



A child runs along a street in front of clouds of smoke billowing following a reported air strike on Douma, the main town of Syria's rebel enclave of Eastern Ghouta on March 20, 2018.
HASAN MOHAMED/AFP via Getty Images

A DEVASTATING DECADE

Violations of Human Rights and Humanitarian Law in the Syrian War

RUSSIAN NON-GOVERNMENTAL ORGANISATIONS
AND HUMAN RIGHTS DEFENDERS

2021

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THE MAP OF SYRIAN ARAB REPUBLIC



INTRODUCTION

The complex, multi-layered conflict in the Syrian Arab Republic (Syria) started with peaceful anti-government protests in March 2011.¹ Against the backdrop of the Arab Spring, protesters rose against the high rate of unemployment, corruption, police brutality, and the lack of political freedoms.² The protesters also called for an end to the state of emergency that had been in effect since 1963.³ According to Human Rights Watch the human rights situation in Syria was among the most deplorable in the world.⁴ Amnesty International also claimed that Syrian authorities had used torture and enforced disappearances for decades as tools to suppress dissent.⁵ Many of the victims we interviewed for this report provided accounts of the Syrian government's widespread use of unlawful force against protesters.

Syrian state security forces responded to the protests with violence, including by armed force.⁶ Tensions escalated quickly, and more and more people took to the streets demanding the resignation of President Bashar al-Assad. The government's large-scale violence against initially peaceful protesters pushed the opposition forces to take up arms in July 2011.⁷ By the summer of 2012, the protests had escalated into full-scale armed conflict.⁸ Eventually it transformed from a domestic to

- 1 "Syrian Civil War and History of a Political Settlement" ("Гражданская война в Сирии и история политического урегулирования"), *Ria Novosti*, January 29, 2018, <https://ria.ru/20180129/1513416087.html> (accessed November 16, 2020).
- 2 "10 questions to help understand the conflict in Syria" ("10 вопросов, которые помогут понять конфликт в Сирии"), *BBC*, March 14, 2018, <https://www.bbc.com/russian/features-43386150> (accessed November 16, 2020).
- 3 M.Y. Shepovalenko, ed., "Syrian Border" ("Сирийский Рубеж"), Centre for Analysis of Strategies and Technologies (CAST), 2016, <http://cast.ru/upload/iblock/686/6864bf9d4485b9cd83cc3614575e646a.pdf> (accessed November 16, 2020) p. 72; "Syrian Frontier Attracted Ministers' Attention" ("Сирийский рубеж' привлек внимание министров"), *Rossiyskaya Gazeta*, December 7, 2016, <https://rg.ru/2016/12/07/sirijskij-rubezh-privlek-vnimanie-glav-minoborony-i-mid-rf.html> (accessed November 16, 2020).
- 4 "Three protesters killed in clashes between demonstrators and police in Syria" ("В Сирии в столкновениях демонстрантов с полицией убиты трое протестующих"), *Radio Svoboda*, March 19, 2011, <https://www.svoboda.org/a/2343134.html> (accessed November 16, 2020); Human Rights Watch, *World Report 2010* (New York: Human Rights Watch, 2010), Syria chapter, <https://www.hrw.org/world-report/2010/country-chapters/syria> Human Rights Watch, *World Report 2011*, (New York: Human Rights Watch, 2011), Syria chapter, <https://www.hrw.org/world-report/2011/country-chapters/syria> (accessed November 16, 2020).
- 5 "What is Bashar al-Assad's reputation as a bloody dictator based on?" ("На чем основана репутация Башара Асада как кровавого диктатора"), *BBC*, February 7, 2017, <https://www.bbc.com/russian/features-38895045> (accessed November 16, 2020).
- 6 "Syria: Government Crackdown Leads to Protester Deaths," Human Rights Watch new release, March 21, 2011, <https://www.hrw.org/news/2011/03/21/syria-government-crackdown-leads-protester-deaths> (accessed November 16, 2020); Human Rights Watch, "'We live as in War,' Crackdown on Protesters in the Governorate of Homs," November 11, 2011, https://www.hrw.org/sites/default/files/reports/syria1111webwcover_0.pdf (accessed November 16, 2020), p. 17.
- 7 Human Rights Watch, "He Didn't Have to Die: Indiscriminate Attacks by Opposition Groups in Syria," March 22, 2015, https://www.hrw.org/sites/default/files/reports/syria0315_ForUpload.pdf (accessed November 16, 2020), p. 10.
- 8 International Committee of the Red Cross (ICRC), "International review of the Red Cross," Vol. 99, No. 906, 2017, https://international-review.icrc.org/sites/default/files/irrc_99_906.pdf (accessed November 16, 2020).

an internationalised armed conflict, drawing in multiple external actors, including Iran, Turkey, the United States (US), and Russia.

This protracted war has left the country in ruins and had a devastating impact on its population of 22.5 million.⁹ The war drew in not only key regional actors, but also military-political alliances and global powers. Global radical extremist groups readily used the conflict to promote their ultra-radical ideologies. New groups making widespread use of prohibited methods of warfare and violence against the population also emerged. Subsequently, the United Nations (UN) and Russian Federation designated many of them as terrorist organisations. To this day, apart from terrorist groups, moderate armed opposition continues to confront Syrian government forces.

The Syrian conflict has become one of the largest humanitarian catastrophes in recent decades, involving large-scale human rights violations,¹⁰ war crimes, and crimes against humanity. Almost all the country's residents have, to some degree, fallen victim. The Syrian Observatory for Human Rights reported that around 585,500 people had died in Syria as of January 2020. The organisation itself had documented 380,636 deaths—of whom 115,490 are civilians and 21,949 are children under the age of 18.¹¹

More than 2 million Syrians have been permanently injured, while hundreds of thousands lived through sieges and hunger. Tens of thousands have been arbitrarily detained and subjected to the cruellest forms of torture or sexual violence. An estimated 88,000 civilians have died under torture in government detention centres and prisons. Tens of thousands have been forcibly disappeared or are missing, including 3,200 civilians and fighters abducted by the so-called Islamic State (IS); 4,100 members of the government forces; and more than 1,800 people abducted by armed

9 "Syrian conflict: what do the USA, Russia, Turkey and Iran want?" ("Сирийский конфликт: чего хотят США, Россия, Турция и Иран?"), *Deutsche Welle*, November 4, 2017, <https://p.dw.com/p/2myQy> (accessed December 10, 2020); Human Rights Watch, *World Report 2020* (New York: Human Rights Watch, 2020), Syria chapter, <https://www.hrw.org/ru/world-report/2020/country-chapters/337422> (accessed November 16, 2020).

10 Human Rights Watch, *World Report 2020* (New York: Human Rights Watch, 2020), Syria chapter, <https://www.hrw.org/ru/world-report/2020/country-chapters/337422> (accessed November 16, 2020).

11 "Nearly 585,000 people have been killed since the beginning of the Syrian Revolution," Syrian Observatory for Human Rights press release, January 4, 2020, <http://www.syriahr.com/en/?p=152189> (accessed November 16, 2020).

extremist opposition groups for their support of the Syrian government.¹²

Hundreds of hospitals and schools have been bombed out, the economy is near-destroyed, and the cultural heritage and historic monuments decimated.

The conflict has led to one of the largest refugee crises in modern history. Over 5.5 million Syrians fled to neighbouring countries and some 6.1 million others were internally displaced.¹³ The majority of Internally Displaced Persons (IDP) were forced to move around on multiple occasions, from house to house, from town to town, to escape bombardments, sieges, and violence. On July 2, 2020, the UN High Commissioner for Refugees (UNHCR) reported that there were 5,551,703 refugees in the region, of whom 2 million were Syrians registered by the UNHCR in Egypt, Iraq, Jordan, and Lebanon. The Turkish government announced that it has 3.5 million Syrians on its territory; by 2018 there were reportedly 789,465 Syrian refugees in Germany¹⁴ and more than 32,000 in North Africa. These are not exact figures, as a large number of refugees are not registered and many have settled in other countries.¹⁵

12 "Nearly 585,000 people have been killed since the beginning of the Syrian Revolution," Syrian Observatory for Human Rights press release, January 4, 2020, <https://www.syriahr.com/en/152189/#:~:text=Nearly%20585%2C000%20people%20have%20been%20killed%20since%20the%20beginning%20of%20the%20Syrian%20Revolution,-On%20Jan%204&text=The%20Syrian%20Observatory%20for%20Human%20Rights%20has%20documented%20the%20death,1st%20of%20January%202020> (accessed November 16, 2020).

13 UN Office for the Coordination of Humanitarian Affairs (OCHA), "Humanitarian Update: Syrian Arab Republic," January 28, 2020, <https://reliefweb.int/sites/reliefweb.int/files/resources/FINAL%20VERSION%20HUMANITARIAN%20UPDATE%20NO.%208.pdf> (accessed November 16, 2020);

UN High Commissioner for Refugees (UNHCR), "Operational Update: Syria, December 2019," February 9, 2020, <https://reliefweb.int/sites/reliefweb.int/files/resources/UNHCR%20Syria%27s%20Operational%20Update%20December%202019.pdf> (accessed November 16, 2020);

UN High Commissioner for Refugees (UNHCR), "Syria Regional Refugee Response," January 9, 2020, <https://data2.unhcr.org/en/situations/syria> (accessed November 16, 2020).

14 The Federal Statistical Office, "Foreign population by sex and selected citizenship on 31 December 2019," <https://www.destatis.de/EN/Themes/Society-Environment/Population/Migration-Integration/Tables/foreigner-gender.html> (accessed November 16, 2020).

15 UN High Commissioner for Refugees (UNHCR), "Syria Regional Refugee Response," January 9, 2020, <https://data2.unhcr.org/en/situations/syria> (accessed November 16, 2020).

AIMS AND METHODOLOGY OF THIS REPORT



Children playing in camps in Bekaa valley, Lebanon, spring 2018.
Report's authors during a field trip

This report is the result of nearly two years of work by a group of Russian nongovernmental organisations and human rights defenders: Memorial Human Rights Center;¹⁶ Youth Human Rights Movement; Svetlana Gannushkina, chair of Civic Assistance Committee¹⁷ and Alexander Gorbachev, lawyer from Soldiers' Mothers of Saint-Petersburg.

The aim of this report is to research and present to Russian readers an analytical document on violations of human rights and international humanitarian law (IHL) during the conflict in the Syrian Arab Republic. In general, we have the sense that Russian society (including, initially, the authors of this report) knows little about the situation in Syria and has so far received its information from state media, which focuses on civilian suffering at the hands of terrorists and armed anti-Assad opposition groups, but is silent about the Syrian government's flagrant and systematic human rights violations and war crimes. For obvious reasons, official Russian media does not report on the victims and forced displacement of civilians resulting from Russia's military actions in Syria.

We hope that anyone who follows the situation in Syria or wants to understand what is going on there will find the report interesting. However, it is of utmost importance for us, its authors, that it is read by as many people in Russia as possible.

16 The Ministry of Justice of the Russian Federation has placed this organization in the "register of noncommercial organizations performing the functions of a foreign agent."

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During fieldwork, our monitoring group primarily aimed to interview ordinary Syrians who suffered from this war. We therefore interviewed people who used to live in Syria and witnessed or were subjected to abuses and human rights violations. Being unable to access Syria, we conducted our field research in Lebanon, Jordan, Turkey (twice), Germany, Belgium, the Netherlands, and Russia between October 2018 and August 2019.

We also conducted interviews with Syrian experts, journalists, civil society members, and photographers who have been working in Syria since the start of the conflict. Overall, we conducted over 150 interviews.

Given the difficulties in access, limited time and resources, and language barriers, we were unable to equally cover all the violations committed by the different parties to the conflict. The largest number of first-hand accounts that we were able to gather pertain to abuses suffered at the hands of Syrian government forces and their allies, and armed opposition groups, including terrorist groups. The section on the US-led coalition's flagrant human rights violations in Raqqa is largely based on secondary sources and detailed accounts by an activist from Raqqa who now lives in Turkey and two families living in Lebanon.

While conducting our research, we learned a lot about the Syrian conflict: its root causes, dynamics, and the conduct of its belligerents. Yet a single report cannot comprehensively cover several years of conflict. Instead, we chose to analyse the major human rights abuses and violations of international humanitarian law, and the main episodes of the conflict that vividly illustrate these violations and tell the real stories of people we talked to.

In order to corroborate witness testimonies, we also reviewed materials by various UN agencies, international nongovernmental human rights organisations, and humanitarian and medical groups that have been working in/on Syria for many years and use rigorous verification methodology. In several sections of our report, we included quite a lot of findings and evidence collected by these organisations during their field research not only to cross-check field information, but also to create a more complete picture of certain aspects of the war that we were unable to study ourselves. We wanted our readers to have a fuller picture of the key moments of the Syrian tragedy. However, we understand that this report contains multiple gaps and therefore wish to thank our more knowledgeable readers in advance for their comments and feedback.

We believe that this work's greatest asset are the testimonies of ordinary people about what they saw and lived through. On how they identified

which country's air force bombed them by the sound of warplanes; how they removed children from the rubble; how they burned tires trying to protect themselves from chemical attacks; how they made soup out of grass in cities starving under siege; how they staged theatre productions as bombs rained down on Aleppo; how they lived in basements; and how they found ways to help one another even when it looked like nothing could be done to help.

Unfortunately, the overwhelming majority of our interviewees do not see Russia as a saviour, but as a destructive foreign force whose military and political intervention helped bolster the war criminal heading their country. "Al-Assad would have been gone long ago if it had not been for Putin," we repeatedly heard. Russia is also seen as directly responsible for flagrant violations of international humanitarian law. Some of the people we interviewed revealed that they or their loved ones had been victims of Russian bombings.

We are very grateful to the Syrian interviewees who agreed to tell us their stories and thus relive the horrors of those days. During our interviews, many broke down in tears while recounting their experiences; some had to repeatedly pause to regain composure before continuing.

We did not sense any hostility toward us: the interviewees seemed grateful that someone in Russia cared, that we travelled to hear their stories, to learn what they have gone through and bring their voices to Russian society. It was important to them that Russians learned their truth about this war.

Yet a few people did refuse to talk to us because we were Russian, and in Lebanon we were denied access to one camp because of refugees' possible hostility toward us.

We felt both bitter and ashamed for how our Syrian interviewees view Russians. We really hope that Russian citizens will understand their responsibility for what is happening in their name in Syria. We also hope that civil society activists, journalists, independent experts, and Russian human rights defenders will pay more attention to the human rights situation in Syria so that Syrians can see not only Russia's military presence, but also the solidarity of its compassionate citizens.

TEN
DEVASTATING
YEARS OF WAR



Syrian anti-government protesters hold banners calling for an end to a military siege in Nawa near the southern town of Daraa, the epicentre of protests that have shaken President Bashar al-Assad on April 28, 2011. AFP via Getty Images

Syria is a large country in the Middle East, on the Mediterranean Sea. Syrian territories were the cradle of civilisation and over thousands of years were part of the most powerful empires in the world: the Caliphates, the Mamluk Sultanate, and centuries of the Ottoman Empire's rule followed by the French Mandate for Syria after World War I. Syria established its present sovereignty only in 1963 when the Syrian Arab Republic (SAR) was formed. Since then, the socialist Ba'ath Party has played a key role in the country's politics. Just eight years after the SAR was formed, in 1971, Hafez al-Assad became the country's leader, and he remained in power for almost 30 years.

In 2000, new Syrian President Bashar al-Assad effectively inherited the presidency from his father. Lacking political talents, Bashar al-Assad, who had not even been initially viewed as a presidential candidate, could hardly hold on to power in the country with a multi-million population that was exhausted by poverty and the hypocrisy of its rulers.

The mass uprising that evolved into a civil war began in the city of Daraa in southwest Syria on March 15, 2011. This day came into history as the Day of Rage. Syrian security services detained teenagers who were accused of writing anti-government graffiti on fences and walls, leading to mass protests. During their detention, the teenagers were treated

brutally and tortured.¹⁸ On March 18, following the weekly Friday prayer, several thousand protesters marched from al-Omari Mosque in Daraa, calling for the release of the children and for greater political freedom, and accusing government officials of corruption.¹⁹ Security forces opened live fire, killing at least four. The children, bruised and bloodied, were released after severe torture in detention. These events fanned the flames of popular anger.²⁰ (For witness accounts about clashes in Daraa see the section on Daraa).

The incident in Daraa was officially attributed to local authorities' excessive use of force. The governor and the governorate's head of security services were removed from office.²¹ Nevertheless, the events there motivated protesters in other regions to replace slogans demanding reforms with calls for comprehensive regime change.²²

As demonstrations spread across the country, Syrian government forces—including the army and security services—began using lethal force against largely peaceful demonstrators.²³ *“Two guys were killed then. Wissam Ayyash and Mahmoud Jawabra. Mahmoud was around 20 and Wissam was about 27 or 28 years old. One was struck in the head, the other in the body. They died instantly,”* a witness who participated in protests told us. (For more information see the section on Daraa).

Syrian security forces also conducted mass arrests and subjected thousands to torture on suspicion of organising and participating in the protests.²⁴ Unable to quell demonstrations, government forces escalated their crackdown and began launching military operations in protest areas

18 Human Rights Watch, “We’ve Never Seen Such Horror: Crimes against Humanity by Syrian Security Forces,” June 1, 2011, <https://www.hrw.org/sites/default/files/reports/syria0611webwcover.pdf> (accessed November 16, 2020) p. 1.

19 Ibid.

20 Ibid.

21 “Timeline: Syrian government resigns after protests,” Reuters, March 29, 2011, <https://www.reuters.com/article/us-syria-events/timeline-syrian-government-resigns-after-protests-idUSTRE72S4HT20110329> (accessed November 16, 2020); “Syrian Forces Open Fire on Demonstrators in Two Cities,” *New York Times*, April 9, 2011, <https://www.nytimes.com/2011/04/10/world/middleeast/10syria.html> (accessed November 16, 2020).

22 M.Y. Shepovalenko, ed., “Syrian Border” (“Сирийский Рубеж”), Centre for Analysis of Strategies and Technologies (CAST), 2016, <http://cast.ru/upload/iblock/686/6864bf9d4485b9cd83cc3614575e646a.pdf> (accessed November 16, 2020) p. 72.

23 Human Rights Watch, “We’ve Never Seen Such Horror: Crimes against Humanity by Syrian Security Forces,” June 1, 2011, <https://www.hrw.org/sites/default/files/reports/syria0611webwcover.pdf> (accessed November 16, 2020); “Syria: Security Forces Kill Dozens of Protesters,” Human Rights Watch news release, March 24, 2011, <https://www.hrw.org/news/2011/03/24/syria-security-forces-kill-dozens-protesters> (accessed November 16, 2020); “Syria: Security Forces Fire on Protesters,” Human Rights Watch news release, March 28, 2011, <https://www.hrw.org/news/2011/03/28/syria-security-forces-fire-protesters> (accessed November 16, 2020); “Syria: Stop Shooting Protesters,” Human Rights Watch news release, April 5, 2011, <https://www.hrw.org/news/2011/04/05/syria-stop-shooting-protesters> (accessed November 16, 2020).

24 Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/S-17/2/Add.1, November 23, 2011, <https://undocs.org/A/HRC/S-17/2/Add.1> (accessed November 16, 2020) paras. 53, 81.

as early as in April 2011 in Daraa,²⁵ May 2011 in Homs and Baniyas,²⁶ and August 2011 in Latakia.²⁷ This only intensified the nationwide protests.

With government forces expanding military operations, the residents of some neighbourhoods began organising themselves into local defence committees. As the conflict evolved, soldiers massively deserted the army to join the protesters. On July 29, 2011, a group of defectors from the Syrian army declared the establishment of the Free Syrian Army (FSA).²⁸ Various militias that had spontaneously formed in different cities joined them. (For witness reports on the formation of the FSA see the section on Homs).

In February 2012, government forces launched a major offensive using artillery fire against residential neighbourhoods in Homs and other districts that were under opposition control.²⁹ On March 22, 2012, the first documented helicopter attack took place on the city of Azaz in northern Aleppo governorate, according to Human Rights Watch.³⁰ By the end of May, helicopters were attacking opposition-controlled districts in northern Syria almost daily.³¹ On July 24, 2012, the media reported the first jet strike on Aleppo.³² By that time, the International Committee of the Red Cross (ICRC) had publicly concluded that the conflict in Syria amounted to a non-international armed conflict, meaning that international humanitarian law (also known as the laws of war) applied to its participants.³³

By July 2012, the conflict in Syria had entered a new phase. Armed

- 25 UN Security Council, 6524th meeting (2011), S/PV. 6524, April 27, 2011, <https://undocs.org/en/S/PV.6524> (accessed November 16, 2020); "Syria: Lift the Siege of Daraa," Human Rights Watch news release, May 5, 2011, <https://www.hrw.org/news/2011/05/05/syria-lift-siege-daraa> (accessed November 16, 2020).
- 26 Human Rights Watch, "'We live as in War,' Crackdown on Protesters in the Governorate of Homs," November 11, 2011, https://www.hrw.org/sites/default/files/reports/syria1111webwcover_0.pdf (accessed November 16, 2020) p. 32; "Syria unrest: Shooting erupts in seaport of Baniyas," *BBC*, April 10, 2011, <https://www.bbc.com/news/world-middle-east-13029631> (accessed November 16, 2020); "Syrian tanks and troops 'enter flashpoint Baniyas city,'" *BBC*, May 7, 2011, <https://www.bbc.com/news/world-middle-east-13320326> (accessed November 16, 2020).
- 27 Khaled Yacoub Oweis, "Tank, navy attack on Syria's Latakia kills 26: witnesses," Reuters, August 14, 2011, <https://www.reuters.com/article/us-syria-idUSTRE77D0LP20110814> (accessed November 16, 2020); "Syria: UN agency voices alarm at reports of deadly assault on port city of Latakia," UN press release, August 14, 2011, <https://news.un.org/en/story/2011/08/384102-syria-un-agency-voices-alarm-reports-deadly-assault-port-city-latakia> (accessed November 16, 2020).
- 28 "Syria Armed Opposition: A Brief Overview," Carnegie Middle East Center, <https://carnegie-mec.org/syriaincrisis?fa=50896&lang=en> (accessed November 16, 2020); "The declaration of the formation of the Free Syrian Army," July 29, 2011, YouTube, <https://www.youtube.com/watch?v=SZcCbIPM37w> (accessed November 16, 2020).
- 29 "Syria: Stop Shelling of Residential Areas," Human Rights Watch news release, February 9, 2012, <https://www.hrw.org/news/2012/02/09/syria-stop-shelling-residential-areas> (accessed November 16, 2020); "Syria: New Satellite Images Show Homs Shelling," Human Rights Watch news release, March 2, 2012, <https://www.hrw.org/news/2012/03/02/syria-new-satellite-images-show-homs-shelling> (accessed November 16, 2020).
- 30 Human Rights Watch, "Death from the Skies: Deliberate and Indiscriminate Air Strikes on Civilians," April 10, 2013, https://www.hrw.org/sites/default/files/reports/syria0413webwcover_1_0.pdf (accessed November 16, 2020); "Helicopter attack on the city of Azaz," March 22, 2012, YouTube, <https://www.youtube.com/watch?v=LVBhcE7Sw5k&feature=youtu.be> (accessed November 16, 2020).
- 31 Human Rights Watch, "Death from the Skies: Deliberate and Indiscriminate Air Strikes on Civilians," April 10, 2013, https://www.hrw.org/sites/default/files/reports/syria0413webwcover_1_0.pdf (accessed November 17, 2020).
- 32 "Syria conflict: Aleppo bombed by fighter planes," *BBC*, July 24, 2012, <https://www.bbc.com/news/world-18973719> (accessed November 17, 2020).
- 33 International Committee of the Red Cross (ICRC), "Syria: ICRC and Syrian Arab Red Crescent maintain aid effort amid increased fighting," July 17, 2012, <https://www.icrc.org/en/doc/resources/documents/update/2012/syria-update-2012-07-17.htm> (accessed November 17, 2020).

opposition groups strengthened their control over significant parts of northern Syria and carried out military operations in Damascus and Deir ez-Zor in the east.³⁴ The high point of the opposition's military action in Damascus, an operation called "Damascus Volcano and Syrian Earthquake," saw an attack on the government's National Security Service headquarters on July 18 which killed three high-ranking officials: Defence Minister Dawoud Rajiha, his deputy Assef Shawkat, and Assistant Vice President Hassan Turkmani.³⁵ Media also reported that National Security Administration chief Hisham Ikhtiyar died on July 20 from wounds received as a result of the same explosion.³⁶

Following this attack, and with the increased presence of opposition fighters in some Damascus suburbs, the Syrian government deployed air, artillery, and infantry troops to certain districts of the capital and nearby towns.³⁷ With heavy losses sustained in Damascus in July 2012, armed opposition groups concentrated their efforts in northern Syria, especially in Aleppo governorate. The conflict intensified, the war grew bloodier, new actors emerged, and whole areas of the country were captured in turns by various opposition groups (including radical extremists) and government forces.

