferent to human rights violations, and that accountability is possible and necessary to ensure justice and reparation.

Six years after the outset of the civil conflict, Syria is nothing more than rubble and smoke, and its glorious past has been destroyed by the merciless attacks of terrorist groups, international coalitions, and governmental forces. The walls and streets of the cities are covered in blood of thousands innocent civilians; men, women, and children have been tortured, abducted, unlawfully detained, brutally executed and killed by indiscriminate attacks. No power game or political interest can excuse what has happened and what is still happening in Syria. Millions of civilians have fled the country, millions are internally displaced, and almost half of the entire population is in need of humanitarian assistance and support.



21. *Desolate streets of Aleppo*

The international community and the Syrian government have the duty to protect the population, and to set up special measures to assist the most vulnerable segments of society. Humanitarian corridors must be opened in order to allow civilians to evacuate besieged areas and aid convoys to reach all those in needs. Indiscriminate bombings and sieges must end, and the war on terror must be conducted within the framework of international legal standards. In no case, governments are entitled to breach their international human rights commitments for the purpose of fighting violent extremism. As such, no government or international coalition should be allowed to conduct aerial strikes on civilian-inhabited areas or to subject alleged terrorists to torture or inhuman treatment.

The cessation of hostilities should be followed by a comprehensive set of reconstruction policies. The peace process should provide for the reparation and reconstruction of infrastructures and public spaces, with a particular emphasis on hospitals and schools. The Syrian society should be included in the post-conflict decision-making process, and should rely on strong and competent institutions.

Reconstruction is impossible if education, health, and strong and impartial governance are absent. The international community, led by the United Nations, should provide assistance and support to the national government to ensure reparation and accountability, and should guide the Syrian population to the establishment of free and fair elections. The return of those who fled the country or are internally displaced should be facilitated, and those who suffered physical and psychological damages should be assisted and fairly compensated.

Unfortunately, the reparation process seems still far. Continuous cuts to the UN budget, failures in reaching diplomatic agreements and in implementing long-lasting ceasefires, as well as indiscriminate wars on terror are further complicating the situation. Syria is completely worn out, the refugee flow has reached a tipping point, receiving countries are turning their backs to the masses of migrants, and, despite the several rounds of peace talks held, the primary stakeholders have not been able to engage in a constructive dialogue.

As part of the NGOs community, we are seriously concerned about the fate of the millions of Syrians affected by the conflict, and by the lack of signs that may indicate that the end of the fighting is approaching. The unanimous call of civil society is addressed to the decision makers and to all those involved in the conflict: the situation is dramatic, but could further worsen if no immediate action is taken. Few hands are stained with the blood of millions, and, unless concrete efforts are made, Syria will be one of the worst tragedies the humanity will remember.

Geneva International Centre *for* Justice

Independent, non-profit, non-governmental organization

GICJ is an independent, non-profit, non-governmental organization dedicated to the promotion and reinforcement of commitments to the principles and norms of human rights. GICJ is headquartered in Geneva, Switzerland and is governed by the Swiss Civil Code and its statutes. Basing its work on the rules and principles of International Law, International Humanitarian Law and International Human Rights Law, GICJ observes and documents human rights violations and seeks justice for their victims through all legal means available.

Mission

GICJ's mission is to improve lives by tackling violations and all forms of violence and degrading or inhumane treatment through the strengthening of respect for human rights; reinforcing the independence of lawyers and judiciaries; consolidating the principles of equity and non-discrimination; ensuring that rule of law is upheld; promoting a culture of awareness on human rights; and combating impunity.

Work

GICJ has been tackling issues of justice and accountability since it was established. GICJ maintains a partnership with various NGOs, lawyers and a vast civil society network around the world. Through these channels, GICJ is able to receive documentation and evidences of human rights violations and abuses as they occur in several countries. GICJ continues to bring this information to the attention of relevant UN bodies in order to gain justice for all victims.