Armed extremist groups—made up of local fighters as well as foreigners who came to Syria from around the world—did not fail to take advantage of the country's situation. Many groups emerged, but the most powerful players were the so-called Islamic State (IS or Daesh, also known as ISIS) and Jabhat al-Nusra (also known as al-Nusra Front; both are designated as terrorist organizations banned in Russia). The relationships between the two groups were uneasy and sometimes even hostile. Al-Nusra was formed in January 2012 and publicly declared its fealty to al-Qaeda leader Ayman al-Zawahiri in a YouTube video posted in April 2012 (al-Qaeda is designated as a terrorist organization banned in Russia).³⁸ In

34 Gaith Abdul-Ahad, "Inside Syria: rebels and regime trapped in cycle of destruction," *The Guardian*, July 24, 2012, <https://www.theguardian.com/world/2012/jul/24/inside-syria-rebels-regime-destruction> (accessed November 17, 2020).

35 Andrew Osborn, "How 'Damascus Volcano' erupted in Assad's stronghold," Reuters, July 20, 2012, <https://www.reuters.com/article/us-syria-crisis-damascus/how-damascus-volcano-erupted-in-assads-stronghold-idUSBRE86J17E20120720> (accessed November 17, 2020); "Syria crisis: three members of Assad inner circle killed in Damascus," *The Guardian*, July 18, 2012, <https://www.theguardian.com/world/middle-east-live/2012/jul/18/syria-crisis-damascus-diplomatic-battles-live> (accessed November 17, 2020); Alexander Marquardt, "Damascus Fighting Rages Following Attack on Assad officials," *ABC News*, July 19, 2012, <https://abcnews.go.com/blogs/headlines/2012/07/damascus-fighting-rages-following-attack-on-assad-officials/> (accessed November 17, 2020).

36 "Minister of National Security Dies in Syria" ("В Сирии скончался министр национальной безопасности"), Voice of America, July 20, 2012, <https://www.golos-ameriki.ru/a/syria-hisham-ixtiar/1441807.html> (accessed November 17, 2020); "The head of the national security service died from injuries in Syria" ("В Сирии от ранений скончался глава службы национальной безопасности"), *Radio Svoboda*, July 20, 2012, <https://www.svoboda.org/a/24651369.html> (accessed November 17, 2020).

37 Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/22/59, February 5, 2013, https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A.HRC.22.59_en.pdf (accessed November 17, 2020).

38 Stanford, "Mapping Militant Organizations: Jabhat al-Nusra," <https://cisac.fsi.stanford.edu/mappingmilitants/profiles/hayat-tahrir-al-sham> (accessed November 18, 2020); "Syria's Armed Opposition: A Brief Overview," Carnegie Middle East Center, <https://carnegie-mec.org/syriaincrisis/?fa=50896&lang=en> (accessed November 17, 2020).

late July 2016, the group changed its name to Jabhat Fateh al-Sham, and in January 2017 announced it was breaking ties with al-Qaeda and other opposition groups to form the new Hayat Tahrir al-Sham (HTS), which grew prominent in Idlib governorate (designated as a terrorist organization banned in Russia).³⁹ (For witness reports on how jihadist groups took control over cities and villages, organised their recruiting, and brought the local population under their sway see the sections on Raqqa, Aleppo, and Idlib).

The most notorious of the terrorist groups was the IS, which managed to establish its own quasi-state in parts of Syria and Iraq, declaring the city of Raqqa as its capital in July 2014. The self-declared “caliphate” survived for several years, which were nightmarish for those under its control.⁴⁰

In 2014, the international US-led coalition intervened in the Syrian war and began taking active military action against the IS in northern Syria. The Kurdish People’s Protection Units (YPG) became their military allies on the ground as part of a local Kurdish-led military coalition (the Syrian Democratic Forces). They played a key role in fighting the IS over the years and in finally territorially defeating them in 2019.

Russia joined the conflict in September 2015. According to various reports, at that time, the Syrian government controlled only about 8–30 percent of the country.⁴¹ Russia cited counterterrorism as its official reason for intervention in Syria. This was due to the fact that starting from 2013, a few thousand Russian citizens of different ethnic backgrounds had joined armed groups fighting against Bashar al-Assad’s government in Syria. In March 2016, the Ministry of Defence of the Russian Federation declared that 3,417 Russian citizens⁴² had joined the IS and hundreds more were with other armed opposition groups. Before the 2014 Winter Olympic Games in Sochi, Russian security forces had not prevented citizens from traveling to Syria, hoping to get rid of radically inclined individuals within

39 Stanford, “Mapping Militant Organizations: Hay’at Tahrir al-Sham,”

<https://cisac.fsi.stanford.edu/mappingmilitants/profiles/hay%E2%80%99-tahrir-al-sham> (accessed November 17, 2020).

40 See Raqqa section; “Rise and fall of the IS” (“Взлет и падение “Исламского государства””), *BBC*, November 13, 2017, <https://www.bbc.com/russian/features-41724612> (accessed November 17, 2020); Stanford, “Mapping Militant Organizations: The Islamic State,” <https://cisac.fsi.stanford.edu/mappingmilitants/profiles/islamic-state> (accessed November 17, 2020); “Middle East expert underlined the importance of Raqqa’s return under the control of Damascus” (“Востоковед отметил важную роль возвращения Ракки под контроль Дамаска”), *Ria Novosti*, October 16, 2019, <https://ria.ru/20191016/1559860181.html> (accessed November 17, 2020).

41 “Military operation of Russian armed forces in Syria – results in numbers” (“Военная операция ВС РФ в Сирийской Арабской Республике – итоги в цифрах”) August 22, 2018, YouTube, <https://www.youtube.com/watch?v=viCivbJG5Pk> (accessed November 17, 2020); “Military operation of Russian armed forces in Syria – a dossier” (“Операция ВС РФ в Сирии. Досье”), *TASS*, September 29, 2017, <https://tass.ru/info/4603727> (accessed November 17, 2020); “Speech of the Chief of Main Operational Directorate Colonel General of Russian Federation Sergei Rudskoy at MCIS-2018” (“Выступление начальника Главного оперативного управления Генштаба ВС РФ С. Рудского на MCIS-2018”), *MCIS*, April 4, 2018, <http://mil.ru/mcis/news/more.htm?id=12169835@cmsArticle> (accessed November 17, 2020); “Against who and why. Results if the four-year war of Russia in Syria” (“Против кого и зачем. Итоги четырех лет войны России в Сирии”), *66.ru*, September 30, 2019, <https://66.ru/news/world/225205/> (accessed November 17, 2020).

42 “Soufan Group: Russia turned out to be the main supplier of IS” (“Soufan Group: Россия оказалась главным поставщиком наемников в ИГ”), *Vesti*, October 26, 2017, <https://www.vesti.ru/article/1573242> (accessed November 17, 2020).

a few months to ensure security during the games. This was especially true in the Northern Caucasus, a region which was at the time the area of active armed insurgency and is located in close proximity to Sochi.

After the departure of thousands of radicals from Russia, the Russian government had also issued amendments to the Russian Criminal Code in 2013 introducing harsher penalties for joining illegal armed groups, including on the territories of other states. The goal of this amendment was to prevent the return of Russian citizens who had joined terrorist organisations and armed groups outside of Russia. Later, Russian president Vladimir Putin stated openly that thousands of armed group members from the Northern Caucasus and Central Asia had congregated in Syria and thus it would be better to “eliminate them there rather than receive them here, with weapons in their hands.”⁴³

Experts, however, have cited other more prominent reasons for the Kremlin’s decision to intervene in this war: desire to consolidate support among Russian voters through a “short victorious war” against an undisputed enemy, the IS terrorist group; to enhance its influence in the Middle East;⁴⁴ to protect its key regional ally Bashar al-Assad;⁴⁵ to halt the wave of Arab revolutions; to maintain and expand its military presence in the country;⁴⁶ to get access to Syria’s oil reserves; and to provide the Russian army with an opportunity to gain combat experience and test new weapons systems.⁴⁷ On June 7, 2018, during a Direct Line broadcast, President Putin said that the Syrian operation had provided the Russian armed forces with unique military experience, calling it an “important and honourable mission, the goal of which is to protect Russia’s interests.” Russian intervention changed the situation on the ground.⁴⁸

43 “It’s better to destroy militants in Syria than to accept them in Russia, Putin said” (“Лучше уничтожать боевиков в Сирии, чем принимать их в России, отметил Путин”), *Ria Novosti*, June 7, 2018, <https://ria.ru/20180607/1522273433.html> (accessed November 17, 2020).

44 “FAZ: What Russia Counts on in the Middle East” (“FAZ: На что рассчитывает Россия на Ближнем Востоке”), *Deutsche Welle*, May 30, 2018, <https://www.dw.com/ru/faz-на-что-рассчитывает-россия-на-ближнем-востоке/a-43979716> (accessed November 17, 2020).

45 “What does Russia want in Syria? 5 reasons Putin backs Assad,” *CNN*, February 8, 2016, <https://edition.cnn.com/2016/02/08/middleeast/syria-aleppo-russia-strategy/> (accessed November 17, 2020).

46 “ANALYTICS - The goals of Turkey and Russia in Syria: similarities and differences” (“АНАЛИТИКА - Цели Турции и России в Сирии: сходство и различия”), Anadolu Agency, February 6, 2019 <https://bit.ly/2Wbx4sR> (accessed November 17, 2020).

47 “The Ministry of Defence summed up the operation in Syria” (“Минобороны подвело итоги операции в Сирии”), *TASS*, August 22, 2018, <https://tass.ru/armiya-i-opk/5479447> (accessed November 17, 2020); “Syria as a testing ground for Russia” (“Сирия как испытательный полигон для России”), *Wedge Infinity*, April 8, 2016, <https://inosmi.ru/military/20160408/236055354.html> (accessed November 17, 2020); “Syria is both a training ground and a field to advertise Russian weapons” (“Сирия – это и полигон, и поле для рекламы российского оружия”), *Nezavisimaya Gazeta*, October 2, 2019, http://www.ng.ru/armies/2019-10-02/2_7691_syria.html (accessed November 17, 2020).

48 The Presidential Executive Office of Russia, “Direct Line with Vladimir Putin,” June 7, 2018, <http://en.kremlin.ru/events/president/news/57692> (accessed November 20, 2020).

In May 2017, negotiations between the Syrian, Russian, Turkish, and Iranian governments in Astana resulted in the establishment of four de-escalation zones in Syria. At a briefing in Moscow, Russian Deputy Defence Minister Alexander Fomin declared that the “implementation of the Memorandum on the ground will make it possible to separate the opposition from the IS and Jabhat al-Nusra terrorist groups, which are banned in our country. Safe, unhindered humanitarian access to de-escalation zones will be provided, which will make it possible to provide the population with food, medical, and other necessary aid. Furthermore, infrastructure in these zones, primarily water and energy supplies, will be restored. All this will create conditions for the safe, voluntary return of refugees and the internally displaced.” But the main element, Fomin stated, was that the “implementation of the Memorandum will make it possible to end the armed hostilities of the warring parties and stop the civil war in Syria.”⁴⁹

The largest de-escalation zone included Idlib governorate, northeastern parts of Latakia, the western districts of Aleppo governorate, and northern districts of the bordering Hama governorate. An estimated three million Syrians live in this zone. The second de-escalation zone was in northern Homs governorate; the third zone included Eastern Ghouta; and the fourth covered districts in Daraa and Quneitra governorates, along the border with Jordan. Russia, Turkey, and Iran were the guarantors of the safe zones. It was separately agreed that the war on terrorism would continue in the de-escalation zones.⁵⁰

In this report, we have described in detail how the Syrian government established control over the de-escalation zones in Eastern Ghouta, Homs, and southwest Daraa. Under the pretext of combat on terrorism, government troops—supported by Russian Aerospace Forces (VKS)—subjected these districts to large-scale bombardment resulting in countless civilian casualties and massive waves of forced displacement.

49 “World within specified boundaries” (“Мир в указанных границах В Сирии создают четыре зоны деэскалации”), *Rossiyskaya Gazeta*, May 5, 2017, <https://rg.ru/2017/05/05/v-sirii-sozhdut-chetyre-zony-deeskalacii.html> (accessed November 17, 2020).

50 Ibid.

At the time of writing, Idlib remains the last de-escalation zone outside of Syrian government control. In April 2019, Syrian government forces, with Russian Aerospace Forces (VKS) support, launched a military campaign with the aim of regaining control over this area. The second phase of this operation began in December 2019 and continued until March 2020. On February 28, 2020, the Office of the UN High Commissioner for Human Rights verified that at least 1,750 civilians have been killed since April 2019, mostly due to bombings by Syrian government forces with the support of their allies.⁵¹ On January 30, 2020, media reported that government forces control 72.8 percent of the country, citing data from the Syrian Observatory for Human Rights.⁵²

51 UN Department of Political and Peace Building Affairs (UN DPPA), "Security Council Briefing on the situation in Syria, Under-Secretary-General for Political and Peacebuilding Affairs Rosemary DiCarlo," February 28, 2020, <https://dppa.un.org/en/security-council-briefing-situation-syria-under-secretary-general-political-and-peacebuilding> (accessed November 17, 2020).

52 "Syrian government forces control 72% of country" ("Сирийские правительственные силы контролируют 72 проц территории страны"), *Russian.China.org.cn*, January 31, 2020, http://russian.china.org.cn/international/txt/2020-01/31/content_75659884.htm (accessed November 17, 2020).

GROSS VIOLATIONS OF HUMAN RIGHTS AND HUMANITARIAN LAW

ARBITRARY DETENTIONS, TORTURE, AND ENFORCED DISAPPEARANCES IN DETENTION FACILITIES

Torture and inhumane treatment in prisons were among the instigators of the mass protests which later escalated to armed conflict in Syria. International law prohibits torture and Article 5 of the Universal Declaration of Human Rights states that “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”⁵³

In the course of our research, dozens of our interviewees recounted incidents of torture that they or members of their families had experienced in detention facilities. Torture was usually preceded by arbitrary arrest or abduction. Many of the people we interviewed mentioned that such violations also occurred in Syria before the war.

The evidence that we have gathered shows that violence in detention centres was an effective tool of repression and, in fact, a method of warfare widely used by the state, which is supported by the available data on the death toll among the prison population in Syria.⁵⁴ Human Rights Watch in its World Report 2019 noted that over 90,000 Syrians had gone missing since 2011, mostly at the hands of government security forces.⁵⁵ Although all parties involved in the Syrian conflict have been responsible for arbitrary detentions, enforced disappearances, and abductions, the absolute majority of these were committed by the Syrian security forces, according to human rights defenders.

Neither our research nor any other investigations have managed to establish the precise number of prisoners who died in state-controlled detention facilities. In its report “Syria: Human slaughterhouse: Mass hangings and extermination at Saydnaya Prison, Syria,” Amnesty International stated that between 2011 and 2015 thousands of people were extrajudicially executed in Saydnaya Prison alone.⁵⁶

Some of our interviewees told us about detention facilities controlled by non-state armed groups (Free Syrian Army, Jabhat al-Nusra, the IS,

53 Universal Declaration of Human Rights (UDHR), adopted December 10, 1948, G.A. Res. 217A(III), U.N. Doc A/810 at 71 (1948), https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf, art. 5.

54 See “Caesar Photographs,” Human Rights Watch, “If the Dead Could Speak: Mass Deaths and Torture in Syria’s Detention Facilities,” December 16, 2015, https://www.hrw.org/sites/default/files/report_pdf/syria1215web_0.pdf (accessed November 17, 2020); Amnesty International, “Syria: Human slaughterhouse: Mass hangings and extermination at Saydnaya Prison, Syria,” February 7, 2017, <https://www.amnesty.org/download/Documents/MDE2454152017ENGLISH.PDF> (accessed November 17, 2020); Association of Detainees and the Missing in Sednaya Prison, “Detention in Sednaya: Report on the procedures and consequences of political imprisonment,” November 11, 2019, <https://admsp.org/wp-content/uploads/2019/11/sydnaya-en-final-November-s-11-07-2019.pdf> (accessed November 17, 2020).

55 Human Rights Watch, *World Report 2019* (New York: Human Rights Watch, 2019), Syria chapter, <https://www.hrw.org/world-report/2019/country-chapters/syria#f31107> (accessed November 17, 2020).

56 Amnesty International, “Syria: Human slaughterhouse: Mass hangings and extermination at Saydnaya Prison,” February 7, 2017, <https://www.amnesty.org/download/Documents/MDE2454152017ENGLISH.PDF> (accessed November 17, 2020).

etc.), which means that arbitrary arrests and extrajudicial violence were not limited to the actions of the pro-government forces.⁵⁷ The number of victims detained by various armed groups is hard to estimate, even roughly.

The Syrian government has consistently refused international humanitarian and medical organisations access to all places of detention. Moreover, the state is the only actor that can legitimately use violence, and, hence, the state should be held responsible for illegitimate, unwarranted violence. Therefore, this part of the report mostly focuses on what has been taking place in government-controlled detention facilities.

Government-Controlled Detention Facilities

According to the testimonies we collected, the government's main "detention operators" included Military Intelligence, Air Force Intelligence, the Political Security Directorate, and the General Intelligence Directorate.⁵⁸ The most frequently mentioned places of detention were police stations, Mezzeh Military Airport (Air Force Intelligence base in Damascus governorate), intelligence agency branches across Syria, as well as Saydnaya Military Prison (30 km north of Damascus), and Adra Central Prison in south Syria. Some of our interviewees also mentioned ad-hoc detention facilities.

The system of unlawful arrests and enforced disappearances follows the same pattern across the country: A person accused or suspected of supporting the opposition is arrested by security forces—at home, at work, at a checkpoint, or on the street—and taken to a local detention facility (police station, local branch of the intelligence agencies, ad-hoc facility). If they survive, they are eventually transferred to a military or civilian prison—sometimes days, weeks, months, or even years later. Frequently, for the duration of the detention, the locations of the prisoners are not disclosed to their families.

Many witnesses who were detained told us that they were taken into custody as part of mass arrests, and that security forces did not even attempt to establish their involvement in a crime.

A witness from Saraqib (Idlib governorate) told us about his arrest: *"There were five of us. One guy was apprehended with me, three others managed*

57 Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/40/70, January 31, 2019, https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A_HRC_40_70.pdf (accessed November 17, 2020); UN Independent International Commission of Inquiry on the Syrian Arab Republic, "Out of sight, out of mind: Deaths in detention in the Syrian Arab Republic," A/HRC/31/CRP.1, February 3, 2016, www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A-HRC-31-CRP1_en.pdf (accessed November 17, 2020).

58 Human Rights Watch, "Torture Archipelago: Arbitrary Arrests, Torture, and Enforced Disappearances in Syria's Underground Prisons since March 2011," July 3, 2012, https://www.hrw.org/sites/default/files/reports/syria0712webwcover_0.pdf (accessed November 18, 2020).

to flee. The one taken with me remains in prison. He is still in detention. For the first two months, we were together. Then, we got separated and I have not heard of him ever since.”

Another man, a student from Homs, told us:

“I was arrested at the university on November 6, 2011. [...] Six men grabbed me from the university’s yard and beat me with a nail-spiked baton. Our university has a student union sponsored by the Ba’ath Party.⁵⁹ They collaborate with Shabiha⁶⁰ [militias]. [...] They carry cold weapons and batons which they used to beat me. Then Air Force Intelligence took me to the al-Nabek police station. There were 40 of us, [around] 15 men per bus. From there, we were transferred to the Mezzeh Airport in Damascus. All of us were students. We were blindfolded. They kept us at the airport for about 48 hours. I was questioned four times. Finally, they accused us of organising demonstrations and forced us to sign confessions.”

Women were as likely to be detained as men. Some witnesses told us about children who had been detained, tortured, and even executed. B., a Damascus resident, described her detention by military police in the Qaboun neighbourhood, where she—then a 17-year-old girl—had been brought straight from school:

“During interrogations, they beat us with what I think was a metal pipe. Then we were taken back to our cells, where we stayed for another week. The interrogations that followed were quite different. They threatened to take our scarves off and rape us. They began touching us. It went on for two months. They demanded that we tell them everything.”

Another witness told our group about her brief detention at a security branch in Damascus. She shared a cell with several dozen other women, including a woman with a two-year-old daughter. The child was born in detention as her mother was pregnant at the time of her arrest.

Detention at intelligence branches lasted anywhere from several days to several months or even years, during which time prisoners—usually held without charges—were systematically beaten and tortured. After that, they were often transferred to military or civilian prisons, in many cases on the official grounds of their involvement with anti-government groups.

⁵⁹ The Arab Socialist Ba’ath Party has long been the ruling party in Syria.

⁶⁰ The term “Shabiha,” which literally means “ghosts,” refers to state-sponsored militias of the Syrian Government.

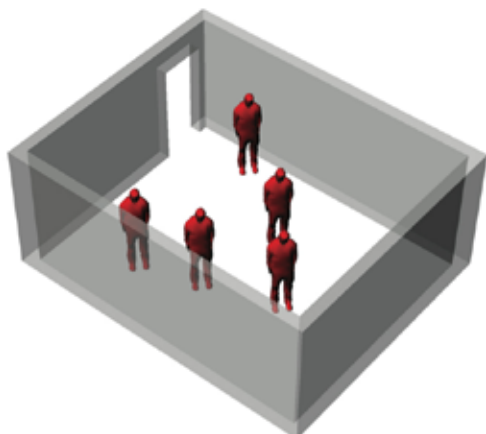
The majority of the victims we interviewed spent most of their time in detention at intelligence branches where executions and torture were commonplace. In a few cases, after months or even years of detention, some of them wound up in Adra civil prison, where conditions were better than in military and intelligence detention facilities.

A witness from the town of Sayyidah Zaynab in Rif Dimashq governorate said:

“After two months [of detention at Military Intelligence Branch 215 in Damascus], an officer called me out of a group of 12 men. We got dressed, were put in a car with our hands tied, and were brought to a military court where we were transferred into the custody of the military police. There was no actual court hearing. From there, we were taken to Adra Prison. For the first time in a long while, I saw sunlight. In Adra, life got easier: conditions were better, if you had money. We were undressed again. They burnt our clothes. The police examined us and separated the sickest; they were held separately. I was among the sick. They provided us with medical treatment in Adra.”

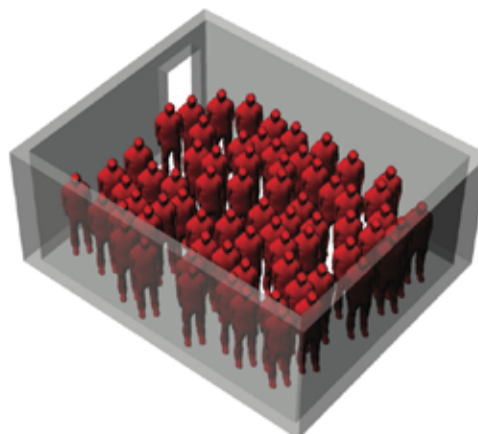
Roubah, a Syrian activist and psychologist, told our team about her work with prisoners in Adra Prison. She managed to gain access to the prison because her husband was detained there following his arrest for participating in protests. When Roubah visited her husband, she met with other inmates who had previously been imprisoned elsewhere, providing them with counselling and unofficially collecting information for her own research along the way. Such work would never have been possible at the detention centres run by intelligence forces.

Detention Conditions at Intelligence Branches and Military Prisons



Maximum cell occupancy under the Council of Europe's Committee for the Prevention of Torture
4 x 5 meters, 5 detainees

International guidelines stipulate that accommodations for prisoners should meet a minimum floor space requirement, but do not define what this requirement is. In the above model, each prisoner is provided four square meters, a standard often used by the Council of Europe's Committee for the Prevention of Torture.



Military Intelligence Branch 291 in Damascus
4 x 5 meters, 70 detainees

"I spent 40 days there in a group cell measuring about 20 square meters. There were about 70 people in the cell. It was so packed that we couldn't lie down to sleep. We had to lean on each other and take turns."

—"Fawzi," who was detained for the second time in August 2011 and held for about 70 days, including about 40 days in Military Intelligence Branch 291. Human Rights Watch interviewed "Fawzi" in Hatay, Turkey, on January 6, 2012

Representation of the detention conditions in the Military Intelligence Branch 291 in Damascus.
Diagrams produced by SITU Studio and Forensic Architecture, an ERC-funded project / Human Rights Watch, 2012

All the former detainees we interviewed provided similar descriptions of prison conditions: poor sanitation, overcrowded cells, and inadequate food, which resulted in prisoners starving for weeks and sometimes even months.

One man who was held at Military Intelligence Branch 291 in Damascus told us about detention conditions at the facility:

"In Damascus, we saw everything, all the horrors. A hundred of us were kept in a 5x5 [metre] cell. At night, we took turns sleeping on our sides while some men stood. Then we would swap places. People went insane there, soiled themselves."

A former prisoner also spoke to us about her detention at Military Intelligence Branch 227 in Damascus, where she was taken after her arrest in 2012:

"Men were tortured much more [than women] and humiliated more often; they were stripped naked and left that way. They were stripped naked while being tortured, too. 300 people were kept in one cell [...]. The food was bad

and got even worse with time. Men were given less food, sometimes one potato per several men [...]. When I was taken out of my cell, there were lifeless bodies lying on the floor, covered in blood and bearing marks of beating and torture. Lots of them were naked. I am not sure they were dead, but they showed no signs of life.”

The head of the Association of Detainees and Missing Persons in Saydnaya Prison (ADMSP), Mounir al-Fakir, spoke to us about his two-year experience in this prison:

“Once the [prison] director came in and said, ‘If you have any comments about food or conditions, let me know.’ People started complaining. Only my friends and I remained silent. Later, those who complained were very brutally tortured. They [prison guards] were just bored, I guess. [...] Once a man suffering from diabetes told them he could not eat the rice he had been given and asked if he could be possibly given bulgur [cracked wheat]. He was brutally beaten and his cellmates were [nearly] deprived of food for a month. The man with diabetes eventually died.”

Mounir told us that, during his imprisonment, his weight decreased from 100kg to just 45kg. Extreme cold in prison cells during the winter and heat in the summer along with the absence of basic medical care resulted in huge mortality rates from infectious diseases. That, along with the use of torture on the great majority of prisoners, regardless of their gender or age, often with lethal outcomes, effectively turned state-controlled prisons into death factories.

Former inmates’ accounts of appalling detention conditions at government-controlled prisons lead us to an important conclusion: starvation and overcrowding were not a result of an underfunded penitentiary system in Syria, but rather a deliberate policy to inflict unbearable suffering or death on the prison population.

Torture and Executions in Government-Controlled Detention Facilities



Sketches of torture techniques described by numerous former detainees and defectors.
Human Rights Watch, 2012

Former prisoners and their relatives told us about the torture techniques used most frequently at state-controlled detention centres. Many of our interviewees described what appears to have been systematic and senseless beating of detainees upon their arrival to the Mezzeh Airport (a branch office of Air Force Intelligence) and Saydnaya Military Prison.

A former prisoner recalled his experience at Saydnaya Prison in his interview with our team:

“I was brought to Saydnaya along with 27 other detainees in a truck. We were taken to a room and were told to kneel with our faces to the floor. Then [soldiers] were ordered to take off our handcuffs and leave. Next, we were taught the prison rules: we had to kneel, faces down to the floor, when sitting; duck when walking; hold each other by the waist when moving together; and cover our eyes with our hands when walking. We were beaten as we were given those instructions. In other prisons, prisoners are beaten to extract information; in Saydnaya, it was torture for the sake of torture. [...] They hung us from the ceiling with our hands tied—and that was the easiest part. Other methods [of torture] included the German Chair: [a person’s] hands are secured behind [their] back, and with their legs tied to the legs of the chair, [they are] then forced to bend backwards. Many people had their spines broken this way and died. I was tortured this way too, and I lost consciousness twice.”

Guards would often come up with pretexts to use torture. Mounir al-Fakir, the head of ADMSP, said:

“If a person failed to hold out their bowl or remove it promptly during food distribution, the guards would order them to put their hands out through the bars and beat them with a hosepipe. If we refused to do so, the guards would call superior officers, open a cell, and beat the inmates inside. In some cases, people died as a result of that beating—not in my cell, but in the other ones.”

The most typical torture techniques described by our interviewees include beating with plastic hosepipes or metal pipes; electric shock torture; the “German Chair” technique; and the “tire method,” wherein a person is forced to bend over inside a very large tire and then beaten with heavy objects.

Many other interviewees also noted that, while torture in the custody of intelligence services had the practical purpose of extracting information, torture in places where supposedly confirmed criminals were held was used to make life unbearable for prisoners, intimidate them, and slowly kill them in the most brutal and painful manner.

Indeed, it appears that tens of thousands of people died or were killed in detention since the beginning of the conflict.

In January 2014, news outlets began reporting that a Syrian defector had left the country with over 50,000 pictures, including several showing the bodies of prisoners who had died in detention centres between May 2011–August 2013.⁶¹ During interviews with international lawyers and Syrian activists, the defector, codenamed “Caesar,” revealed that he was an official forensic photographer with the Military Police who “had personally photographed bodies of dead detainees and helped to archive thousands more” like them, according to Human Rights Watch.⁶² The exact purpose of the photographs is not clear, even to Caesar himself; they appear to have been part of government efforts to keep a record of those who died in detention centres since the start of the conflict. In a news interview, Caesar said that “the [government] documents everything so that it will forget nothing. Therefore, it documents these deaths... If, one day, cases are reopened, they’ll need them.”⁶³

61 Human Rights Watch, “If the Dead Could Speak; Mass Deaths and Torture in Syria’s Detention Facilities,” December 16, 2015, https://www.hrw.org/sites/default/files/report_pdf/syria1215web_0.pdf (accessed November 17, 2020).

62 Ibid.

63 Ibid.

Caesar placed the images in the custody of the Syrian National Movement (SNM), an opposition group. In March 2015, the SNM passed the 53,275 files to Human Rights Watch. They stated that they were Caesar’s complete collection. In their report “If the Dead Could Speak: Mass Deaths and Torture in Syria’s Detention Facilities,” experts at Human Rights Watch reviewed tens of thousands of photos smuggled by Caesar and reported that the photos corresponded to the deaths of at least 6,786 detainees between May 2011–August 2013, according to statistics collected by the Syrian Association for Missing and Conscience Detainees (SAFMCD).⁶⁴



Maryam Hallaq, a school principal from Damascus, holds a phone with a picture of her dead son Ayham who was identified among thousands of images in the Caesar Photographs. All rights reserved to Maryam Hallaq.

We spoke to Maryam Hallaq, a school principal from Damascus and mother of a protester who disappeared in an intelligence branch in 2012. She told us that she found a photo of her son in the Caesar images:

“To learn the fate of my son—whether he was dead or alive—I had to go to a military court daily. For a year and five months, they told me, ‘We know nothing about the fate of your son.’ Then I was sent to [Military Intelligence] Branch 248 ... The Military Police gave me a request form. I had to write in my application, ‘I, mother of so-and-so, lost contact with my son two years ago, while the Syrian Arab Army was pursuing terrorists, armed groups, and other suspects, and since then, I have not been able to find him.’ But no clashes had happened at that time. Then you had to put a stamp on the application and take it to Tishreen Hospital. [...] I got a death certificate

⁶⁴ Ibid.

saying that my son had died of heart failure at a Military Intelligence branch—body number 320. I received nothing [even though] I requested his documentation and belongings. But they said the Military Police had them. I was looking for his remains. They told me not to come back.”

In July 2018, the Syrian government updated civil registries to include death notices for hundreds of individuals who had been detained or disappeared by the government.⁶⁵ Thus relatives of some of the victims were able to learn the date, place, and, occasionally, the official cause of death of their loved ones. Information about the burial place, however, was not communicated to families.⁶⁶ None of our interviewees ever received remains of their dead family members. Even in the few cases when an official confirmation of death was provided to our interviewees, the cause of death most frequently read as “heart attack” or “stroke.” Research by human rights organisations and international bodies suggest that the bodies of prisoners who had been killed were buried in mass graves.⁶⁷

Unfortunately, Russian authorities do not see fit to use their influence on the Syrian government to identify the whereabouts of missing persons. In December 2017, the Working Group on the release of detainees/abductees and handover of the bodies as well as the identification of missing persons was established under the Astana Process. Its scope, however, is limited to the exchange of combatants and prisoners of war, rather than the release of detainees held by the Syrian government. The former UN Envoy to Syria, Staffan de Mistura, in his briefings to the UN Security Council in 2018 noted that there had been no significant progress in this group’s work.⁶⁸ The new UN Envoy to Syria, Geir Pedersen, has made the issue of detainees a priority in his portfolio and has called for the unilateral release of detainees in Syria. Despite this, prisoner release has been very limited so far.⁶⁹

65 UN Independent International Commission of Inquiry on the Syrian Arab Republic, “Death Notifications in the Syrian Arab Republic,” November 27, 2018, https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/DeathNotificationsSyrianArabRepublic_Nov2018.docx (accessed November 17, 2020).

66 Human Rights Watch, *World Report 2019* (New York: Human Rights Watch, 2019), Syria chapter, <https://www.hrw.org/world-report/2019/country-chapters/syria> (accessed November 17, 2020).

67 UN Independent International Commission of Inquiry on the Syrian Arab Republic, “Out of sight, out of mind: Deaths in detention in the Syrian Arab Republic,” A/HRC/31/CRP.1, https://ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A-HRC-31-CRP1_en.pdf; Amnesty International, “Syria: Human slaughterhouse: Mass hangings and extermination at Saydnaya Prison,” February 7, 2017, <https://www.amnesty.org/download/Documents/MDE2454152017ENGLISH.PDF> (accessed January 14, 2021).

68 UN Security Council, 8206th meeting (2018), S/PV.8206, March 16, 2018, <https://undocs.org/pdf?symbol=en/S/PV.8206> (accessed November 18, 2020) p. 2–5; Ministry of Foreign Affairs of the Russian Federation, “Working Group on the release of detainees/abductees and handover of the bodies as well as the identification of missing persons,” December 22, 2017, https://www.mid.ru/en/foreign_policy/news/-/asset_publisher/ckNonkJE02Bw/content/id/3001235 (accessed November 17, 2020).

69 UN Department of Political and Peace Building Affairs (UN DPPA), “Security Council Briefing on the Situation in Syria, Special Envoy Staffan de Mistura,” March 16, 2018, <https://dppa.un.org/en/security-council-briefing-situation-syria-special-envoy-staffan-de-mistura-2> (accessed November 17, 2020); Ministry of Foreign Affairs of the Russian Federation, “Working Group on the release of detainees/abductees and handover of the bodies as well as the identification of missing persons,” December 22, 2017, https://www.mid.ru/en/foreign_policy/news/-/asset_publisher/ckNonkJE02Bw/content/id/3001235 (accessed November 17, 2020); UN Department of Political and Peace Building Affairs (UN DPPA), “Special Envoy for Syria announces third session of the Syrian Constitutional Committee, calls for release of detainees,” July 23, 2020, <https://dppa.un.org/en/special-envoy-syria-announces-third-session-of-syrian-constitutional-committee-calls-release-of> (accessed November 17, 2020).

Prison as an Instrument of Corruption

Almost all the former detainees we interviewed told us they were released only after their families agreed to pay bribes to the officials or members of security forces to avoid further imprisonment. Families frequently paid large sums to middlemen who claimed, often falsely, they could provide information about the fate or whereabouts of their loved ones. Most of our interviewees who had been searching for missing relatives said they had been extorted for money in exchange for information.

Bribes could not be used to procure the release of someone in custody at any stage of the detention process. According to the testimonies we collected, bribes worked only for those who had undergone the “entire process” of detention transfer from a local intelligence branch to a civilian or military prison where they would be charged or sent to court.

A witness from the municipality of Qaboun recounted his experience in an interview with our team:

“After our civil court hearing, my brother—a minor—was immediately released, and we [the others] were transferred to the Adra civilian prison. There, we paid [a bribe] to be released while the court reviewed our cases. The trial went on and we regularly appeared in court. Thousands were detained—many, many people—and the government needed to filter out the least dangerous individuals.”

A female witness from Damascus shared a similar story:

“Mostly, people were released if they paid; they gave bribes or passed money through intermediaries or acquaintances. My mother paid 120,000 [Syrian pounds] given by our family members... It was a pure bribe... It was paid to get me out of custody. We then paid more money so that my case would not be sent to court... We simply paid money.”

If a case ever made it to court, judicial proceedings were purely for show. The defendants were asked if they understood the charges against them, ordered to leave their fingerprints at the bottom of black confession forms, and then released pending their next hearing. At this point, they could pay their way out of detention after suffering months (if not years) of torture in prison, and simply not show up to their upcoming hearing. After that, people often went into hiding, changed their place of residence, or fled the country. Apparently, apart from the financial gain from the release of detainees, authorities—particularly penitentiary authorities—achieved another goal: the broad dissemination of information about survivors’

terrible prison experiences, which served to sow and strengthen fear of detention among the wider Syrian society.

Many of our interviewees also mentioned other types of corrupt practices in prisons and intelligence branches, including payment in exchange for information about prisoners' fates or for the opportunity to take a shower or buy cigarettes, food, hygiene products, medicine, etc. A former prisoner told us, *"I had terrible pneumonia. My family must have somehow learned that I needed medication. They had tablets smuggled to me for US\$2,000."*

Detention Facilities Controlled by Other Parties to the Conflict

Several of our respondents recounted their experiences in detention facilities controlled by armed opposition groups, such as the FSA, or the IS or other Islamist armed groups.

The witnesses who had lived in territories controlled by the FSA recalled judicial and penitentiary systems similar to those of a state.

We received accounts of formal "trials" of looters or government officials who wound up in FSA-controlled territory. Several of our interviewees also reported extrajudicial executions, but the information we gathered is insufficient to evaluate the scope of their use by the FSA.

A former member of the Free Syrian Army who fought near Daraa gave us his account of one such trial:

"When a government official was caught, they were put on trial... Not in exact compliance with the constitution. But these were not Sharia courts; pan-Arab laws were key to the proceedings. The defendants had all rights to prove their innocence and call witnesses. The majority of the defendants were those who participated in killing [of protesters]—that was the main charge. [...] Most of them were not even executed; they were exchanged."

According to a man from Darayya who witnessed similar proceedings: *"People were tried under civil laws, mostly for looting. Local councils of non-FSA members, such as lawyers and ex-judges, were summoned to conduct judicial proceedings."*

Even less information is available on how formal justice proceedings worked in territories controlled by the IS and other radical armed groups. From the limited testimonies obtained, we can conclude that people were mostly arrested and detained in those areas on suspicions of espionage, murder, or dissent, or for the purpose of extortion.

The former head of the municipality in Idlib governorate, Osama Hussein, spoke to our team about the radical groups that controlled that area:

“Their main idea was to abduct people for ransom. It was their main activity... One day, I was driving with my friend. He was with me, but they did not take him; they put me in the car boot. I do not know where they took me. It was an unfamiliar place... They put a bag on me, blindfolded me, tied my hands and legs, tied my arms to my legs. Then they put a bag on my head. I spent six days like that, including two days of interrogations. The interrogator was Jordanian, I guess. [...] They asked if I had links to Christian groups and if I had received money, because the project I was going to implement in my city, a reservoir, cost a lot. They wanted money.”

A surgeon from Qaboun told us, *“The group Jaysh al-Islam had their own court, but they did not cut off people’s hands. Yet, they executed people, mostly for murder.”*

Ahmad, a journalist from Daraa, said, *“According to reports published by the IS, they used to cut a hand off for stealing, behead people for practicing witchcraft, and stone young women for having extramarital sex.”*

Sexual Abuse in Detention Facilities

Almost from the start of the revolution in 2011, the government and state-controlled militias have systematically used sexual violence as a method of torture against suspected opposition supporters. Sexual violence became an integral part of the Syrian government’s repressive mechanism and was instrumental in instilling physiological fear, suppressing any resistance, extracting information, and humiliating people, breaking their spirit.

One university student from Aleppo, who was arrested at the university campus along with her sister in 2014, told our team that she, as well as her sister, spent three months in detention at a local branch of the security services.

According to her testimony, the youngest female detainee at the detention facility was 17 years old and the eldest was 80. The two small women’s cells were so crowded that the inmates were forced to sleep in turns. It was only later that a third, larger cell was created for female detainees. There were around 70 women in total. Men were held in five cells, four small and one large. She told us that family members were kept in separate cells,

adding that she was also separated from her sister. From time to time, our witness heard her sister scream during torture, and once she caught a brief glimpse of her in the hallways. She was horrified by her sister's appearance: she was barely able to walk, and her face and body were covered with marks of beating and torture. Another older woman, who had been a teacher, gave birth prematurely after she was beaten during questioning. The prisoners heard a newborn's cry which was abruptly cut off, followed by a mother screaming, "Why did you kill my baby?!" The witness never saw this woman alive again. She added:

"I can't forget the ringing sound that preceded the torture. There was such a ringing... After it, they used to take one of us to torment. This wait was terrifying. When you hear [the sounds of] someone being beaten, the wait is agonising because you know you could be next. Anyone who has ever suffered through this is half-dead."

Sexual violence was used against women mostly to break their spirits, but also to pressure brothers, fathers, and husbands into surrendering, confessing to crimes, and providing certain information.

The same witness from Aleppo continued:

"The guards would stop by the men's cell and say, 'Today, I'll take a woman and have fun with her.' And they named the female relative of the man this message was addressed to! The inmate would start shouting, 'Oh Allah! Fear Allah! What are you doing?' Then the guards would step inside and beat him up. That was how they demoralised [prisoners]. [...] My friend was stripped naked and humiliated in front of her brother and father to make them confess their links to the opposition. Men lost their morale in such circumstances. There was rape too."

The abuse was not limited to detention facilities. Violations were also committed during military ground operations, at checkpoints, en route to detention facilities, and during raids on the homes of opposition supporters (actual or presumed), peaceful protesters, and members of the armed opposition.

Below is the story shared by Z. and her two daughters with our team:

Z. and her two daughters (one of whom was 16 at the time), who are now displaced, were arrested in their home city of Damascus in October 2011. All three of them had participated in peaceful demonstrations, but her youngest daughter wrote 'liberty' on a wall that day and someone reported them... The women were arrested and taken to the police station in the Qaboun neighbourhood of Damascus. There, Air Force Intelligence officers brutally beat them and shouted at them for going to demonstrations, saying it was a clear sign they had no men at home.

They were then taken to the Air Force Intelligence headquarters in Damascus, where the three of them were kept in a cold, damp 1.5 square metre cell. All their valuables were taken away from them. They were left alone for six days, with no food or water, and only a bucket in the corner for a toilet. Z. said that the non-stop cries of men being tortured were unbearable to hear and that the facility smelled of dead bodies and blood.

On the seventh day, Z. and her daughters were taken to interrogation, where they were beaten and verbally abused. As they had been given nothing to eat or drink for a week, they felt ill. When Z., asked if she could sit down because she felt faint, she was beaten with a metal pipe. They were demanded information about the organisers and participants of the demonstrations. This went on for two months, during which time they were kept in overcrowded and filthy cells. None of them were allowed to shower and they were given very little food, cooked with spoiled ingredients.

According to Z., men touched and harassed women, threatened to rape them, and sometimes stripped and subjected them to humiliating searches. Still, she believes that they were lucky, as they suffered only harassment and threats of rape. "The worst," she said, did not happen.

Their relative M. was less fortunate. In the spring of 2015, she disappeared while out buying medicine. She was nowhere to be found. Several months later, she returned with bruises and cigarette burns all over her body. She said that government soldiers apprehended her and took her to "a branch on the outskirts of Qaboun, near Damascus." Every evening, the soldiers would choose one or two female detainees to gang-rape. She died only 25 days after her return, "unable to cope with what had happened to her," Z. said. She did not seek medical help and was afraid to leave home. Her husband and family turned their backs on her. Only her children supported her.

In the traditional and patriarchal parts of the Syrian society, sexual assault is considered an indelible disgrace. For this reason most victims choose to keep silent, fearing condemnation from their family and community. Many former female detainees, particularly victims of sexual violence, were rejected by their families.

A Syrian lawyer we interviewed who worked with many torture victims from Syrian detention facilities (mostly men) said that men were subjected to sexual violence no less than women. Since the beginning of the conflict, she interviewed 400 former male inmates from Saydnaya Prison, 100 of whom said they had been subject to different forms of sexual violence, including rape (with various objects). Men were stripped and forced to assume sexual positions, or to stand on their hands and knees while they were hit on their genitals and tortured with electric shock devices. These practices were used, to various extents, on almost all prisoners. Very few, however, are willing to testify. Haunted by awful memories of humiliation and tormented by the physical and psychological consequences of their abuse, many of these men took their trauma out on family members—usually their wives. Many of them did not dare tell their family members about what had happened to them, for fear of being scorned and reproached (this happens in some cases, especially to women).

In 2017, researcher and journalist Marie Forestier put together a report⁷⁰ that claims that the Syrian authorities' use of sexual violence against women was systematic and employed as a method of warfare against the opposition. Her findings were based on numerous interviews with victims, doctors, lawyers, activists, and humanitarian aid workers. She also interviewed several defectors, including former security officers and prison guards.

70 Marie Forestier, "'You want freedom? This is your freedom': Rape as a Tactic of the Assad Regime," Centre for Women, Peace and Security, February 1, 2017, <https://blogs.lse.ac.uk/wps/2017/02/01/you-want-freedom-this-is-your-freedom-rape-as-a-tactic-of-the-assad-regime-marie-forestier-32016/> (accessed November 17, 2020).

In March 2018, the UN Independent International Commission of Inquiry on the Syrian Arab Republic stated in its report on sexual violence that the members of the Syrian forces were not only aware of ongoing sexual violence but had even ordered it. The report considered such practices to be war crimes whether committed by state agents or members of the armed opposition.⁷¹ The Commission, which interviewed over 450 people across the country (in Daraa, Homs, Damascus, and Latakia), said that the scope and systematic nature of sexual violence in Syria suggests that it could amount to a crime against humanity.

The report stated that the rape of women and girls had been documented at 20 government- political and military intelligence branches. The rape of men was documented in 15 branches. The report highlighted that “rapes and other acts of sexual violence carried out by Government forces and associated militias during ground operations, house raids, at checkpoints, and during detention formed part of a widespread and systematic attack directed against a civilian population, and amount to crimes against humanity. After February 2012, these acts also constitute the war crimes of rape and other forms of sexual violence, including torture and outrages upon personal dignity.”⁷²

71 UN Independent International Commission of Inquiry on the Syrian Arab Republic, ““I lost my dignity”: Sexual and gender-based violence in the Syrian Arab Republic,” A/HRC/37/CRP.3, March 8, 2018, <https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A-HRC-37-CRP-3.pdf> (accessed December 2, 2020).

72 Ibid.

ATTACKS PROHIBITED UNDER INTERNATIONAL HUMANITARIAN LAW



A resident of the Jubailah neighborhood dodges sniper fire on the frontline between regime and rebel forces, March 2015. Photo by Karam Alhamad.

Our monitoring group has interviewed dozens of witnesses who told us about serious violations of humanitarian law during military operations. Most of these violations concerned bombardments or shelling of residential areas and civilian infrastructure, including with the use of prohibited weapons. Many of our interviewees provided detailed testimonies and shared photographs. We did everything in our capacity to cross-check these data with other testimonies of witnesses from the same areas and support with analysis gathered by recognized international human rights, humanitarian organisations, and UN agencies. As has been already mentioned in the introduction, we were unable to access the sites of the alleged violations. However, the consistency between witness testimonies, photographs, and analysis provided by human rights and other NGOs indicates the allegations have a high degree of credibility.

Definitions and Applicable International Law

International humanitarian law, also known as the law of war or the law of armed conflict, applies to the armed conflict in Syria.⁷³ The law applicable to non-international armed conflict includes article 3 common to the four Geneva Conventions of 1949 (Common Article 3) and customary international humanitarian law.⁷⁴ These rules are binding on all parties to conflict, including state parties and non-state armed groups.⁷⁵

The fundamental tenets of international humanitarian law include principles of humanity, distinction, necessity, and proportionality.⁷⁶ International humanitarian law imposes a duty on warring parties at all times to distinguish between those taking direct part in hostilities and civilians, and to target only the former and other military objectives.⁷⁷

Attacks against civilian objects have been committed by different parties to the armed conflict in Syria. The Syrian government has reportedly carried out numerous indiscriminate attacks across Syria. Since 2015, many of its military operations were carried out jointly or with support of the Russian Air Force. The Free Syrian Army, radical Islamist groups, and the US-led military coalition against ISIS, which included France and the UK, were also reported to be responsible for attacks violating international humanitarian law.

We consider strikes to be unlawful if they breach one or more of the rules governing the conduct of hostilities under customary international humanitarian law. Among others, these rules include prohibitions on:

- Intentionally directing attacks against the civilian population.
- Intentionally directing attacks against hospitals and places where the sick and wounded are collected.
- Employing weapons, projectiles, and material and methods

73 The International Committee of the Red Cross (ICRC) concluded in July 2012 that the situation in Syria amounts to a non-international armed conflict. "Syria: ICRC and Syrian Arab Red Crescent maintain aid effort amid increased fighting," International Committee of the Red Cross (ICRC) press release, July 17, 2012, <https://www.icrc.org/en/doc/resources/documents/update/2012/syria-update-2012-07-17.htm> (accessed November 17, 2020).

74 Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, adopted August 12, 1949, 75 U.N.T.S. 31, entered into force October 21, 1950; Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, adopted August 12, 1949, 75 U.N.T.S. 85, entered into force October 21, 1950; Geneva Convention relative to the Treatment of Prisoners of War, adopted August 12, 1949, 75 U.N.T.S. 135, entered into force October 21, 1950; Geneva Convention relative to the Protection of Civilian Persons in Time of War, adopted August 12, 1949, 75 U.N.T.S. 287, entered into force October 21, 1950; Convention (IV) Respecting the Laws and Customs of War on Land and the Annexed Regulations Concerning the Laws and Customs of War on Land of 18 October 1907 (Hague Regulations), 3 Martens Nouveau Recueil (ser. 3) 461, 187 Consol. T.S. 227, entered into force January 26, 1910. While Syria is not a party to the Second Additional Protocol that applies to non-international armed conflict, most of the Protocol's provisions are widely recognised as part of international customary law.

75 International Committee of the Red Cross (ICRC), *Customary International Humanitarian Law*, <https://www.icrc.org/en/doc/assets/files/other/customary-international-humanitarian-law-i-icrc-eng.pdf> (accessed November 17, 2020) p. 558-559.

76 International Committee of the Red Cross (ICRC), *Fundamental principles of IHL*, <https://casebook.icrc.org/glossary/fundamental-principles-ihl> (accessed November 17, 2020).

77 ICRC, *Customary International Humanitarian Law*, rule 1.

of warfare which are of a nature to cause superfluous injury or unnecessary suffering or which are inherently indiscriminate in violation of the international law of armed conflict.

- Intentionally launching an attack in the knowledge that such attack will cause incidental loss of life or injury to civilians or damage to civilian objects or widespread, long-term, and severe damage to the natural environment which would be clearly excessive in relation to the concrete and direct overall military advantage anticipated.
- Intentionally directing attacks against civilian objects, that is, objects which are not military objectives.
- Attacking or bombarding, by whatever means, towns, villages, dwellings, or buildings which are undefended, and which are not military objectives.

Military objectives may be defined as objects which “by their nature, location, purpose or use, make an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.”⁷⁸ According to the ICRC’s Study on Customary International Humanitarian law:

“State practice considers civilian areas, towns, cities, villages, residential areas, dwellings, buildings and houses and schools, civilian means of transportation, hospitals, medical establishments and medical units, historic monuments, places of worship and cultural property, and the natural environment as prima facie civilian objects, provided, in the final analysis, they have not become a military objective.”⁷⁹

Attacks directed against civilians and civilian objects are prohibited. Attacks that are disproportionate or indiscriminate are also prohibited. Attacks are indiscriminate when they are not directed at a specific military objective; or employ a method or means of combat which cannot be directed at a specific military objective; or employ a method or means of combat the effects of which cannot be limited as required by international humanitarian law.⁸⁰ Consequently, in these cases, the nature of the strike fails to distinguish between military objectives and civilians or civilian objects.⁸¹

78 ICRC, *Customary International Humanitarian Law*, rule 8.

79 ICRC, *Customary International Humanitarian Law*, rule 9.

80 ICRC, *Customary International Humanitarian Law*, rule 12.

81 ICRC, *Customary International Humanitarian Law*, rule 12.

A disproportionate attack is one where the expected “incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, would be excessive in relation to the concrete and direct military advantage anticipated.”⁸²

In the conduct of military operations, parties to a conflict are required at all times to take all feasible precautions to avoid, and in any event to minimize, civilian casualties and damage to civilian objects to the greatest extent possible.⁸³ Everything feasible must be done to verify that targets are military objectives, to assess the proportionality of attacks, and to halt attacks if it becomes apparent that they are wrongly directed or disproportionate.⁸⁴ In case of doubt as to whether a person is a civilian, that person shall be considered a civilian. Where circumstances permit, parties must give effective advance warning of attacks which may affect the civilian population.⁸⁵

International humanitarian law does not prohibit fighting in urban areas, although the presence of civilians places greater obligations on warring parties to take steps to minimize harm to civilians. Parties to the conflict have the obligation of taking all feasible precautions to protect the civilian population and civilian objects under their control against the effects of attacks by the adversary.⁸⁶ Thus, they should avoid locating military objectives within or near densely populated areas,⁸⁷ and remove civilian persons and objects under their control from the vicinity of military objectives.⁸⁸

Parties must choose appropriate means and methods of attack when military targets are located within residential areas. This requirement rules out the use of certain types of weapons and tactics. The use of weapons that cannot be directed at a specific military objective, or whose effects cannot be limited as required by international humanitarian law, is prohibited. As noted by the ICRC Study on Customary International Humanitarian Law, “The prohibition of such weapons is also supported by the general prohibition of indiscriminate attacks.”⁸⁹

An argument raised as a justification for such attacks in Syria is that the opposition fighters and “terrorists” were hiding among civilians, while the civilian population was actually supporting them. Based on our interviews and the review of documentation, there was a clear pattern

82 ICRC, *Customary International Humanitarian Law*, rule 14.
83 ICRC, *Customary International Humanitarian Law*, rule 15.
84 ICRC, *Customary International Humanitarian Law*, rules 16-19.
85 ICRC, *Customary International Humanitarian Law*, rule 20.
86 ICRC, *Customary International Humanitarian Law*, rule 22.
87 ICRC, *Customary International Humanitarian Law*, rule 23.
88 ICRC, *Customary International Humanitarian Law*, rule 24.
89 ICRC, *Customary International Humanitarian Law*, rule 71.

of indiscriminate and targeted attacks that did not correspond to the presence of military targets. Many of our witnesses insisted that in most cases residential areas, located far away from any military objects, were targeted. Moreover, “failure by one side to separate its fighters from civilians and civilian objects does not relieve its opponent of its obligation under IHL to direct attacks only at combatants and military objectives and to take all necessary precautions in attack to spare civilians and civilian objects... In case of doubt, individuals and objects should be presumed to be civilian.”⁹⁰

“The frequency of government air strikes in Syria that have struck only civilians and civilian objects with high-explosive munitions in populated areas indicates that those ordering the air strikes have been acting deliberately or recklessly.”⁹¹ Deliberate attacks on civilians are war crimes.⁹² Indiscriminate and disproportionate attacks are also war crimes.⁹³ When committed as part of a widespread or systematic attack against a civilian population, such offenses may constitute crimes against humanity.⁹⁴ Under international law, Syria has an obligation to investigate alleged war crimes by its nationals, including members of its armed forces, and prosecute those responsible.

Other relevant law of war issues, including attacks on hospitals and the use of cluster munitions and incendiary weapons, are discussed in the relevant sections below.

90 “Syria: Indiscriminate attacks kill, terrorize and displace civilians,” Amnesty International briefing, September 19, 2012, <https://www.amnesty.org/download/Documents/24000/mde240782012en.pdf> (accessed November 17, 2020).

91 Human Rights Watch, “Death from the Skies, Deliberate and Indiscriminate Air Strikes on Civilians,” April 10, 2013, <https://www.hrw.org/report/2013/04/10/death-skies/deliberate-and-indiscriminate-air-strikes-civilians> (accessed November 17, 2020).

92 ICRC, *Customary International Humanitarian Law*, rule 156.

93 ICRC, *Customary International Humanitarian Law*, rule 156, p. 591,593,595-601. See also Rome Statute of the International Criminal Court, Articles 8(2)(b)(i) and (ii) and 8(2)(e)(i)(ii)(iv) and (xii). See also discussion in ICRC, *Customary International Humanitarian Law*, p. 27.

94 Rome Statute of the International Criminal Court, U.N. Doc. A/CONF.183/9, July 17, 1998, entered into force July 1, 2002, arts. 34(b), 35(1), 36(1), 36(6)(a), 36(9)(a) (“Rome Statute”), art. 7.

Violations in Military Operations



(Left) Syrian civilians carry their belongings walk next to damaged buildings as they return to inspect their homes in Jouret Al Chyah area, in Homs, May 2014. (Right) A view of damaged parts of Al-Hatab Square in the old quarter of Aleppo, northern Syria, February 2017.

(Left) Photo by STR / RPA (Right) EPA/YOUSSEF BADAWI

As described above, Syrian security forces responded to initially peaceful demonstrations calling for democratic changes first with arbitrary brutal arrests and torture and then with shelling. The shelling began before the armed opposition group of the Free Syrian Army was formed.

A doctor from al-Qusayr told us in his interview:

“The first arrests [in al-Qusayr] began in June 2011. From the first days, people were being killed and security raids were being conducted across the city. Then the army surrounded the city and disrupted communications. Tanks began firing at the city. One day an ambulance came to my home at 6 in the morning and the driver told me that people had been wounded and drove me to the hospital. The curfew was in effect at the time, and we risked being arrested or shot at. There were no doctors at the hospital—they could not get there because of the curfew. My first wounded [patient] was a little child with a penetrating abdominal wound [caused by shrapnel] from tank shell... I am not a surgeon, but there was no surgeon... The anaesthesiologist, nurse, and I had to do the surgery ourselves.”

As the conflict evolved, the FSA was established and armed opposition groups expanded, as did their combat capacities. By early 2012, armed opposition groups had taken control of multiple areas in Syria, while government forces deployed ground artillery.⁹⁵ Ground artillery strikes, including mortar shelling, are “inherently difficult to use in populated areas

95 “Friends of Syria’: Push to End Indiscriminate Shelling,” Human Rights Watch news release, February 24, 2012, <https://www.hrw.org/news/2012/02/24/friends-syria-push-end-indiscriminate-shelling> (accessed November 20, 2020); “Syria: New Satellite Images Show Homs Shelling,” Human Rights Watch news release, March 2, 2012, <https://www.hrw.org/news/2012/03/02/syria-new-satellite-images-show-homs-shelling> (accessed November 20, 2020).

without a substantial risk of indiscriminate attack,”⁹⁶ as they often fail to distinguish between civilians and combatants.

Our interviewees told us about the Syrian government’s use of both indiscriminate and targeted strikes on civilians and civilian infrastructure away from any military objects, including on water towers, power stations, schools, hospitals, and mosques (see “Bombardments and Shelling of Hospitals” section for further details).

A female refugee from a village in Golan Heights said:

“In October 2012, I heard explosions. When I heard the first explosion, I thought a cow might have stepped on a landmine. Another explosion followed, and I thought something was wrong. We hurried to an underground shelter, and we spent 15 days there. They used mortars for shelling. Planes did not bombard, only mortars and tanks [did].”

A refugee from Darayya suburb in Damascus told us in his interview about the targeting of civilian and medical facilities:

“From March until the end of 2013, the city was bombed by airplanes and shelled, and in late 2013 they began dropping barrels with explosives from helicopters. They repeatedly targeted the hospital that was moved around a lot. We also noticed that they bombed crowded areas. People hoped it would end soon. They were hiding in the basements and waiting. We moved the centre where civil society activists and journalists worked five times. It was also targeted with strikes.”

The UN documented attacks on schools. In his 2014 report, then UN Secretary-General Ban Ki-moon said: “All parties had used schools as military barracks, operational bases, snipers postings or detention facilities, including while children were attending classes, putting them at extreme risk of being attacked. In Aleppo, a primary school allegedly partially used by an FSA group as a base was targeted by Government forces in May 2012, injuring 15 children aged 6 to 12 years.”⁹⁷

The UN also documented strikes on IDP camps: “Government airstrikes repeatedly targeted internally displaced persons (IDP) camps near the Turkish border; for example, on 25 June 2013, Bab al-Salam camp. At the time of writing this report, intermittent hostilities, including mortar shelling

96 “Explosive Weapons Devastating for Civilians,” Human Rights Watch news release, February 6, 2020, <https://www.hrw.org/news/2020/02/06/explosive-weapons-devastating-civilians> (accessed November 20, 2020).

97 UN Security Council, “Report of the Secretary-General on children and armed conflict in the Syrian Arab Republic,” S/2014/31, January 27, 2014, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N13/627/07/PDF/N1362707.pdf?OpenElement> (accessed November 20, 2020).

and airstrikes, continued in and around the Palestinian camps of Yarmouk, Husseiniyah, Sbeineh, Barzeh, Jobar, Qaboun, Khan Eshieh and Dar'a."⁹⁸

A man from the Yarmouk refugee camp in Damascus suburb described the bombing of a mosque in his interview:

"I left Syria in late 2012, soon after the bombings started and the jet had bombed the mosque in Yarmouk [Camp]. The wounded [in the attack] were taken to my parents. Many people were killed or injured. I was just 150 metres away from where the strike hit [the mosque]. A school that hosted refugees was also bombed."⁹⁹

Aerial and artillery strikes on cities became widespread and have been documented across Syria, including in Aleppo, Daraa, Damascus, Hama, and Idlib cities and governorates.

The doctor from al-Qusayr told our team:

"When the frequency of shelling increased, many children and women got wounded. By mid-2012, airstrikes began and al-Qusayr came under siege. [...] The injuries were getting more serious because of [aerial attacks] and the destruction of buildings. Many amputations [had to be performed]. There were many people we could not help... In one case, a tank round killed five children who were playing in the street. Such things happened every day."

Many witnesses said that residential neighbourhoods were bombed intentionally to punish the inhabitants and force them to evacuate the area.

A man from the town of Q. (Homs governorate) told us:

"The positions of the Free Syrian Army were beyond residential boundaries. They were not located among civilians. They were outside and in the mountains. But government forces kept bombing our town and destroying civilian homes. A helicopter dropped barrels with explosives on my house, and it was completely destroyed. They targeted civilian objects. [Government forces] later said that they were bombing because we defended the Free Syrian Army and had let them in."

98 Ibid., para. 25.

99 "Syrian fighter jets bomb Palestinian camp in Damascus-activists," Reuters, December 16, 2012, <https://www.reuters.com/article/syria-crisis-camp-idUSL5E8NG4DX20121216> (accessed November 26, 2020).

Another man from the Yarmouk refugee camp told us:

“On 16 December, 2012, a MiG [aircraft] hit the Abdul Qadir [al-Husseini] mosque [in Yarmouk Camp]. The window in my flat was shattered. Within 10 minutes, I saw that many people had [already] been killed or injured. It was a massive bombardment. They had never done anything like that before. It happened in the eastern part of Yarmouk where opposition-controlled hospitals were located. The mosque was bombed as it was believed to host a hospital and cells [belonging to the armed opposition].”

Amnesty International noted that armed opposition groups also launched attacks from residential areas which heightened the risk of retaliatory strikes, saying that “opposition fighters, while mostly fighting with short-range light weapons, have at times also used imprecise weapons (such as mortars) or even inherently indiscriminate weapons (such as home-made rockets) in populated residential areas, in contravention of the prohibition of indiscriminate attacks.”¹⁰⁰

Some of those attacks have repeatedly hit civilians targets: “On April 29 [2014], two mortar shells struck the Badr el-Din Hussaini educational complex in the al-Shaghour neighborhood of Damascus, an area under government control, reportedly killing 17 children, at least two parents who came to pick up their children from the school, and injured approximately 50 people. The mortars came from an area under the control of armed groups in the Yarmouk camp.”¹⁰¹

Since their inception as independent armed forces in Syria, Jabhat al-Nusra, and later the IS, repeatedly used indiscriminate means of warfare, such as car bombs, suicide bombers, and artillery shelling.¹⁰²

According to Amnesty International, “opposition armed groups carried out suicide and other bomb attacks, fired imprecise weapons such as artillery and mortars in densely populated neighbourhoods, used indiscriminate weapons such as anti-personnel landmines, and prepared or stored munitions and explosives in residential areas buildings, endangering civilians.”¹⁰³

100 “Syria: Indiscriminate attacks kill, terrorize and displace civilians,” Amnesty International briefing, September 19, 2012, <https://www.amnesty.org/download/Documents/24000/mde240782012en.pdf> (accessed November 17, 2020) p. 12.

101 Human Rights Watch, *World Report 2015* (New York: Human Rights Watch, 2015), Syria chapter, <https://www.hrw.org/world-report/2015/country-chapters/syria> (accessed November 26, 2020).

102 Human Rights Watch, ““He Didn’t Have to Die” Indiscriminate Attacks by Opposition Groups in Syria,” March 22, 2015, https://www.hrw.org/sites/default/files/reports/syria0315_ForUpload.pdf (accessed November 26, 2020).

103 Amnesty International, *Amnesty International 2013: The State of the World’s Human Rights*, Syria chapter, May 29, 2013, https://reliefweb.int/sites/reliefweb.int/files/resources/AmnestyInternational_AnnualReport2013_complete_en.pdf (accessed November 26, 2020).

The situation on the ground did not change despite the adoption of UN Security Council Resolution 2139 in February 2014, which, among other things, demanded that “all parties immediately cease all attacks against civilians, as well as the indiscriminate employment of weapons in populated areas [...] and methods of warfare which are of a nature to cause superfluous injury or unnecessary suffering.”¹⁰⁴

A refugee from Damascus’s Qaboun told us in her interview: *“It was quiet until March 2014, but then the shelling and bombing began. There was a wedding in June 2014, and it was hit with rockets. 15 people died, and another 50 were injured.”*

During this time Syrian government forces carried out indiscriminate and possibly direct attacks on civilians and civilian objects by artillery and airstrikes on densely populated areas. According to Amnesty International, the Syrian government forces’ actions may have led to over 200,000 civilian deaths between 2011 and 2014.¹⁰⁵

Since 2015, foreign states have become actively involved in the war (particularly the US-led coalition against the IS, and Russia), and their military campaigns caused even more destruction and suffering to the civilian population. Various parties to the conflict carried out unlawful attacks on residential areas, markets, mosques, etc.

As a result, in 2014–2019 most major Syrian cities and some villages were repeatedly bombed, with entire neighbourhoods and suburbs eventually turned to rubble. Fleeing bombardments, civilians were forced to move from one place to another frequently in search of new safe shelters and often dug underground shelters.

According to a female refugee from Eastern Ghouta, *“they were bombing all the time, so we moved from one place to another. We stayed overnight and slept underground, and my little daughter always cried when she heard the sounds made by planes or explosions.”*

A man from Raqqa told us that the US-led coalition against the IS *“bombed mostly military objects and terrorists. But their rockets and bombs were so powerful they also killed civilians.”*

Local residents also said that fighters, especially in the territories controlled by the IS, were much better protected from bombardments than the local population.

“When Americans or Russians bombed those places, only civilians died,

104 UN Security Council, Resolution 2139 (2014), UN doc. S/RES/2139, February 22, 2014, [https://undocs.org/S/RES/2139\(2014\)](https://undocs.org/S/RES/2139(2014)) (accessed November 26, 2020) para. 3.

105 Amnesty International, Amnesty International Report 2014/2015: The State of the World’s Human Rights, February 25, 2015, <https://www.amnesty.org/download/Documents/POL1000012015ENGLISH.PDF> (accessed November 20, 2020) p. 2.

while IS fighters hid... When bombardments started, they would just disappear into tunnels and reappear after it was over,” a man from Raqqa governorate told us.

A Raqqa resident also recalled his experience, saying that, *“where there was the IS, there was bombing, regardless of the civilian population. The IS used the civilian population as [human] shields.”* The tactics employed by the IS fighters only increased civilian casualties during bombardments.

The US-led military coalition against the IS was accused of indiscriminately bombing civilian infrastructure on numerous occasions and was particularly criticised for its actions in the battle for Raqqa between June and October 2017.¹⁰⁶

Since 2015, the international community has repeatedly accused Russia of violating the rules governing the conduct of hostilities, including launching unlawful attacks jointly with the Syrian government forces. Some of these violations were documented by the UN Independent International Commission of Inquiry on Syria in its biannual reports,¹⁰⁷ as well as by international human rights and humanitarian organisations.

The witnesses we interviewed said that the Syrian army’s tactics changed following Russian intervention.

A man from the Darayya suburb of Damascus told us:

“The Syrian government immediately changed its tactics: its tanks were acting under the cover of Russian aircrafts, and, while previously the government had refrained from complete destruction, this time the [aerial] bombing began, and it was efficient. Each day, the government re-established more and more control over Darayya. However, less and less civilians were left—they hid... I remember a family of nine who decided to go to Moudamia and were hit by a barrel bomb. The hostilities became even more violent and continued until August 2016 [when] the government gave civilians and those left from the armed opposition the option to leave Darayya.”

The subsequent chapters will show how the Syrian army and its allies used these tactics (heavy bombings, sieges, internal displacements, and forced displacement of remaining fighters and civilians to Idlib) to gradually regain control over de-escalation zones and how much harm

¹⁰⁶ See Raqqa section.

¹⁰⁷ UN Independent International Commission of Inquiry on the Syrian Arab Republic, <https://www.ohchr.org/EN/HRBodies/HRC/IIICISyria/Pages/Documentation.aspx> (accessed November 20, 2020).

it caused to the Syrian population. We will also closely look into the US-led coalition's unlawful bombardment and shelling during the battle for Raqqa in 2017.

Bombardments and Shelling of Hospitals



Medical equipment damaged after warplanes hit residential areas in Idlib, a de-escalation zone in northwestern Syria on January 30, 2020.

Photo by Izzeddin Idilbi/Anadolu Agency via Getty Images

Witnesses reported that bombardments of hospitals, medical centres, and ambulances were widespread, systematic, and often deliberate. Lack of advance warnings, repeated and multiple attacks on the same places, and absence of any military objects in the vicinity of destroyed civilian infrastructure attest to that fact. In some cases, the airstrikes were a sign that hostilities were about to escalate. Therefore, if a city was not besieged yet, many local residents tried to flee.

Most of the witnesses we interviewed reported witnessing attacks on hospitals. A woman from Ghouta recounted an attack on a hospital which started while she was giving birth to her daughter. She had to be evacuated home nearly immediately after the baby was born. Another witness from Idlib said his newborn son experienced bombings from his very first hours of life—the hospital where the witness's wife gave birth was also bombed.

According to Physicians for Human Rights, over 900 medical personnel were killed since the beginning of the armed conflict.¹⁰⁸ The map of attacks on healthcare in Syria shows that most of them were carried out

108 Physicians for Human Rights, "Physicians for Human Rights' Findings of Attacks on Health Care in Syria," February 2020, <https://syriamap.phr.org/#/en/findings> (accessed November 20, 2020).

in the governorates of Aleppo, Idlib, and Rif Dimashq.¹⁰⁹

Evidence gathered by international human rights institutions often suggested that hospitals were hit deliberately.

The UN Commission of Inquiry on Syria noted in its 2018 report: “Attacks on medical facilities are one of the longest running patterns of violations of the conflict in the Syrian Arab Republic. In besieged areas, hospitals often operate from damaged facilities that have been made the object of repeated attacks over years [...] and without the most basic equipment and medication. Hospitals, clinics, and medical points are regularly attacked for attending to the wounded, as part of a strategy to erode the viability of civilian life in opposition-held areas. Attempts to protect the facilities by changing their names or moving underground have often proved unsuccessful.”¹¹⁰

A man from Aleppo told us:

“There used to be five hospitals in eastern Aleppo. After several months of the war, four hospitals stopped working, while only one hospital remained open. It was in an old building... During the siege, in 2016, the hospital was transferred to another facility, almost underground. It had medical equipment and necessary supplies to help children and deliver babies like in any other normal hospital. The hospital was near my home. I was a fool to [keep] living in its vicinity, especially on the second floor—there was nothing above me but the sky. The hospital was frequently attacked. The government particularly targeted hospitals, so we had to move out in August 2016.”

According to Médecins du Monde, not a single operable hospital was left by the time the Syrian government forces retook full control of Aleppo in late 2016.¹¹¹

Human Rights Watch also said that, in 2019 alone, the Syrian-Russian military alliance “destroyed or rendered inoperable over 50 health facilities.”¹¹² As of February 2020, Physicians for Human Rights had documented 595 attacks on at least 350 health facilities since the start of the conflict, over 90 percent of which were carried out by the Syrian

¹⁰⁹ Ibid.

¹¹⁰ Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/37/72, February 1, 2018, <https://undocs.org/A/HRC/37/72> (accessed November 20, 2020) para. 24.

¹¹¹ Médecins du Monde, “Syria: No Hospital Left in Eastern Aleppo. Medical Evacuation Not Allowed,” <https://mdm-me.org/blog/press/no-hospital-left-in-eastern-aleppo-medical-evacuation-not-allowed/> (accessed November 20, 2020).

¹¹² Human Rights Watch, *World Report 2020* (New York: Human Rights Watch, 2020), Syria chapter, <https://www.hrw.org/world-report/2020/country-chapters/syria> (accessed November 20, 2020).

government and its allies, including non-state armed groups and the Russian armed forces.¹¹³ Moreover, they reported that some of those facilities had been attacked in the past and that coordinates of at least three of the impacted medical facilities had been shared with parties to the conflict through the UN deconfliction mechanism, indicating the possible deliberate nature of the attacks.¹¹⁴

The Russian military have been repeatedly alleged to have targeted hospitals and medical centres using coordinates provided by the UN deconfliction mechanism designed to ensure the safety of civilian objects during hostilities.¹¹⁵

For example, Amnesty International attributed the attack on al-Shami hospital in Ariha to Russian forces. According to the organisation, between 10.30 and 11 p.m. on January 29, 2020, a series of three airstrikes was launched. The airstrikes appeared to be targeting the hospital, but also hit residential buildings in its immediate vicinity. The hospital was on the UN deconfliction list. Amnesty International's analysis of local ground spotter reports showed that only Russian aircraft were observed in Ariha at the time.¹¹⁶

The hospital was severely damaged as a result of the attack, and two residential buildings near it were completely destroyed. At least one doctor and 10 civilians living in nearby residential buildings were killed. At least 35 other civilians were injured in the attack.¹¹⁷

Back in July 2019, Dr. Munzer al-Khalil, head of the Idlib Health Directorate, told our group in a Skype interview that the medical infrastructure in his governorate was almost fully destroyed, mostly as a result of bombardment, and medical equipment was obsolete or missing. Most doctors fled abroad to escape the war. According to Dr. al-Khalil, the condition of Idlib's medical facilities was critical. Since then, the situation has noticeably deteriorated.

In October 2019, the *New York Times* published an investigative report, including recordings of Russian pilots, which, according to the newspaper,

113 Physicians for Human Rights, "Destroying Hospitals to Win the War," May 21, 2019, <https://phr.org/our-work/resources/syria-destroying-hospitals-to-win-the-war/> (accessed November 26, 2020).

114 Ibid.

115 "Secretary-General Establishes Board to Investigate Events in North-West Syria since Signing of Russian Federation-Turkey Memorandum on Idlib," UN press release, August 1, 2019, <https://www.un.org/press/en/2019/sgsm19685.doc.htm>; "12 Hours. Four Syrian hospitals bombed. Evidence reveals one culprit: Russia," *New York Times*, October 13, 2019, <https://www.nytimes.com/2019/10/13/world/middleeast/russia-bombing-syrian-hospitals.html> (accessed November 26, 2020); "UN Chief Should Order Inquiry into Syria Hospital Attacks: Russia, Syria Accused of Using Shared Coordinates to Target Facilities," Human Rights Watch news release, July 31, 2019, <https://www.hrw.org/news/2019/07/31/un-chief-should-order-inquiry-syria-hospital-attacks> (accessed November 26, 2020).

116 Amnesty International, "Nowhere is safe for us': Unlawful attacks and mass displacement in north-west Syria," May 11, 2020, <https://www.amnesty.org/download/Documents/MDE2420892020ENGLISH.PDF> (accessed November 20, 2020).

117 Ibid., p. 14.

directly incriminated Russia in attacks on hospitals in Syria.¹¹⁸ The Russian Defence Ministry denied the newspaper's accusations, saying that Russian warplanes do not receive target coordinates on unsecured communication channels and claiming that the *New York Times*' evidence was worth less than the cost of the paper it was printed on.¹¹⁹

Earlier, in July 2019, ten UN Security Council members¹²⁰ filed a formal diplomatic petition demanding that UN Secretary-General Antonio Guterres open an investigation into the airstrikes on civilian objects such as hospitals. On August 1, 2019, the Secretary-General announced his decision to establish the United Nations Headquarters Board of Inquiry to investigate certain incidents that had occurred in northwestern Syria since September 17, 2017.¹²¹

The UN Security Council's 185-page internal report was not made public but distributed to 15 members. The report looked into seven attacks on civilian objects in Idlib, Hama, and Aleppo in 2019 and said that members of the Board of Inquiry's fact-finding mission had been denied access to the sites where they were to conduct their fieldwork. A summary published by the Secretary-General's office stated that the Syrian government, or its allies, had committed most of the attacks. It did not, however, directly name Russia as a perpetrator, earning fierce criticism from human rights organisations.¹²²

Human Rights Watch earlier urged the UN Secretary-General to task the investigators to directly name the perpetrators. They claimed that attacks on hospitals and civilian infrastructure continued, despite the fact that the UN had collected and shared the locations of these protected sites with the warring parties, in the hopes of shielding them from the crossfire. "Many now suspect the coordinates provided by the UN were actually being used unscrupulously by Russian-Syrian forces as a target list," the organisation noted.¹²³

118 "12 Hours. Four Syrian hospitals bombed. Evidence reveals one culprit: Russia," *New York Times*, October 13, 2019, <https://www.nytimes.com/2019/10/13/world/middleeast/russia-bombing-syrian-hospitals.html> (accessed November 20, 2020).

119 "The Ministry of Defense has denied the NYT's "evidence" of strikes by Russian Aerospace Forces of hospitals in Syria" ("Б Минобороны опровергли "доказательства" NYT ударов ВКС по больницам в САР"), *Ria Novosti*, October 14, 2019, <https://ria.ru/20191014/1559755897.html> (accessed November 20, 2020).

120 The UK, France, the USA, Germany, Belgium, Peru, Poland, Kuwait, the Dominican Republic, and Indonesia.

121 "Secretary General sent to the Security Council the report of the Commission of Inquiry regarding the attacks in northwest Syria" ("Генсек направил Совбезу доклад Комиссии по расследованию нападений на северо-западе Сирии"), UN press release, April 6, 2020, <https://news.un.org/ru/story/2020/04/1375652> (accessed November 20, 2020).

122 UN Secretary-General (UNSG), "Summary by the Secretary-General of the report of the United Nations Headquarters Board of Inquiry into certain incidents in northwest Syria," April 6, 2020, https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/NWS_BOL_Summary_06_April_2020.pdf (accessed November 20, 2020).

123 "UN Should Assign Blame to Those Attacking Syrian Hospitals," Human Rights Watch news release, August 16, 2020, <https://www.hrw.org/news/2019/08/16/un-should-assign-blame-those-attacking-syrian-hospitals> (accessed November 20, 2020).

The Russian authorities have repeatedly denied all allegations that they targeted hospitals or other civilian objects in Syria, including schools, bakeries, markets and other essential infrastructure.

USE OF INDISCRIMINATE WEAPONS AND WEAPONS PROHIBITED BY INTERNATIONAL CONVENTIONS

Apart from indiscriminate and unlawful attacks analysed in the previous section, parties to the Syrian conflict resorted to the use of inherently indiscriminate or even strictly prohibited weapons capable of causing extensive damage to the civilian population. The use of such weapons, including by foreign parties, was documented from the onset of the Syrian war. Investigations into these incidents have been hampered by inability to directly access attack sites and difficulties in interviewing the victims. The activities and mandates of official experts have also been severely restricted given the political circumstances. However, the evidence of such weapons deployment and its consequences collected throughout the years of the conflict by human rights defenders strongly suggests that the means of warfare in Syria included the use of incendiary weapons, inherently indiscriminate weapons, and strictly prohibited chemical weapons.

Our group was unable to investigate or independently verify any of these claims, but has collected multiple witness accounts describing what was called “a chemical attack,” or attacks by weapons that can be classified as inherently indiscriminate or prohibited.

The UN Security Council could have and should have played a key role in curbing such barbaric practices, and yet it failed to do so. Unfortunately, Russia not only failed to facilitate the UN intervention, but also systematically prevented the organisation from doing so.

Alleged Use of Barrel Bombs and Cluster Munitions

We documented the use of barrel bombs dropped from government helicopters on opposition-controlled areas since 2012.¹²⁴

Barrel bombs are “large, improvised explosive devices, which are delivered from helicopters and consist of oil barrels, fuel tanks or gas cylinders that have been packed with explosives, fuel and metal fragments to increase their lethal effect.”¹²⁵

A former Darayya resident said in his interview with us, “*Until early 2015, the government used helicopters to drop barrels with explosives because the Syrian government’s aircrafts were old and had to descend too low*

¹²⁴ “Syria: Despite Denials, More Cluster Bomb Attacks,” Human Rights Watch news release, October 23, 2012, <https://www.hrw.org/news/2012/10/23/syria-despite-denials-more-cluster-bomb-attacks> (accessed November 26, 2020).

¹²⁵ Amnesty International, “‘Death Everywhere’ - War Crimes and Human Rights Abuses in Aleppo, Syria,” May 5, 2015, <https://www.amnesty.org/download/Documents/MDE2413702015ENGLISH.PDF> (accessed November 20, 2020) p. 7.

to bomb... Since 2014, people had been building underground bunkers to shelter from barrel [bombs].”

A former resident of Aleppo also told us, *“In May 2014, they dropped a barrel bomb on my house. My sister, wife and son were hurt. Since 2012, they’d been frequently using barrel bombs. They were dropping [barrel bombs] on Aleppo all the time.”*

According to Human Rights Watch, “by using barrel bombs on densely populated areas, Syrian government forces [were] using means and methods of warfare that do not distinguish between civilians, who are accorded protection under the laws of war, and combatants, making attacks indiscriminate and therefore unlawful.”¹²⁶

International human rights organisations have also documented the use of cluster munitions since July 10, 2012. In one of its reports, Human Rights Watch stated that “the government’s use of unlawful means of attack has also included cluster munitions, weapons that have been banned by most nations because of their indiscriminate nature. Human Rights Watch has documented government use of more than 150 cluster bombs in 119 locations since October 2012.”¹²⁷ Over the following years, Human Rights Watch “identified at least 249 attacks in 10 of Syria’s 14 governorates where cluster munitions were used between July 2012 and July 2014.”¹²⁸

The Soviet Military Encyclopaedia defines a cluster bomb, or a one-use bombing cartridge (canister), as air-dropped or ground-launched bombing weapons.¹²⁹ They are light-cased bombs that contain clusters of submunitions, such as explosive bomblets, submunition-based mines (anti-personnel or anti-tank), incendiary submunitions, etc. One cluster bomb can release over 100 mines or bomblets. The UN Convention on Cluster Munitions that prohibits the use, production, transfer, and stockpiling of cluster bombs has been signed by over 100 states. However, the US, Russia, and Syria are not state parties to the convention.

126 “Syria: Barrage of Barrel Bombs,” Human Rights Watch news release, July 30, 2014, <https://www.hrw.org/news/2014/07/30/syria-barrage-barrel-bombs> (accessed November 26, 2020).

127 “Syria: Aerial Attacks Strike Civilians,” Human Rights Watch news release, April 10, 2013, <https://www.hrw.org/news/2013/04/10/syria-aerial-attacks-strike-civilians> (accessed November 26, 2020).

128 Human Rights Watch, *World Report 2015* (New York: Human Rights Watch, 2015), Syria chapter, <https://www.hrw.org/world-report/2015/country-chapters/syria> (accessed November 20, 2020).

129 *Soviet Military Encyclopaedia*, Soviet Military Publishing House, 1976, vol. 1, p. 543.

Our monitoring team has also collected witness testimonies about the use of cluster bombs by Syrian government forces during the hostilities. Recounting her experience with cluster bombs, a refugee from Eastern Ghouta said:

“Cluster [bombs] left many [sub-munitions] behind... that often remained unexploded. [A cluster bomb] was a source of many smaller bombs contained inside it. I do not know much about this. We would hear a big blast followed by smaller ones. But some of [the bomblets] did not explode, and that’s how we knew it was a cluster bomb.”

Russia is not a signatory to the 2008 Convention on Cluster Munitions.¹³⁰ Additionally, Human Rights Watch documented an increase in the use of cluster munitions from Russia’s entry into the Syrian conflict in 2015. According to the organization, recovered cluster munition shells from this time were manufactured in Russia or the former Soviet Union.¹³¹

Because joint Russia-Syria military operations continue to deploy inherently indiscriminate weapons, it remains difficult to identify individual responsibility.

International human rights organisations also documented the use of cluster munitions by the IS: “ISIS forces used cluster munitions on July 12 and August 14 [2014] during fighting between ISIS and Kurdish forces of the People’s Protection Units (YPG) around the Syrian town of ‘Ayn al-‘Arab, also known by its Kurdish name of Kobani, in Aleppo governorate near Syria’s northern border with Turkey.”¹³²

¹³⁰ Convention on Cluster Munitions, adopted May 30, 2008, <https://www.clusterconvention.org/> (accessed December 3, 2020).

¹³¹ “Russia/Syria: Extensive Recent Use of Cluster Munitions,” Human Rights Watch news release, December 20, 2020, <https://www.hrw.org/news/2015/12/20/russia/syria-extensive-recent-use-cluster-munitions> (accessed December 3, 2020).

¹³² Human Rights Watch, *World Report 2015*, (New York: Human Rights Watch 2015), Syria chapter, <https://www.hrw.org/world-report/2015/country-chapters/syria> (accessed November 26, 2020).

Use of Incendiary Weapons

Attacks on civilian areas using air-delivered incendiary weapons are prohibited under Protocol III of the Convention on Conventional Weapons (CCW); therefore, white phosphorus should never be used to set fire near civilians. The ICRC's Study on Customary International Humanitarian Law states: "If incendiary weapons are used, particular care must be taken to avoid, and in any event to minimize, incidental loss of civilian life, injury to civilians and damage to civilian objects."¹³³

Our monitoring team could not independently document the use of incendiary weapons. However, human rights organisations and news outlets, including the *New York Times*, reported that on June 8 and 9, 2017, the US-led coalition in Syria used white phosphorus munitions on the outskirts of the city of Raqqa.¹³⁴

Amnesty International said that the use of such munitions was unlawful and may have amounted to a war crime: "The use of white phosphorus munitions by the US-led coalition gravely endangers the lives of thousands of civilians trapped in and around al-Raqqa city, and may amount to a war crime under these circumstances."¹³⁵

According to research conducted by Amnesty International and the local monitoring group "Raqqa is Being Slaughtered Silently," at least 14 civilians were killed in one of the strikes where US-made 155mm M825A1s white phosphorus artillery projectiles were deployed.¹³⁶

The US-led coalition was also accused of using similar munitions in the Iraqi city of Mosul. While the coalition admitted to using them in Mosul, it denied the deployment of white phosphorus in Syria. In the Mosul case, they insisted it was used to create smoke and get civilians out safely.¹³⁷

Alleged Use of Chemical Weapons

By the time the conflict started in 2011, the Syrian government had accumulated stockpiles of chemical weapons, which it only admitted to possessing on July 23, 2012.¹³⁸ The Chemical Weapons Convention (CWC) prohibits the development, production, stockpiling, and use of

133 ICRC, *Customary International Humanitarian Law*, rule 84.

134 "Syria: Expert analysis shows US-led coalition use of white phosphorus may amount to war crime," Amnesty International press release, June 16, 2017, <https://www.amnesty.org/en/latest/news/2017/06/syria-expert-analysis-shows-usled-coalition-use-of-white-phosphorus-may-amount-to-war-crime/> (accessed November 26, 2020).

135 Ibid.

136 Ibid.

137 "U.S.-Led Coalition Has Used White Phosphorus In Fight For Mosul, General Says," NPR, June 13, 2017, <https://www.npr.org/sections/parallels/2017/06/13/532809626/u-s-led-coalition-has-used-white-phosphorous-in-fight-for-mosul-general-says> (accessed November 26, 2020).

138 Security Council Report, "August 2012 Monthly Forecast," August 1, 2012, https://www.securitycouncilreport.org/monthly-forecast/2012-08/unsrmis_syria.php (accessed November 26, 2020).

chemical weapons, and requires their destruction.¹³⁹ Syria became a party to the convention in October 2013.¹⁴⁰ The use of chemical weapons is also prohibited as a matter of customary international law.¹⁴¹

Depending on the methodology and criteria used, international organisations put the total number of chemical weapon attacks during the Syrian conflict from 2012 to 2018 between 40 and over 300.¹⁴² Therefore, the Syrian war became an unprecedented site for deployment of these strictly prohibited weapons.

Gathering evidence of chemical weapon use requires special technical expertise, equipment, and prompt access to the attack site, which made it impossible for us to perform this kind of work. However, we collected witness testimonies of former Eastern Ghouta residents who alleged that they survived chemical weapon attacks. In the sections below, we have also included the findings of international human rights organisations for Russian readers to get a fuller picture of the situation with the use of chemical weapons during the conflict.

Alleged Use of Sarin

The first allegations of chemical weapons' deployment in Homs were made against the Syrian government in December 2012.¹⁴³ Starting in spring 2013, the allegations increased; in late March 2013, after multiple accusations, "the Secretary-General decided to establish the United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic" (the UN fact-finding mission).¹⁴⁴ However, then UN Secretary-General Ban Ki-moon said on April 17, 2013 that it was the Syrian government's lack of consent that prevented the UN fact-finding mission from starting its work.¹⁴⁵

In late August 2013, new reports of chemical weapon use in the Damascus suburbs of eastern and western Ghouta emerged.¹⁴⁶ We interviewed several witnesses to the attack, who had lived in the town of Zamalka in Eastern Ghouta at the time.

139 Chemical Weapons Convention, adopted January 13, 1993, entered into force April 29, 1997, art. 1.

140 "Syria's Accession to the Chemical Weapons Convention Enters into Force," Organisation for the Prohibition of Chemical Weapons (OPCW) press release, October 14, 2013, <https://www.opcw.org/media-centre/news/2013/10/syrias-accession-chemical-weapons-convention-enters-force> (accessed November 26, 2020).

141 ICRC, *Customary International Humanitarian Law*, rule 74.

142 The EU Non-Proliferation and Disarmament Consortium, "Countering the Use of Chemical Weapons in Syria: Options for Supporting International Norms and Institutions," June 2019, https://www.sipri.org/sites/default/files/2019-06/eunpdc_no_63.pdf (accessed November 20, 2020).

143 "Here's What The 'Agent-15' Chemical Doctors Say Was Used In Syria Does To People," Business Insider, December 24, 2012, <https://www.businessinsider.com/agent-15-chemical-weapon-used-in-syria-2012-12#ixzz2G2zEBRtMn> (accessed November 26, 2020).

144 UN Secretary-General (UNSG), "United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic: final report," A/68/663 – S/2013/735, December 13, 2013, <https://unoda-web.s3.amazonaws.com/wp-content/uploads/2013/12/report.pdf> (accessed November 26, 2020).

145 UN Secretary-General (UNSG), "Ban Ki-moon's opening remarks at press conference," April 17, 2013, <https://www.un.org/sg/en/content/sg/speeches/2013-04-17/opening-remarks-press-conference> (accessed November 26, 2020).

146 Human Rights Watch, "Attacks on Ghouta: Analysis of Alleged Use of Chemical Weapons in Syria," September 10, 2013, https://www.hrw.org/sites/default/files/reports/syria_cw0913_web_1.pdf (accessed November 17, 2020).

One resident of Zamalka told us:

“Rockets carrying chlorine and sarin were fired on our town at around 5 a.m. A four-storey building was destroyed in this strike. It almost sank under the ground with all its inhabitants. As far as we knew, at least 65 people living in that house were victims of the attack. I went there with other activists. We saw people with red eyes who could not breathe. We poured water over them; we kept pouring and pouring, and after that they started breathing again.”

Another witness from Zamalka recalled:

“Many people were killed, mostly children. Even those who provided [medical] assistance got sick and died. My friend helped to evacuate the injured and spent a lot of time in the epicentre, so he got sick eventually and died of chlorine exposure. The victims could not breathe; their eyes were burning and [a substance like] water was running from their noses. It felt like your lungs were burning from the inside. You would keep trying to wash your face and mouth with water to facilitate breathing. We took canisters of water to the roof of our house, as high as possible, because chlorine settles on the ground. All we knew was that we had to pour water over ourselves. At the same time, airstrikes were going on. We ran upstairs to escape from chlorine only to be bombed from the air, and we went downstairs only to be gassed from beneath. That’s how it was for us. Many people suffered consequences later. My neighbour and her kids inhaled lots of chlorine, and they were coughing all the time afterwards.”

Although the witnesses spoke of chlorine, international organisations found evidence that sarin, a deadly nerve agent, was used. Later, the UN confirmed that on August 21, 2013 in the Ghouta area of Damascus, sarin had been used “on a relatively large scale”, including against civilians.¹⁴⁷

The chemical weapon attack in Eastern Ghouta has been the most serious incident involving the use of chemical weapons in Syria to date, and it caused international outcry that resulted in Syria’s chemical weapon disarmament (see also the section on “International response to the use

¹⁴⁷ UN General Assembly and Security Council “Report of the United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic on the alleged use of chemical weapons in the Ghouta area of Damascus on 21 August 2013,” A/67/997 – S/2013/553, September 16, 2013, http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2013_553.pdf (accessed November 26, 2020).

of chemical weapons in Syria” below).

Despite the obligations to destroy chemical weapons, on April 4, 2017, aerial bombs that allegedly contained sarin were dropped on the town of Khan Sheikhun in Idlib governorate.¹⁴⁸ According to the World Health Organization, the attack killed 84 people, including 27 children, and injured 545 others.¹⁴⁹

On October 4, 2017, the Organisation for the Prohibition of Chemical Weapons (OPCW) stated that samples collected from an attack site in northern Syria, which was hit on March 30, proved the existence of sarin.¹⁵⁰ According to Human Rights Watch, “a few days after the March 30 attack, on April 4, nearly 100 people died from chemical exposure in Khan Sheikhun.”¹⁵¹

The Syrian government categorically denied any involvement in the attack,¹⁵² while Russian officials offered an alternative explanation of what had happened, claiming that Syrian air forces had hit a chemical weapons production facility controlled by terrorists, and that the chemical agent had leaked as a result.¹⁵³ Human Rights Watch investigated the incident and provided photo and video evidence that the strikes had targeted civilian objects (the largest number of people were killed in the vicinity of a bombed bakery in the town centre), and that bomb fragments found in Khan Sheikhun suggested the use of Soviet-manufactured chemical munitions.¹⁵⁴

The OPCW commission that studied the sarin samples from Khan Sheikhun arrived at the same conclusion. It also found that these samples matched those that had been collected by international experts in 2014 from a declared chemical weapon arsenal that was set to be destroyed under the CWC.

148 “Key Finding on Use of Chemical Weapons in Syria,” Human Rights Watch news release, October 5, 2017,

<https://www.hrw.org/news/2017/10/05/key-finding-use-chemical-weapons-syria> (accessed November 26, 2020).

149 “WHO: 84 people became victims of a chemical attack near Idlib, 545 injured” (“ВОЗ: жертвами химатаки под Идлибом стали 84 человека, 545 ранены”), *Ria Novosti*, April 7, 2017,

<https://ria.ru/20170407/1491723186.html> (accessed November 26, 2020).

150 “Sarin used in Syria 5 days before Khan Sheikhun: OPCW,” *France 24*, October 4, 2017,

<https://www.france24.com/en/20171004-sarin-used-syria-5-days-before-khan-sheikhun-opcw-0> (accessed November 26, 2020).

151 “Key Finding on Use of Chemical Weapons in Syria,” Human Rights Watch news release, October 5, 2017.

152 “Walid Moallem reveals secrets on the Khan Shaykhun chemical attack” (شيوخون الكيماوي «هجوم» خان), *Al-Alam News Network*, April 6, 2017, <https://bit.ly/376riew> (accessed November 20, 2020).

153 Ministry of Defence of the Russian Federation’s Facebook page, <https://www.facebook.com/mod.mil.rus/posts/1903432043232876> (accessed November 26, 2020).

154 Human Rights Watch, “Death by Chemicals the Syrian Government’s Widespread and Systematic Use of Chemical Weapons,” May 1, 2017, https://www.hrw.org/sites/default/files/report_pdf/syria0517_web.pdf (accessed November 26, 2020).

Alleged Use of Chlorine

Although chlorine can be legitimately used in civilian applications and manufacturing, its use as a weapon is banned under the CWC,¹⁵⁵ and under customary international law.¹⁵⁶

The OPCW-UN Joint Investigative Mechanism (JIM) repeatedly reported the use of chlorine as a weapon in Syria. In its fourth report, on October 21, 2016, the JIM stated that it had found enough evidence to attribute the use of chlorine as a weapon in three attacks in 2014 and 2015 to the Syrian authorities.¹⁵⁷

Human Rights Watch highlighted in a report that, since 2014, the government's use of helicopters to drop munitions filled with chlorine became more systematic.¹⁵⁸ Between April 2014 and late 2016, Human Rights Watch documented 16 Syrian government attacks with chlorine contained in improvised air-dropped munitions.¹⁵⁹ The organisation also documented government helicopters dropping chlorine on several occasions between November 17 and December 13, 2016, during the battle for Aleppo. It also pointed out that the chemical attacks happened in coordination with ground operations.¹⁶⁰

In November 2018, Moscow and Damascus accused armed opposition groups of mortar shelling of northwestern neighbourhoods in Aleppo with a toxic agent which left 46 people injured, including women and children.¹⁶¹ The Syrian Observatory for Human Rights also reported that around 100 people in western parts of Aleppo were treated in hospitals for breathing difficulties.¹⁶² Armed opposition groups denied their responsibility for the strikes, stating that it was a staged provocation to undermine the ceasefire agreement in the de-escalation zone in Idlib. The US and the UK also accused Russia and the Syrian government of fabricating a story about the attack.¹⁶³

155 Human Rights Watch, "Death by Chemicals the Syrian Government's Widespread and Systematic Use of Chemical Weapons," May 1, 2017, <https://www.hrw.org/report/2017/05/01/death-chemicals/syrian-governments-widespread-and-systematic-use-chemical-weapons#2ba0c1> (accessed November 26, 2020).

156 ICRC, *Customary International Humanitarian Law*, rule 74.

157 UN Security Council, "Fourth report of the Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism," S/2016/888, October 21, 2016, www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2016_888.pdf (accessed November 26, 2020).

158 Human Rights Watch, "Death by Chemicals the Syrian Government's Widespread and Systematic Use of Chemical Weapons," May 1, 2017, 2017.

159 Ibid.

160 "Syria: Coordinated Chemical Attacks on Aleppo," Human Rights Watch news release, February 13, 2017, <https://www.hrw.org/news/2017/02/13/syria-coordinated-chemical-attacks-aleppo> (accessed November 20, 2020).

161 "Military defeat and then a chemical one" ("Поражение военное, потом – химическое"), *Rossiyskaya Gazeta*, November 25, 2018, <https://rg.ru/2018/11/25/vks-rf-nanesli-udar-po-organizatoram-himataki-v-aleppo.html> (accessed November 20, 2020).

162 "Syria war: Aleppo 'gas attack' sparks Russia strikes," *BBC*, November 25, 2018, <https://www.bbc.com/news/world-middle-east-46337143#:~:text=Russia%20has%20carried%20out%20air,100%20people%20late%20on%20Saturday> (accessed November 20, 2020).

163 "Syria war: US and UK say alleged rebel chemical attack 'fabricated'," *BBC*, December 7, 2018, <https://www.bbc.com/news/world-middle-east-46490497> (accessed November 20, 2020).

Alleged Use of Sulphur Mustard

On November 6, 2015, news reports claimed that, in a confidential report, the OPCW's FFM concluded "with the utmost confidence that at least two people were exposed to sulphur mustard" during the attack on Marea in north Syria on August 21, 2015.¹⁶⁴ In addition to injuring two persons, the sulphur mustard exposure may have also resulted in the death of a baby.

The report did not name the responsible party and only mentioned a non-state actor due to the limited mandate of the fact-finding mission. However, the IS and other armed opposition groups were known to be fighting in that area at the time.

Russian, French, Turkish, and American military officials and diplomats asserted that the IS used sulphur mustard during clashes in 2015–2016.¹⁶⁵ The Turkish military also stated that IS fighters used rockets filled with this toxic gas in November 2016 near the village of Khalilia, east of al-Rai.¹⁶⁶ The Syrian authorities blamed the IS for using sulphur mustard and chlorine.¹⁶⁷

In its confidential report of October 29, 2015, the OPCW raised the question of how IS fighters managed to get hold of sulphur mustard, which could suggest that the IS had either learned how to synthesise the gas or had seized an undeclared stockpile hidden by the Syrian government after the ratification of the CWC.¹⁶⁸ Unlike other incidents where the use of chemical weapons was blamed on the Syrian government, the alleged use of sulphur mustard by the IS saw Russian military specialists actively assist in collecting evidence and forwarding samples to OPCW-UN investigators.¹⁶⁹

- 164 "Exclusive: Chemical weapons used by fighters in Syria – sources," Reuters, November 6, 2015, <https://www.reuters.com/article/us-mideast-crisis-syria-chemicalweapons-idUSKCN0SU2PZ20151106> (accessed November 26, 2020).
- 165 "Macron claims that IS fighters used chemical weapons in Syria and Iraq" ("Макрон утверждает, что боевики ИГ использовали химоружие в Сирии и Ираке"), TASS, September 26, 2018, <https://tass.ru/mezhdunarodnaya-panorama/5607977> (accessed November 20, 2020); Organisation for the Prohibition of Chemical Weapons (OPCW), "Destruction and Beyond: New and Emerging Challenges for Chemical Disarmament," October 20, 2015, https://www.opcw.org/sites/default/files/documents/ODG/uzumcu/20151020_Berlin_CBRN_Symposium.pdf (accessed November 20, 2020); "IS fighters used chemical weapons against Kurds" ("Боевики ИГИЛ использовали химоружие против курдов"), *Izvestia*, February 15, 2016, <https://iz.ru/news/604277> (accessed November 20, 2020); "OPCW confirms usage of mustard gas in Syria" ("ОЗХО подтвердила применение иприта в Сирии"), *Argumenty i Fakty*, November 5, 2011, https://aif.ru/incidents/ozho_podtverdila_primenenie_iprita_v_sirii (accessed November 20, 2020); "Ministry of defence passed over to Syria the evidence of armed groups using chemical weapons" ("Минобороны передало Сирии свидетельства применения химоружия боевиками"), *Lenta*, November 26, 2016, <https://lenta.ru/news/2016/11/26/chemweapons/> (accessed November 20, 2020); "Rebels in Syria use chemical weapons – a report" ("Повстанцы в Сирии используют химическое оружие - отчет"), Reuters, November 5, 2015, <https://ru.reuters.com/article/topNews/idRUKCN0SV24C20151106> (accessed November 20, 2020).
- 166 "IS accused of chemical attack," *Business Day*, November 28, 2016, <https://www.businesslive.co.za/bd/world/middle-east/2016-11-28-is-accused-of-chemical-attack/> (accessed November 20, 2020).
- 167 "Gaz was used" ("В ход пошел газ"), *Rossiyskaya Gazeta*, April 5, 2016, <https://rg.ru/2016/04/05/boeviki-daish-ispolzovali-himoruzhie-pri-atake-na-aviabazu-v-sirii.html> (accessed November 20, 2020).
- 168 "Exclusive: Chemical weapons used by fighters in Syria – sources," Reuters, November 6, 2015, <https://www.reuters.com/article/us-mideast-crisis-syria-chemicalweapons-idUSKCN0SU2PZ20151106> (accessed November 20, 2020); "Experts are suspecting IS, Syrian rebels in using mustard gas" ("Эксперты подозревают ИГИЛ, сирийских повстанцев в применении горчичного газа"), Voice of America, November 6, 2015, <https://www.golos-ameriki.ru/a/experts-suspect-isis-rebels-in-syria-may-have-chemical-weapons/3041641.html> (accessed November 20, 2020).
- 169 "Ministry of defence passed over to Syria the evidence of armed groups using chemical weapons" ("Минобороны передало Сирии свидетельства применения химоружия боевиками"), *Lenta*, November 26, 2016, <https://lenta.ru/news/2016/11/26/chemweapons/> (accessed November 20, 2020).

International response to the use of chemical weapons in Syria

In August 2012, US President Barack Obama stated that he could change his position on military non-involvement in the Syrian conflict if the use of chemical or biological weapons was documented.¹⁷⁰

On 28 August, 2013, after the first allegations of chemical weapon use in Damascus suburbs, the UN Security Council held an emergency meeting and called for a thorough and prompt investigation.¹⁷¹

The UK proposed a resolution that called for military response to prevent any further use of chemical weapons. The UK, France, and the US declassified and published their intelligence reports that confirmed the use of chemical weapons in the Ghouta attack and blamed the Syrian government.¹⁷² France considered the Ghouta attack a violation of the Syrian government's commitments under the 1925 Geneva Protocol. The Syrian authorities denied that government forces used chemical weapons in Ghouta, and instead accused rebels.¹⁷³

Under international pressure, in August 2013, the Syrian authorities gave the UN Mission to Investigate Allegations of the Use of Chemical Weapons access to the country.¹⁷⁴ The Syrian government nonetheless stressed that the Mission's mandate was limited to establishing the fact of whether chemical weapons had been used and did not include identifying the perpetrators of the attack.¹⁷⁵

At that point, the Russian authorities actively intervened, offering an alternative to a military strike on Syria. Sergey Lavrov, Russia's Minister of Foreign Affairs, proposed a possible deal where the US would back down from a military strike on Syria and, in exchange, Syria would join

170 The White House, "Remarks by the President to the White House Press Corps on August 20, 2012," August 20, 2012, <https://obamawhitehouse.archives.gov/the-press-office/2012/08/20/remarks-president-white-house-press-corps> (accessed November 26, 2020); "President Obama and the 'red line' on Syria's chemical weapons," *The Washington Post*, September 6, 2013, <https://www.washingtonpost.com/news/fact-checker/wp/2013/09/06/president-obama-and-the-red-line-on-syrias-chemical-weapons/> (accessed November 26, 2020).

171 UN Secretary-General (UNSG), "United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic: final report," A/68/663 – S/2013/735, December 13, 2013, <https://unoda-web.s3.amazonaws.com/wp-content/uploads/2013/12/report.pdf> (accessed November 26, 2020) para. 35.

172 "More than 1,400 killed in Syrian chemical weapons attack, U.S. says," *The Washington Post*, August 30, 2013, https://www.washingtonpost.com/world/national-security/nearly-1500-killed-in-syrian-chemical-weapons-attack-us-says/2013/08/30/b2864662-1196-11e3-85b6-d27422650fd5_story.html (accessed November 26, 2020); The White House, "Government Assessment of the Syrian Government's Use of Chemical Weapons on August 21, 2013," August 30, 2013, <https://obamawhitehouse.archives.gov/the-press-office/2013/08/30/government-assessment-syrian-government-s-use-chemical-weapons-august-21> (accessed November 26, 2020); French Defence Ministry, "Syria/Syrian chemical programme – National executive summary of declassified intelligence," September 3, 2013, https://www.diplomatie.gouv.fr/IMG/pdf/Syrian_Chemical_Programme.pdf (accessed November 26, 2020).

173 "Syrian authorities rebut allegations of chemical weapons use in Damascus" ("Власти Сирии опровергли сообщения о применении химоружия в Дамаске"), *Ria Novosti*, August 21, 2013, <https://ria.ru/20130821/957634346.html> (accessed November 26, 2020).

174 UN General Assembly and Security Council, "Report of the United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic on the alleged use of chemical weapons in the Ghouta area of Damascus on 21 August 2013," A/67/997 – S/2013/553, September 16, 2013, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2013_553.pdf (accessed November 26, 2020).

175 "Those guilty of chemical weapons attacks in Syria must be held accountable – Ban," UN press release, December 13, 2013, <https://news.un.org/en/story/2013/12/457832-those-guilty-chemical-weapons-attacks-syria-must-be-held-accountable-ban> (accessed November 26, 2020).

the Convention on the Prohibition of Chemical Weapons (CWC) and immediately start fulfilling its obligations under it.¹⁷⁶ On September 13, 2013, Syrian President Bashar al-Assad signed the law on the accession to the treaty.¹⁷⁷ On September 14, US Secretary of State John Kerry and Russian Foreign Minister Sergey Lavrov reached an agreement on a detailed plan for accounting, monitoring, control, and destruction of Syria's chemical weapon stockpiles.

On September 16, then UN Secretary-General Ban Ki-moon issued the report on the UN investigation into the alleged use of chemical weapons in Syria. The UN fact-finding mission collected “convincing evidence” that sarin carried by surface-to-surface rockets was used in Ein Tarma, Moadamiyah, and Zamalka in the Ghouta area of Damascus.¹⁷⁸ The UN report concluded that on August 21, 2013, in the Ghouta area of Damascus, sarin had been used, including against civilians, “on a relatively large scale”.¹⁷⁹ However, establishing the party responsible for the use of the deadly gas was outside the scope of the UN mission's mandate.

The entire 1,300 tonnes of Syria's declared chemical weapon stockpiles were reportedly destroyed over the course of 2014.¹⁸⁰ Yet chemical weapon attacks continued. This raised suspicions that the Syrian authorities had provided experts from the OPCW with an incomplete list of chemical weapon storage facilities. These suspicions were later confirmed when on May 8, 2015, OPCW specialists reported finding traces of sarin and VX at a military facility in Syria that had not been included on the Syrian government's official list.¹⁸¹ The samples were taken in December 2014 and January 2015, after the official completion

176 Ministry of Foreign Affairs of the Russian Federation, “Announcement by the Russian Foreign Minister Sergey Lavrov for the mass media regarding the situation with Syrian chemical weapons,” September 9, 2013, https://www.mid.ru/web/guest/foreign_policy/international_safety/conflicts/-/asset_publisher/xIEMTQ3OvzcA/content/id/97430?p_p_id=101_INSTANCE_xIEMTQ3OvzcA&_101_INSTANCE_xIEMTQ3OvzcA_languageId=en_GB (accessed November 26, 2020).

177 “Syria committed to surrender its chemical weapons” (“Сирия подписала отказ от химоружия”), *Interfax*, September 13, 2013, <https://www.interfax.ru/world/328682> (accessed November 26, 2020).

178 “Secretary-General's remarks to the Security Council on the report of the United Nations Missions to Investigate Allegations of the Use of Chemical Weapons on the incident that occurred on 21 August 2013 in the Ghouta area of Damascus,” UN Secretary-General (UNSG) press release, September 16, 2013, <https://www.un.org/sg/en/content/sg/statement/2013-09-16/secretary-generals-remarks-security-council-report-united-nations> (accessed November 26, 2020); UN Secretary-General (UNSG), “Report of the United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic on the alleged use of chemical weapons in the Ghouta area of Damascus on 21 August 2013,” A/67/997-S/2013/553, September 16, 2013, para 28.

179 General Assembly and Security Council, “Report of the United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic on the alleged use of chemical weapons in the Ghouta area of Damascus on 21 August 2013,” A/67/997 – S/2013/553, September 16, 2013, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2013_553.pdf (accessed November 26, 2020).

180 “Syria hands over remaining chemical weapons for destruction,” Reuters, June 23, 2014, <https://www.reuters.com/article/us-syria-crisis-chemical-weapons/syria-hands-over-remaining-chemical-weapons-for-destruction-idUSKBN0EY18T20140623> (accessed November 26, 2020); “OPCW Maritime Operation Completes Deliveries of Syrian Chemicals to Commercial Destruction Facilities,” Organisation for the Prohibition of Chemical Weapons (OPCW) press release, July 24, 2014, <https://www.opcw.org/media-centre/news/2014/07/opcw-maritime-operation-completes-deliveries-syrian-chemicals-commercial> (accessed November 26, 2020).

181 “Inspectors found traces of toxic gasses in Syria” (“Инспекторы обнаружили в Сирии следы отравляющих газов”), *Deutsche Welle*, May 9, 2015, <https://www.dw.com/ru/инспекторы-обнаружили-в-сирии-следы-отравляющих-газов/a-18440636> (accessed November 26, 2020).

of the programme for the destruction of Syria's chemical weapons. On June 23, 2014, the head of the OPCW, Ahmet Üzümcü, announced that the last of Syria's declared chemical weapons set to be destroyed had left the port of Latakia;¹⁸² all chemical weapon storage, production, and testing facilities were dismantled by June 24, while the chemical weapon precursors were destroyed by August 19.

On March 6, 2015, the UN Security Council adopted a resolution condemning the use of any toxic chemicals as weapons in the Syrian civil war and indicating that it would impose measures under Chapter VII of the United Nations Charter if chemical weapons were used again.¹⁸³ However, as shown above, the resolution did not stop further use of chemical weapons during the hostilities in Syria. This was followed on August 7, 2015 by resolution 2235, which established a Joint Investigative Mechanism (JIM) between the UN and the OPCW that would seek to identify and hold accountable those responsible for such acts.¹⁸⁴

In response to sarin use in Khan Sheikhun, on April 6, 2017, the US fired 59 Tomahawk cruise missiles at the al-Shayrat airbase, which had reportedly been used to launch the sarin-loaded aerial attack on Khan Sheikhun.¹⁸⁵ In response to chlorine use in Douma in April 2018, the US, France, and the UK conducted strikes on locations they deemed to be associated with chemical weapons. After the chemical attack in November 2018 in Aleppo, the Russian Aerospace Forces (VKS) conducted strikes on armed opposition groups that allegedly used chlorine.

So far none of the parties has admitted to using chemical weapons in the course of the conflict.

In November 2017 the JIM released its report attributing direct responsibility to the Syrian government for the April Khan Sheikhun chemical attack.¹⁸⁶ In response Russia exercised its ninth and tenth Syria vetoes to block the extension of the JIM mandate, ending the UN Security Council ability to identify responsible parties and claiming that the JIM was a “puppet-like

182 “Syria hands over remaining chemical weapons for destruction,” Reuters, June 23, 2014, <https://www.reuters.com/article/us-syria-crisis-chemicalweapons-idUSKBN0EY18T20140623#:~:text=THE%20HAGUE%20%28Reuters%29%20-%20Syria%20on%20Monday%20handed,weapons%20of%20mass%20destruction%2C%20the%20organisation%E2%80%99s%20chief%20said> (accessed November 26, 2020).

183 UN Security Council, Resolution 2209 (2015), S/RES/2209 (2015), March 6, 2015, https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2209.pdf (accessed November 26, 2020).

184 OPCW – UN Joint Investigative Mechanism, “Fact Sheet,” June 2017, <https://s3.amazonaws.com/unoda-web/wp-content/uploads/2017/07/JIM-Fact-Sheet-Jul2017.pdf> (accessed November 26, 2020).

185 US Central Command, “U.S. Strike Designed to Deter Assad Regime’s Use of Chemical Weapons,” April 7, 2017, <https://www.centcom.mil/MEDIA/NEWS-ARTICLES/News-Article-View/Article/1145885/us-strike-designed-to-deter-assad-regimes-use-of-chemical-weapons/> (accessed November 26, 2020).

186 “Both ISIL and Syrian Government responsible for use of chemical weapons, UN Security Council told,” UN press release, November 7, 2017, <https://news.un.org/en/story/2017/11/570192-both-isil-and-syrian-government-responsible-use-chemical-weapons-un-security> (accessed November 26, 2020).

structure to manipulate public opinion.”¹⁸⁷ (Russia’s first veto on a Syria resolution occurred in October 2011, blocking condemnation of grave

187 “Russia’s 12 UN vetoes on Syria,” *RTÉ News and Current Affairs*, April 11, 2018, <https://www.rte.ie/news/world/2018/0411/953637-russia-syria-un-veto/> (accessed November 26, 2020); “Russia, China veto Syria aid via Turkey for second time this week,” Reuters, July 10, 2020, <https://www.reuters.com/article/us-syria-security-un/russia-china-veto-syria-aid-via-turkey-for-second-time-this-week-idUSKBN24B2NW> (accessed November 26, 2020); “Russia casts 10th U.N. veto on Syria action, blocking inquiry renewal,” Reuters, November 16, 2017, <https://www.reuters.com/article/us-mideast-crisis-syria-chemicalweapons/russia-casts-10th-u-n-veto-on-syria-action-blocking-inquiry-renewal-idUSKBN1DG31I> (accessed November 26, 2020).

human rights violations, and as of the time of the report writing has now vetoed sixteen times on Syria).

As the UN Security Council was divided and effectively paralysed, the US, UK, and France instead used the June 2018 meeting of the Conference of the States Parties to the Chemical Weapons Convention to create a new OPCW Investigation and Identification Team (IIT) with responsibility for identifying the perpetrators of the use of chemical weapons in Syria, effectively replacing the JIM.¹⁸⁸ As Russia was unable to veto in this forum, the decision was adopted by 82 States Parties in favour and 24 against.¹⁸⁹

On April 8, 2020, the OPCW released the first report by the Investigation and Identification Team (IIT). The report concluded that “there are reasonable grounds to believe that the perpetrators of the use of sarin as a chemical weapon in Ltamenah on 24 and 30 March 2017, and the use of chlorine as a chemical weapon on 25 March 2017 were individuals belonging to the Syrian Arab Air Force.”¹⁹⁰ The report also noted that there were indications that the use of chemical weapons was part of a strategy at the highest command level.¹⁹¹

In response, the Permanent Mission of the Russian Federation to the UN said in its statement that “there is no difference with the vicious principles of the OPCW Fact Finding Mission in Syria (FFM) and the former OPCW-UN Joint Investigative Mechanism (JIM).”¹⁹² The Russian government’s main critique was that the OPCW did not follow its own requirement of verifying facts on the ground: the evidence was collected remotely without respecting the key principle of fulfilling procedures to ensure preservation of physical evidence (so-called “chain of custody”), which, inter alia, requires the evidence to be collected on site and exclusively by OPCW specialists. This critique would have been valid if the Syrian government had cooperated with the OPCW and provided it full access to the incident sites and documents, which did not happen.

According to international humanitarian law, the use of chemical weapons is a war crime. While Russia continues to obstruct due investigation

188 Organisation for the Prohibition of Chemical Weapons (OPCW), “Investigation and Identification Team (IIT),” <https://www.opcw.org/iit> (accessed November 26, 2020).

189 “CWC Conference of the States Parties Adopts Decision Addressing the Threat from Chemical Weapons Use,” Organisation for the Prohibition of Chemical Weapons (OPCW) press release, June 27, 2018, <https://www.opcw.org/media-centre/news/2018/06/cwc-conference-states-parties-adopts-decision-addressing-threat-chemical> (accessed November 26, 2020).

190 “OPCW Releases First Report by Investigation and Identification Team,” Organisation for the Prohibition of Chemical Weapons (OPCW) press release, April 8, 2020, <https://www.opcw.org/media-centre/news/2020/04/opcw-releases-first-report-investigation-and-identification-team> (accessed November 26, 2020).

191 Organisation for the Prohibition of Chemical Weapons (OPCW), “First Report by the OPCW Investigation and Identification Team Pursuant to Paragraph 10 of Decision C-SS-4/Dec.3 “Addressing The Threat From Chemical Weapons Use” Ltamenah (Syrian Arab Republic) 24, 25, and 30 March 2017,” S/1867/2020, April 8, 2020, <https://www.opcw.org/sites/default/files/documents/2020/04/s-1867-2020%28e%29.pdf> (accessed November 26, 2020) p. 58.

192 Permanent mission of the Russian Federation to the United Nations, “On the first report of the OPCW Investigation and Identification Team on chemical incidents in Al Lataminah (SAR),” April 16, 2020, https://russiaun.ru/en/news/opcw_report (accessed November 26, 2020).

into credible allegations of use of chemical weapons by the Syrian authorities, those responsible for the tormented deaths of the deceased and horrendous suffering of the injured are yet to be brought to justice.

SIEGES AND STARVATION AS A METHOD OF WARFARE



Women and children with their luggage crowd a street in the eastern part of Aleppo, Syria, 15 December 2016. Photo by GHITH SY / EPA

Throughout the armed conflict in Syria, a common tactic of warfare has been to enforce unlawful sieges on densely populated areas—whether towns, districts, or neighbourhoods—depriving civilians of food, medicine, and other basic necessities. Many parties to the conflict used this strategy, including the IS, Hayat Tahrir al-Sham (HTS), Ahrar al-Sham (organizations designated as terrorist groups banned in Russia), and other armed opposition groups, but particularly the Syrian government and its allies.¹⁹³ According to Siege Watch, at least 1,450,000 Syrian civilians survived lengthy sieges between 2015–2018, while another million lived under partial sieges—which accounts for 10 percent of Syria’s population.¹⁹⁴ The main objective of these unlawful sieges was to compel inhabitants living in opposition-held areas to surrender and evacuate.

¹⁹³ Siege Watch, “Out of Sight, Out of Mind: The Aftermath of Syria’s Sieges,” March 6, 2019, <https://siegewatch.org/wp-content/uploads/2015/10/pax-siege-watch-final-report-spread.pdf> (accessed November 17, 2020) p. 31; Amnesty International, “Syria: ‘We Leave or We Die’: Forced displacement under Syria’s ‘reconciliation’ agreements,” November 13, 2017, <https://www.amnesty.org/download/Documents/MDE2473092017ENGLISH.pdf> (accessed November 17, 2020) p. 15.

¹⁹⁴ Siege Watch, “Out of Sight, Out of Mind: The Aftermath of Syria’s Sieges,” March 6, 2019, p. 8.

The UN Office for the Coordination of Humanitarian Affairs (OCHA) defines a besieged area as an “area surrounded by armed actors with the sustained effect that humanitarian assistance cannot regularly enter, and civilians, the sick and wounded cannot regularly exit.”¹⁹⁵

A woman who lived in one of the besieged towns told us in her interview:

“Women in particular were inspected at checkpoints—their bags, ordinary purses—for money. They even searched little children. Some people were afraid that all their money would be taken away, so they put it in their children’s pockets. That’s why they also inspected children. If they caught someone inside with medicine, they were taken into custody. People would stand at checkpoints and try to eat everything as fast as they could before it was confiscated. They knew their families were starving inside, and they couldn’t even bring them a single biscuit or a single pill.”

The Syrian authorities’ first large-scale military operation took place in Daraa in April 2011. After a month of unsuccessful attempts to quell protests, Syrian government forces surrounded the city and besieged it for 11 days.¹⁹⁶ The first protracted sieges were implemented in mid-2012 when “pro-Government forces began laying sieges in a planned manner forcing population to either surrender or starve.”¹⁹⁷ After Darayya, pro-government forces laid siege to Eastern Ghouta starting April 2013,¹⁹⁸ al-Waer in October 2013,¹⁹⁹ Madaya and Zabadani in July 2015,²⁰⁰ and eastern Aleppo in 2016.²⁰¹ Armed opposition groups (primarily HTS and Ahrar al-Sham) unlawfully besieged Kefraya and Foua, two predominantly Shiite towns in Idlib governorate. The armed groups “[arbitrarily restricted] access to humanitarian and medical aid and [confiscated] medical supplies from aid convoys.”²⁰²

195 UN Independent International Commission of Inquiry on the Syrian Arab Republic, “Sieges As A Weapon Of War: Encircle, starve, surrender, evacuate,” May 29, 2018, https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/PolicyPaperSieges_29May2018.pdf (accessed November 17, 2020) p. 3.

196 Human Rights Watch, “‘We’ve Never Seen Such Horror’: Crimes against Humanity by Syrian Security Forces,” June 1, 2011, <https://www.hrw.org/sites/default/files/reports/syria0611webwcover.pdf> (accessed November 17, 2020) p. 5.

197 UN Independent International Commission of Inquiry on the Syrian Arab Republic, “Sieges As A Weapon Of War: Encircle, starve, surrender, evacuate,” May 29, 2018, p. 5.

198 Amnesty International, “‘Left to Die Under Siege’ War Crimes and Human Rights Abuses in Eastern Ghouta, Syria,” August 12, 2015, <https://www.amnesty.org/download/Documents/MDE2420792015ENGLISH.PDF> (accessed November 17, 2020) p. 12.

199 “Syria: Escalating Assault on Rebel-Held District,” Human Rights Watch news release, December 23, 2014, <https://www.hrw.org/news/2014/12/23/syria-escalating-assault-rebel-held-district> (accessed November 17, 2020).

200 Shawn Carrié, “Anatomy of a Siege: The Story of Madaya,” *Syria Deeply*, January 28, 2016, <https://www.newsdeeply.com/syria/articles/2016/01/28/anatomy-of-a-siege-the-story-of-madaya> (accessed November 17, 2020); Physicians for Human Rights & Syrian American Medical Society, “Madaya: Portrait of a Syrian Town Under Siege,” July 2016, <https://phr.org/wp-content/uploads/2018/09/madaya-portrait-of-a-syrian-town-under-siege.pdf> (accessed November 17, 2020).

201 Amnesty International, “Syria: ‘We Leave or We Die’: Forced displacement under Syria’s ‘reconciliation’ agreements,” November 13, 2017, <https://www.amnesty.org/download/Documents/MDE2473092017ENGLISH.pdf> (accessed November 17, 2020) p. 8; UN Independent International Commission of Inquiry on the Syrian Arab Republic, “Sieges as A Weapon of War: Encircle, starve, surrender, evacuate,” May 29, 2018, p. 5.

202 Amnesty International, “Syria: ‘We Leave or We Die’: Forced displacement under Syria’s ‘reconciliation’ agreements,” November 13, 2017, p. 7.

Usually, while the sieges were still being laid, residents were able to enter and exit besieged areas through limited access points, which allowed them to bring in restricted quantities of foods and medicine.²⁰³ But sieges were progressively tightened and key crossing points closed, depriving civilians of access to basic essentials, such as clean water, food, medicines, fuel, and electricity. The Syrian government repeatedly denied ever placing restrictions preventing people from leaving besieged towns, blaming its opponents for that instead. The siege survivors we interviewed claim that leaving was not an option. In certain cases, one could leave after paying large sums of money.

The imposition of sieges reportedly coincided with growing Iranian intervention in the conflict.²⁰⁴ After Russia's military intervention in 2015, besieged areas were subjected to increasingly destructive bombings. Russian authorities also defended the Syrian government's actions in the UN and other international arenas. Between 2013–2018, as sieges were being enforced as a method of warfare, Russia used its veto rights 12 times at the UN Security Council to deter any meaningful action toward the Syrian government.²⁰⁵

A married couple from Homs recalled their experience of the siege of al-Waer neighbourhood in Homs by the Syrian government and its allies.

The wife told us:

“Al-Waer was under a siege that lasted from 2013 to the end of 2016. At the start of the siege, people paid money to get out of there... To leave you had to pay at least 1,000 dollars, but it depended on the size of the family. But in general, they took as much as they could get. To get out, you could choose a suburb of Hama, Idlib, or a suburb north of Aleppo [as your destination].”

“Until 2017, the UN occasionally had access to the district. They brought people aid and monitored their situation. It was then that the neighbourhood was first bombed by Russian aircraft (at the end of 2016). At that time there were about 70,000 people in the district.”

“In the six months since the start of Russian bombing, there were more victims than there were over two years of Syrian bombing. The government started feeling bolder and said, ‘Either leave or we’ll destroy the city right now.’”

203 “Syria: Escalating Assault on Rebel-Held District,” Human Rights Watch news release, December 23, 2014.

204 Siege Watch, “Out of Sight, Out of Mind: The Aftermath of Syria’s Sieges,” March 6, 2019, p. 18.

205 Ibid., p. 22.

The husband added:

“There was a time when [my wife] weighed 33kg, and the doctor told me that she was dying. Then, through smugglers, I was able to get meat and vegetables. Within a month I had to sell the laptop, car, and camera along with its lenses. All those things had dropped 70% in price and were worth only a pittance. But people were still selling off their properties. There were cases where a person traded a car for baby food. We didn’t sell furniture—we burned it to keep warm. We ate cats, turtles. In spring, we ate grass. The city park was turned into a cemetery because many people died.”

To capture large besieged areas such as Darayya, eastern Aleppo, and Eastern Ghouta, Syrian government forces significantly tightened siege conditions and subjected residents to brutal military operations (including relentless bombing of civilians and civilian objects).²⁰⁶ These acts were qualified as “starve and surrender tactics” by the UN.²⁰⁷ As a result, Syrian government forces regained control over all besieged districts.

Siege Watch said that almost all of the besieged areas saw citizens forcibly displaced (about 200,000 people).²⁰⁸ According to Amnesty International, forced displacement was “not carried out for civilians’ security or imperative military necessity, meaning that it violated the prohibition on forced displacement” set forth by international humanitarian law.²⁰⁹ From the end of 2017 through 2018, agreements for surrender were negotiated and implemented under the sponsorship of Russian authorities, who assisted in the displacement of the population from besieged territories.²¹⁰

A witness of the siege of the Damascus suburb of Darayya told us in his interview:

“Food disappeared, they cut off the electricity and water, there was no heating... There were big warehouses that belonged to a canning factory in Darayya. People decided to share all these provisions equally and pay the owner for using them. Still, the money quickly ran out, but they kept records of who owes how much. The city was completely

206 Amnesty International, “Syria: ‘We Leave or We Die’: Forced displacement under Syria’s ‘reconciliation’ agreements,” November 13, 2017, p. 16.

207 UN Office for the Coordination of Humanitarian Affairs (OCHA), “Syria: Astana produced a promising step. This agreement simply has to succeed,” May 30, 2017, <https://www.unocha.org/story/syria-astana-produced-promising-step-agreement-simply-has-succeed-un-humanitarian-chief> (accessed November 17, 2020).

208 Siege Watch, “Out of Sight, Out of Mind: The Aftermath of Syria’s Sieges,” March 6, 2019, p. 19.

209 Amnesty International, “Syria: ‘We Leave or We Die’: Forced displacement under Syria’s ‘reconciliation’ agreements,” November 13, 2017, p. 78.

210 Siege Watch, “Out of Sight, Out of Mind: The Aftermath of Syria’s Sieges,” March 6, 2019, p.16.

besieged as of March 2013. Food stopped coming in. There were small pathways, but these couldn't feed the whole city.

“They decided that a field kitchen would prepare one meal a day from the canned food and distribute the food to the entire city, to make it last as long as possible. They took a large amount of flour from the government bakery and started making bread from it; they gave one loaf of bread a day to each resident. The local council itself controlled the distribution of bread. By that point the population of the city had drastically shrunk to 10,000. Later a neighbouring city was under siege. When the siege began, they collected all the medicine from the pharmacies, as well as the government hospital. There was one field hospital. It was moved several times because of attacks.

“No one died of hunger, but people were starving, and this was especially obvious among the children. There was a time when we ate grass. If someone died, it was due to the lack of medicine. I normally weigh 75kg, but at that time, I was 50kg. From March until the end of 2013, the city was bombed by airplanes and shelled, and in late 2013, they began dropping barrels with explosives from helicopters.

“They repeatedly targeted the hospital, which was repeatedly relocated. In late 2013, the food situation got really bad. Even the field kitchen could only make grass and water... From February through June 2014, we tried to reach a settlement with the government. The government had a demand: all Free Syrian Army fighters had to leave town. The fighters demanded: return the hostages, lift the siege, and allow food and medicine into the city. The government did not accept. The FSA did not accept. The siege lasted until February 2015.”

Sieges had their own dynamics. Survivors told us that soon after sieges were imposed, networks of local businessmen emerged who made deals with government officials and supplied besieged areas with necessities, but at astronomical prices. People learned to survive—to obtain fuel, dig tunnels, set up local councils, distribute scarce resources, and provide medical care.

A doctor who worked in Eastern Ghouta during the siege said in his interview:

“Ghouta had several medical centres. The Unified Medical Office was in almost every neighbourhood. At the beginning of the siege, we were still using medicine from a warehouse that belonged to a private Damascus company. Then, with help from smugglers, the Union arranged deliveries of essential supplies, including medicine, to Ghouta. It was they who handled distribution... After the first chemical strike, we realized we needed atropine. We found a smuggler who was ready to deliver atropine to the city. All this relief was paid for by Médecins Sans Frontières and American doctors.”

Siege survivors told us that famine and misery in the midst of relentless bombing contributed to the radicalisation of rebel factions and gave Islamists and terrorist organisations an opportunity to increase their influence and even take control of some besieged territories.

A young woman who supported the anti-government protests and then worked as a volunteer nurse in the besieged area of Yarmouk in Damascus told us:

“At first, we didn’t take [the Islamist factions] seriously. They were not a serious force and they didn’t take part in battles. We looked down on them, believing they were totally useless. But after the [first] chemical attack on Ghouta, everyone was 100 percent sure that Bashar [al-Assad] would leave, since Obama had threatened a strike if there were chemical attacks... So these Islamic factions united and started fighting with the Free Syrian Army. They decided that the regime would soon fall, and they needed to establish control over a large portion of territory.

“So, they came and ordered me to put on a headscarf... Then they arrested my friends, a doctor and a nurse. I wasn’t at work at that time... They just started grabbing and arresting people. Then—imagine—they started taking people and cutting their throats with knives, not just killing them, shooting them, but cutting their throats! People were in a panic. It’s impossible to describe the state they were in: children without shoes, hungry, just like ghosts. It was a total crisis. People wanted to eat... We went into abandoned homes looking for food. We had already started digging

through dumpsters; it was awful.

“Imagine, you’re walking down the street and people are fainting from hunger... I remember people standing in front of a store and just staring at pictures of food. They were standing there and just staring, dreaming... We all fancied food when we went to bed... We started eating dogs and cats. I ate a cat; her name was Sofia... I’ll never be able to forget this...

“The Islamists weren’t starving. I remember walking past [Jabhat] al-Nusra headquarters and seeing that they had a big garden—they’d planted everything there. They worked in the garden, growing vegetables for themselves. They had money and weapons... People from the Free Syrian Army sold them weapons to buy food, and al-Nusra traded food for their weapons. A lot of people were selling weapons back then...

“But then, the IS arrived and the guys from the Free Syrian Army moved to a neighbouring village; they just pushed them out of there. At first, the Islamists united and said that everyone who supported the Syrian revolution [or] the Free Syrian Army were infidels. Then the IS attacked the area that the Syrian opposition had moved to and killed dozens from the Free Syrian Army. There really was a river, a river of blood, you know, what happens in fairy tales when the kingdom of darkness comes? That is what it was like. Then, after they’d beaten the Shiites and Free Syrian Army, they started dividing things up among themselves. But ordinary people were dying of hunger. People were too weak because they were simply hungry. They couldn’t withstand all this... The Islamists would have never established themselves among us if it hadn’t been for the famine.”

UN humanitarian agencies were repeatedly denied access to besieged areas. In cases where humanitarian aid was allowed through, a portion of the cargo was always seized at checkpoints, including vital medicine and dry milk for babies.²¹¹

²¹¹ Siege Watch, “Out of Sight, Out of Mind: The Aftermath of Syria’s Sieges,” March 6, 2019, p. 30.

Sieges had a detrimental effect on the physical and mental health of



A tunnel previously used by rebel-fighters for smuggling goods and taking shelter as fighters began evacuating from the last rebel-held pocket of the former opposition stronghold, Jobar, Eastern Ghouta, April 2018. Photo by Louai Bechari /Getty

the civilians who experienced them. According to Physicians for Human Rights: “Deprivation of food, medical aid, and other vital necessities has resulted in widespread preventable deaths and needless suffering from untreated effects of malnutrition, chronic health conditions, infectious diseases, and traumatic injuries.”²¹² Siege Watch noted that the food shortage had an especially serious impact on pregnant women and infants. As a result, thousands of children suffer health and developmental problems. More than a million people experienced extreme and protracted periods of fear, despair, and stress. The large-scale psychological trauma has will have a long-lasting impact on the life of communities inside and beyond Syria.²¹³

Moreover, the long sieges forced tens of thousands of students to suspend their studies as schools could not function normally. As a result, children who lived under sieges suffer from serious gaps in their education.

A female activist from Eastern Ghouta told us:

“I was teaching regular school math so that schooling wouldn’t stop during that period. From 2011 through 2013, a lot of pupils left school. In 2013, when some organisations started opening schools, these children knew almost nothing. For example, children who were supposed to be in the fourth grade did not even know their letters. We had to start from scratch.”

Former UN Special Envoy for Syria Staffan de Mistura described the sieges in Syria as “medieval.”²¹⁴ International humanitarian organisations

212 Physicians for Human Rights, “Access Denied UN Aid Deliveries to Syria’s Besieged and Hard-to-Reach Areas,” March 14, 2017, <https://phr.org/wp-content/uploads/2018/09/phr-access-denied.pdf> (accessed November 17, 2020) p. 6.

213 Siege Watch, “Out of Sight, Out of Mind: The Aftermath of Syria’s Sieges,” March 6, 2019, <https://siegewatch.org/wp-content/uploads/2015/10/pax-siege-watch-final-report-spread.pdf> (accessed November 17, 2020) p. 38.

214 UN Secretary-General (UNSG), “Note to Correspondents: Joint Press Stakeout by UN Special Envoy for Syria, Staffan de Mistura, and UN Senior Advisor Jan Egeland,” December 7, 2017, <https://www.un.org/sg/en/content/sg/note-correspondents/2017-12-07/note-correspondents-joint-press-stakeout-un-special-envoy> (accessed November 17, 2020).

must pay attention to these problems and provide special aid to siege survivors.²¹⁵

²¹⁵ Siege Watch, "Out of Sight, Out of Mind: The Aftermath of Syria's Sieges," March 6, 2019, p. 39.

War Economy

Over the last nine years of armed conflict in Syria, the country developed a war economy, as made evident by the widespread extortion at checkpoints; warring parties' trading of corpses and hostages, forged documents, captives, and ransoms; as well as the complex monopolies that formed in certain sectors of the economy. These were complicated war profiteering schemes set up by businessmen with ties to al-Assad's government, armed opposition groups, or local criminal figures.

Experts described the war economy in Syria as having its roots in the pre-war period when the al-Assads—first Hafez and then his son Bashar—privatised and liberalised the economy, creating a system in which big businesses were either affiliated with the government or under its strict control.²¹⁶ The excessive degree of the state's monopolisation of the economy was one of the drivers of the revolution, as businesses without ties to the Syrian Government were unable to grow and faced progressively worsening economic conditions.

As one Syrian war economy expert told us in his interview:

“The most successful businesses were those belonging to government and military officials. Rami Makhlouf is a striking example: a cousin of al-Assad, the owner of a cellular network, a hotel chain, and other large businesses. Private companies handed over a large portion of their property rights to the state, and it authorised the monopolisation of entire economic sectors. In Syria, there were two major property owners: the state and the family. During the war, due to the cooperation between businesses and the state, state violations benefited businesses, and businesses began participating in human rights violations. In surveillance, for example. What's more is that the state was a shareholder in these businesses and earned income, which it spent on committing crimes. Initially businesses helped the government indirectly, but with the beginning of the conflict, they started funding the violence directly. Business became part of the system of human rights violations.”

Researchers believe that the sanctions imposed on representatives of the al-Assad government helped sustain the war economy.²¹⁷ The Syrian government had to rely more and more on mid-level businessmen under

216 Center for operational analysis and research, “Beyond Checkpoints: Local Economic Gaps and the Political Economy of Syria's Business Community,” March 15, 2019, <https://coar-global.org/2019/03/15/beyond-checkpoints-local-economic-gaps-and-the-political-economy-of-syrias-business-community/> (accessed November 17, 2020) p. 3.

217 Ibid.

its control but not under any sanctions. Economic sectors that faced sanctions were quickly replaced by a shadow economy.

War-profiteering businessmen did provide the population with the much-needed goods and services. One of the most striking examples from the war economy is Mohieddine al-Manfoush, a businessman who “established a monopoly on trade with besieged Eastern Ghouta through the al-Wafideen checkpoint,” made a fortune, and got the nickname “Bill Gates of Ghouta.”²¹⁸ Al-Manfoush reportedly gained control through his ties with the Syrian business elite (namely Mohammad Hamsho and Rami Makhlouf).²¹⁹

Businessmen close to al-Assad reportedly funded both state security and paramilitary entities.²²⁰ For example, militias founded by an engineer from Homs received support from government-affiliated businessmen, such as Abu Ali Khaddour and business magnate Rami Makhlouf.²²¹ Some of the pro-government militias’ income also came from the sale of looted property, including furniture. Syrian government forces looted civilian homes, “especially in areas where there were no Russian troops. In 2018, [large-scale looting was] widely documented in al-Yarmouk Camp, al-Qadam, al-Hajer al-Aswad and Daraa.”²²² Security forces also demanded ransom for detained individuals.²²³

Khaled al-Turkawi, who researched the Syrian war economy, writes that every party to the conflict profited from this economy. Spoils of war were a major source of income for Hayat Tahrir al-Sham (HTS, formerly known as Jabhat al-Nusra), which divided them equally between the fighters and their factions. These practices helped armed opposition groups finance the recruitment of combatants. Moreover, HTS profited from “swapping captives and bodies,” collected taxes from food dealers, and levied tolls on people and goods crossing their checkpoints.²²⁴ According to Agence France Presse, the armed group monopolised sugar sales in opposition-controlled areas.²²⁵

218 Syria Justice and Accountability Center, “Ghouta Siege: UN Must Respond to Government-Sanctioned Starvation and Civilian Harm,” November 8, 2017, <https://syriaaccountability.org/updates/2017/11/08/ghouta-siege-un-must-respond-to-government-sanctioned-starvation-and-civilian-harm/> (accessed November 17, 2020); Center for Operational Analysis and Research, “Beyond Checkpoints: Local Economic Gaps and the Political Economy of Syria’s Business Community,” March 15, 2019, <https://coar-global.org/download/8995/> (accessed December 14, 2020); Roger Asfar, “The Business of Smuggling Supplies in Besieged Eastern Ghouta,” *Syria Deeply*, April 25, 2017, <https://www.newsdeeply.com/syria/articles/2017/04/25/the-business-of-smuggling-supplies-in-besieged-eastern-ghouta> (accessed November 17, 2020); “Making a killing: Syrian foes profit from trade across front lines,” Agence France Presse, July 31, 2018, <https://www.france24.com/en/20180731-making-killing-syrian-foes-profit-trade-across-front-lines> (accessed November 17, 2020);

219 Center for Operational Analysis and Research, “Beyond Checkpoints: Local Economic Gaps and the Political Economy of Syria’s Business Community,” March 15, 2019, p. 3-6.

220 Jusoor for Studies, “War economy in Syria, funding and inter-trade relations between the conflict forces in Syria,” November 2018, <https://jusoor.co/details/War%20Economy%20in%20Syria/457/en> (accessed November 17, 2020).

221 Ibid.

222 Ibid.

223 See chapter “Arbitrary Detentions, Torture, and Enforced Disappearances in Detention Facilities”.

224 Jusoor for Studies, “War economy in Syria, funding and inter-trade relations between the conflict forces in Syria,” November 2018.

225 “Making a killing: Syrian foes profit from trade across front lines,” Agence France Presse, July 31, 2018, <https://www.france24.com/en/20180731-making-killing-syrian-foes-profit-trade-across-front-lines> (accessed November 17, 2020).

The Free Syrian Army received finance in the form of private donations from supporters within Syria and from the diaspora abroad. They also received foreign funding from both businessmen and governments (Jordan and Turkey). Some factions that fought the IS received technical and logistical support from the US. Armed opposition groups also earned income from spoils, ransom for hostages (especially Iranians), and small businesses established by the Free Syrian Army, such as vehicle imports, restaurants, and small workshops. They also reportedly dismantled some factories and sold the parts to individuals in Iraq, Turkey, and elsewhere in Syria.²²⁶

The IS is widely known to be a wealthy terrorist organisation. It primarily sold oil—reportedly earning up to US\$50 million a month—as well as gas. The IS also made money from the spoils of war, collecting taxes and selling antiquities from destroyed historical sites.²²⁷ The Kurdish Autonomous Administration also reportedly received outside support, collected taxes, and sold oil and gas.²²⁸

Throughout the war, there was ongoing trade activity between the conflicting parties. There was also bartering of goods and services, especially in besieged areas, where access to goods was limited. As the Syrian government has now regained most of the territory, transforming the war economy into a fair economy must be part of its post-conflict strategy.

226 Jusoor for Studies, "War economy in Syria, funding and inter-trade relations between the conflict forces in Syria," November 2018.

227 Hamza Hendawi and Qassim Abdul-Zahra, "ISIS is making up to \$50 million a month from oil sales," Associated Press, October 23, 2015, <https://www.businessinsider.com/isis-making-50-million-a-month-from-oil-sales-2015-10> (accessed November 17, 2020).

228 Jusoor for Studies, "War economy in Syria, funding and inter-trade relations between the conflict forces in Syria," November 2018.



EASTERN GHOUTA



Wreckages of structures of Arbin town in Eastern Ghouta, which has been under siege by the Government of Syria, March 27, 2018. Photo by Ammar Al Bushy/Anadolu Agency/Getty Images

Eastern Ghouta, a suburb of Damascus, was once a scenic, green, and prosperous agricultural area in the Ghouta countryside. Around 1.5 million people lived there before the civil war.²²⁹ By the time Syrian authorities regained control of Eastern Ghouta in early 2018, its population had decreased to about 393,000 people, half of whom were estimated to be children.²³⁰

In the early days of the revolution, mass protests swept the region. Government forces were soon driven out of Eastern Ghouta, as several Syrian armed opposition groups took control of the area in early 2013.²³¹ Later, Islamist groups—particularly Jaysh al-Islam, Ahrar al-Sham, and Hayat Tahrir al-Sham—also established a foothold there (these organizations are designated as terrorist groups banned in Russia). Throughout the siege, the al-Rahman Legion, an affiliate of the Free Syrian Army (FSA), remained the second largest force in Eastern Ghouta and controlled its central and western parts. Those groups regularly shelled the outskirts of Damascus, inflicting damage and suffering on the Syrian capital's civilian population.²³²

229 Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/37/72, February 1, 2018, https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A-HRC-37-72_EN.pdf (accessed November 17, 2020) p. 20.

230 UN Office for the Coordination of Humanitarian Affairs (OCHA), "Factsheet: East Ghouta," January 2018, https://reliefweb.int/sites/reliefweb.int/files/resources/East_Ghouta_Factsheet_Feb%20Final.pdf (accessed November 17, 2020); "Child malnutrition levels increase sharply in besieged Syrian town of East Ghouta," UN Children's Fund (UNICEF) press release, November 29, 2017, https://www.unicef.org/media/media_101732.html (accessed November 17, 2020).

231 Amnesty International, "'Left to die under siege': War crimes and human rights abuses in Eastern Ghouta, Syria," August 12, 2015, <https://www.amnesty.org/download/Documents/MDE2420792015ENGLISH.PDF> (accessed November 17, 2020) p. 12.

232 Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/37/72, February 1, 2018, https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A-HRC-37-72_EN.pdf (accessed November 17, 2020) p. 21.

Due to its proximity to Damascus, Eastern Ghouta was a place of intense fighting, with all sides using heavy weapons throughout the conflict. Despite the government forces' efforts, the rebels' position remained strong. In April 2013, government forces laid siege to Eastern Ghouta,²³³ preventing its civilian population from leaving the area and severely hindering their access to basic necessities, including food and medical supplies.²³⁴

During the five-year siege, thousands of people were killed and numerous human rights violations were committed, including indiscriminate bombardment, shelling of residential neighbourhoods, and attacks on civilian infrastructure (hospitals and schools). Our witnesses also attested to the use of prohibited weapons and starvation as a weapon of war, denial of medical assistance and humanitarian aid, and restrictions on the passage of patients in urgent need of medical care (including small children).²³⁵

Life Under the Siege

“While the revolution revealed the best in people, the war and the siege revealed the worst. We could not even imagine such things. It was as if we woke up one day to find ourselves in hell: the stores were empty and we were shelled, bombed, and poisoned with chemical weapons. I looked like a walking dead man when I left Ghouta,” —A.F., a surgeon who lived in Ghouta under siege



Aid convoys pass by destroyed buildings in Douma, Eastern Ghouta, Syria, November 12, 2017.

Photo by Mohammed Badra / EPA-EFE

²³³ The following cities, towns and villages were under siege: Douma, Mesraba, Arbin, Hamouria, Saqba, Modira, Eftreis, Jisrin, Beit Sawa, Harasta, Zamalka, Ein Tarma, Hazeh, and Kafr Batna.

²³⁴ Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/37/72, February 1, 2018, p. 20.

²³⁵ Ibid., p. 21 – 22.

The siege started suddenly, although rumours about it had circulated for some time. In her interview, a former Ghouta resident who currently lives in Turkey told us:

“I remember it happened before the Eid al-Adha holiday. I was on my way home from Damascus University where I was completing my fifth and final year. I remember a soldier at the block post at the entrance to Ghouta told me, ‘This is the last day you will be able to freely enter here.’ Indeed, the next day we were completely besieged, with no exit or entry allowed. I did not quite get what was going on at the time.”

In the early days of the siege, people were using medical supplies from warehouses that belonged to a private company in Damascus. After the supplies ran out, Eastern Ghouta started experiencing acute shortages in medicine, as well as in doctors, medical personnel, and safe locations for medical centres.²³⁶ The area was heavily shelled. People, especially children, had their health deteriorating. In the beginning of the siege, people were still using their stored food supplies. But further into the siege, the situation worsened and malnutrition took hold.²³⁷ Waste was not removed and piled up beside houses.

Another former Ghouta resident told us about her experience under the siege:

“People fetched water from wells and used firewood for cooking. We grew spinach and cooked spinach soup—water and leaves, and some spices, if we were lucky. We charged our phones with car batteries to keep in touch with the outside world. However, we were trying to live a full life, not just survive... I kept teaching, but poor children were too weak to study. We could do nothing about it.”

According to what Ghouta’s residents told us, in 2014, government forces blocked almost every road used to smuggle in food and medicine provided through various humanitarian aid organisations. Medical workers in the local councils created in each of the districts distributed medical supplies for free. Activists set up several mobile health clinics, but they were severely understaffed and experienced catastrophic drug shortages.

Women and children suffered from the lack of basic hygiene products. A woman who lived in Ghouta during the siege told us that *“women could*

²³⁶ Ibid., p. 25; Amnesty International, “‘Left to Die Under Siege’ War Crimes and Human Rights Abuses in Eastern Ghouta, Syria,” p. 56.

²³⁷ “Child malnutrition levels increase sharply in besieged Syrian town of East Ghouta,” UN Children’s Fund (UNICEF) press release, November 29, 2017, https://www.unicef.org/media/media_101732.html (accessed November 17, 2020); Amnesty International, “‘Left to Die Under Siege’ War Crimes and Human Rights Abuses in Eastern Ghouta, Syria,” p. 50, 63-67.

not even buy sanitary pads. Because of that they became sick: they used old pieces of cloth, which led to various illnesses. Children and women had many hygiene-related problems.”

She also told us about her pregnancy and delivery during the siege:

“I was at risk of a miscarriage after my father-in-law was killed in a bombing and our house was destroyed. I managed to get the drug that prevented the miscarriage... and found a doctor, but I needed bed rest. This was extremely difficult as we had no home anymore and there was a funeral to arrange. But I wanted to save the baby so badly! I was dreaming of how my newborn baby would bring a turn for the better for us, and in 2016, I brought my daughter into this world. The hospital was filthy and overcrowded. When I was in labour, bombs were falling nearby. Injured women and children were brought in. There was an injured woman with her child by my bed and this woman died later. When I was delivering my baby, the bombs started falling on the upper levels of the hospital... I had a very complicated childbirth and there were no qualified specialists to help me. The doctor who performed the caesarean section on me was in fact a medical student who had not yet graduated. My daughter was so tiny when she was born, only two kilos, and half an hour after my surgery, I had to leave the hospital due to the bombing. Wrapped up in bandages, I was taken home on a stretcher.”

About a year into the siege, people began digging underground tunnels connecting strategic locations, in Eastern Ghouta and the larger Ghouta area, with the outside world.²³⁸ Armed fighters hid and often lived in those tunnels, which were large enough for vehicles to get through²³⁹ and were used to smuggle in goods from government-controlled territories and smuggle out some produce for sale.²⁴⁰ Relations between the government and the opposition in Eastern Ghouta were maintained mostly through Mohieddine al-Manfoush, a local businessman who owned a beef and dairy factory that supplied Damascus. He brokered a deal with the government stipulating that he would continue shipping products to Damascus if they continued supplying him with fodder. Along with the fodder, small quantities of food were brought into Ghouta that cost 10–20

238 Amnesty International, “‘Left to Die Under Siege’ War Crimes and Human Rights Abuses in Eastern Ghouta, Syria,” p. 56.

239 “Rebels leave behind labyrinth of tunnels under Syria’s Ghouta,” Agence France Presse, April 2, 2018, <https://www.france24.com/en/20180402-rebels-leave-behind-labyrinth-tunnels-under-syrias-ghouta> (accessed November 17, 2020).

240 Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/37/72, February 1, 2018, p. 20.

times more than their market price.²⁴¹ Later, al-Manfoush organised food delivery through the tunnels.

Another former resident of Ghouta told us, *“everyone made money from the tunnels—the government, the opposition, Islamist groups. Each of them had their share. It was civilians who suffered and died.”*

In May 2017, government forces seized the areas of Qaboun and al-Barze in eastern Damascus and closed all smuggling tunnels to Eastern Ghouta, tightening the siege further.²⁴² By early 2018, food prices had skyrocketed, with a loaf of bread costing 22 times more than the country-wide average, and 12 percent of children under five experiencing malnutrition, according to the Office of the UN’s Regional Humanitarian Coordinator.²⁴³ A Ghouta resident explained that *“for example, in Damascus, a kilo of sugar cost 200 pounds, while in Ghouta it cost 3000 pounds. We had no bread, so we ate green cattle fodder. Humanitarian aid was brought in from time to time, but I never got hold of it.”*

The five-year siege of Eastern Ghouta resulted in the emergence of a huge shadow economy that allowed its beneficiaries to make enormous profits off the needs of starving people. As the electricity supply to Ghouta had been cut off, many people bought generators supplied by well-known Ghouta businessmen, from two business families in particular: Hasaba and Abd al-Daim. They managed to import the generators thanks to their connections with high-ranking Syrian government officials.²⁴⁴ The internet also stopped working after the Syrian authorities cut off Ghouta’s power supply in 2012. Soon after that, a group of local businessmen installed a set of internet “bridges” connected to satellite internet networks, providing internet access to the many residents of Ghouta and making a lot of money along the way.²⁴⁵

According to the Ghouta residents we interviewed, the relationships between civilians and armed groups ranged from friendly to hostile. At first, the Free Syrian Army were the government’s main opponents. There was also Jaysh al-Islam. Almost all their members were locals and did not put pressure on the residents. But as the rebels grew more radical,

241 Syria Justice and Accountability Center, “Ghouta Siege: UN Must Respond to Government-Sanctioned Starvation and Civilian Harm,” November 8, 2017, <https://syriaaccountability.org/updates/2017/11/08/ghouta-siege-un-must-respond-to-government-sanctioned-starvation-and-civilian-harm/> (accessed November 17, 2020).

242 Alaa Nassar et al., “Syrian government closes final loophole to tighten siege of east Damascus suburbs,” *Syria Direct*, April 20, 2017, <https://syriadirect.org/news/syrian-government-closes-final-loophole-to-tighten-siege-of-eastern-damascus-suburbs/> (accessed November 17, 2020).

243 UN Office for the Coordination of Humanitarian Affairs (OCHA), “Statement by Panos Mourtzis, Regional Humanitarian Coordinator for the Syria Crisis, on East Ghouta,” February 19, 2018, <https://reliefweb.int/sites/reliefweb.int/files/resources/RHC%20Statement%20on%20East%20Ghouta%2019%20February%202018.pdf> (accessed November 17, 2020); “Centre, 120 children need urgent medical evacuation from East Ghouta,” UN press release, January 17, 2018, <https://news.un.org/en/audio/2018/01/1000672> (accessed November 17, 2020).

244 Center for Operational Analysis and Research, “Beyond Checkpoints: Local Economic Gaps and the Political Economy of Syria’s Business Community,” March 15, 2019, p. 12.

245 *Ibid.*, p. 13.

the pressure on residents increased.

One local activist said that Islamist groups repeatedly tried to close her school for children and the courses for women that she continued to run even as the city was bombed. She spoke to us about her experience:

“First, there were the rebels. They did a lot of good things. Then radical groups emerged. In most cases, those who started the rebellion got radicalised. But some radicals came from outside. Their leaders were outside Ghouta. And they manipulated other groups. We hated the [radical] groups. They did many bad things; for example, they married girls as young as 14 or 15 years old. They handsomely paid the girls’ parents, who needed money, and the parents married off their daughters. These groups also paid young men to join them. They started imposing their rules on us, such as wearing black headscarves and not being allowed to be in the same room with a man. But we stood up to them. They tried to impose this on us, but there were civic groups that stopped them. We argued that I had a right to talk to people, to men, that I did not have to cover my face. But some women were too young, immature, just 18. Those girls did not quite understand what they were told. These groups manipulated our youth and made them do things they should not have done.”

Until 2016, armed groups in the area had coexisted. Between 2016-2017, infighting began, making the situation in Eastern Ghouta much worse for the civilian population, which had already been driven to the brink of humanitarian disaster.²⁴⁶ In October 2015, government forces had launched an offensive on the eastern suburbs of Damascus, which lasted—with varying success—for over a year. By the end of 2016, the hostilities in Eastern Ghouta were practically over, but government forces could not retake control of the suburb.

246 Walid Al Nofal et al., “Shameful’ rebel infighting in East Ghouta leaves residents ‘in a state of shock,” *Syria Direct*, April 28, 2016, <https://syriadirect.org/news/%e2%80%98shameful%e2%80%99-rebel-infighting-in-east-ghouta-leaves-residents-%e2%80%98in-a-state-of-shock%e2%80%99/> (accessed November 17, 2020); Noura Hourani et al., “East Ghouta’s rebel infighting spills over to embattled civilians: ‘The factions are sowing hatred,’” *Syria Direct*, May 16, 2017, <https://syriadirect.org/news/east-ghouta%E2%80%99s-rebel-infighting-spills-over-to-embattled-civilians-%E2%80%98the-factions-are-sowing-hatred%E2%80%99/> (accessed November 17, 2020).

Bombardment and Witness Accounts of Chemical Weapon Use



Injured children are treated at a field hospital in rebel-held Douma in Eastern Ghouta, February 2018. Photo by MOHAMMED BADRA / EPA

According to witnesses and human rights organizations, throughout the siege, Syrian air forces and their Russian allies continuously subjected Eastern Ghouta to intensive bombardment—especially civilian objects, such as homes, hospitals, schools, mosques, and markets.²⁴⁷

One woman told us about the destruction of her house:

“In late 2015, my father-in-law was drinking coffee with his friends on the [top] floor of our house when the bombing started. The ceiling collapsed over him, and my husband was never able to pull him out. Only pieces were recovered of the bodies of the other three men. Many people were injured.”

Human Rights Watch reported that, in 2017, between November 14 and 30 alone, the joint Russian-Syrian military operation had conducted more than 400 airstrikes that hit schools, homes, and markets, and possibly involved the use of cluster munitions.²⁴⁸ According to the testimonies of the witnesses we interviewed, the bombings—conducted first by Syrian air forces and later by Russian and Syrian air forces—were widespread. They targeted densely populated areas, including civilians and civilian infrastructure.

247 UN Independent International Commission of Inquiry on the Syrian Arab Republic, “The siege and recapture of eastern Ghouta,” A/HRC/38/CRP.3, June 20, 2018, https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session38/Documents/A_HRC_38_CRP_3_EN.docx (accessed November 17, 2020) para. 16.

248 “Syria/Russia: Airstrikes, Siege Killing Civilians,” Human Rights Watch news release, December 22, 2017.

Due to the continued bombing, people had to live in their basements or on the ground floors of houses trying to somehow shelter themselves from bombs.

The same woman recounted her experience:

“I spent two months in a basement with my baby... Lots of people were staying there. The basement was divided into sections and had only one toilet. Some basements did not have toilets at all, and people had to go to other houses or upstairs to relieve themselves and then come back... Some people went only twice a day, in the morning and in the evening. They managed to regulate their bodies’ needs. The occasional [cases of] diarrhoea caused a lot of trouble. The basement was stinky, filthy, and crawling with insects... We did not wash ourselves for those two months... Many people would just take a piece of old cloth, dip it in water, and wipe themselves. We did not have 5 or 10 litres of water to wash. We could not even bathe our children—just wipe them with a wet cloth, too. Many people did not change their clothes for a couple of weeks.”

A surgeon from Eastern Ghouta told us that living in basements and ground floors might have contributed greatly to the number of fatalities from sarin attacks, because sarin tends to settle on the ground. According to his testimony, the first chemical attack occurred in Zamalka and Moadamiyah on August 21, 2013 at 2 a.m.:

“First, people lost their vision, then experienced suffocation, frothed at the mouth, and became paralysed. I saw 30 children lying dead with other people still pouring water over them. For some reason, they reminded me of small fish. I will never forget that scene. I was used to injured people screaming, but that time it was all silence. Those near the epicentre died instantly. Even doctors did not know what to do—we had no similar experience. [The victims] should not have been buried so quickly. We realised that when, 48 hours later, two men who had already been pronounced dead regained consciousness.”

Other witnesses we interviewed, including hospital workers, corroborated the surgeon's accounts as to the number of victims, their symptoms, and the phenomenon of people *"coming back from the dead."* One witness said:

"They told us at the mosques that we should stay up high. We went to the roofs of our homes, but aerial bombardments continued... Our eyes were burning, our noses were running, and our respiratory tracts felt as if they were on fire. We poured water over ourselves and it was the only remedy we had."

Another woman told us that the residents of her neighbourhood set fire to car tires after someone at the mosque told them that they needed to find masks and burn tires as *"they absorb those chemicals."* She said:

"We stayed in a bathroom. I put masks on children's faces. We soaked pieces of cloth with vinegar and water, put them on their faces, and poured extra water over them. My cousin's husband and my children's cousin both died because of chemical weapons."

According to the witnesses, the victims were buried in the Arbin cemetery and several smaller cemeteries. *"Those gassed were buried in mass graves. More people died than could be buried in old cemeteries. Now the government has special task forces that search for those graves, apparently, to destroy them,"* a former resident of besieged Ghouta told us in his interview.

The authors of this report cannot independently corroborate or refute the alleged use of chemical weapons in Eastern Ghouta. We can only confirm that all residents of the area who we interviewed mentioned such attacks, as well as symptoms consistent with those described above, and referred to these incidents as "chemical attacks."

In September 2013, Human Rights Watch published the report "Attacks on Ghouta: Analysis of Alleged Use of Chemical Weapons in Syria." Researchers analysed witness accounts of rocket attacks, information on the likely source of the attacks, the physical remnants of the rockets used, and the medical symptoms exhibited by victims of the attack as documented by medical staff. They concluded that "the evidence [...] strongly suggests that the 21 August chemical weapon attacks on Eastern and Western Ghouta were carried out by government forces."

In the report, three local doctors tell Human Rights Watch that: "Victims of the attacks showed symptoms which are consistent with exposure to nerve gas, including suffocation; constricted, irregular, and infrequent breathing; involuntary muscle spasms; nausea; frothing at the mouth; fluid

coming out of noses and eyes; convulsing; dizziness; blurred vision; and red and irritated eyes, and pin-point pupils.”²⁴⁹ Several of the younger victims exhibited “cyanosis,” a bluish discolouration of their faces, which is consistent with cases of suffocation or asphyxiation. The clinical signs and symptoms of the victims were “not consistent with injuries due to explosive concussions, fragmentation, or incendiary devices.”²⁵⁰

Human Rights Watch concluded that these symptoms, combined with the lack of physical injuries, were consistent with exposure to a nerve agent such as sarin. Laboratory tests had already confirmed the use of sarin in Jobar near Damascus in April 2013, after a photographer for France’s *Le Monde* newspaper—who had happened to be there at the time—later tested positive for exposure to sarin.²⁵¹

According to Médecins Sans Frontières, approximately 3,600 patients were treated for “displaying neurotoxic symptoms in less than three hours on the morning of Wednesday, August 21, 2013. Of those patients, 355 reportedly died.”²⁵² This number is a low estimate: Human Rights Watch reported that many of the dead were never brought to the clinics and their deaths were not registered.²⁵³

From the beginning, the Syrian government denied responsibility for the use of chemical weapons in Ghouta, blaming opposition groups but presenting no evidence to back up its claims. Human rights organizations were not convinced by alternative claims that a large number of deaths had been caused by an accidental explosion from opposition forces’ mishandling of chemical weapons in their possession, arguing that people were killed in two locations 16 km apart.²⁵⁴ Moreover, this account is not consistent with evidence of rocket attacks on the sites in the early morning of August 21 from witness accounts, damage visible on the rockets themselves, and documentation of impact craters.²⁵⁵

249 Human Rights Watch, “Attacks on Ghouta: Analysis of Alleged Use of Chemical Weapons in Syria,” September 10, 2013, https://www.hrw.org/sites/default/files/reports/syria_cw0913_web_1.pdf (accessed November 17, 2020) p. 1.

250 *Ibid.*, p. 17.

251 Jean-Philippe Rémy, “Chemical warfare in Syria,” *Le Monde*, May 27, 2013, https://www.lemonde.fr/proche-orient/article/2013/05/27/chemical-war-in-syria_3417708_3218.html (accessed November 17, 2020).

252 “Thousands suffering neurotoxic symptoms treated in hospitals supported by MSF,” Médecins Sans Frontières (MSF) press release, August 24, 2019, <https://www.msf.org/syria-thousands-suffering-neurotoxic-symptoms-treated-hospitals-supported-msf> (accessed November 17, 2020).

253 Human Rights Watch, “Attacks on Ghouta: Analysis of Alleged Use of Chemical Weapons in Syria,” September 2, 2013, p. 13.

254 *Ibid.*, p. 1.; Elliot Higgins, “Attempts to Blame the Syrian Opposition for the August 21st Sarin Attacks Continue One Year On,” Bellingcat, August 20, 2014, <https://www.bellingcat.com/news/mena/2014/08/20/attempts-to-blame-the-syrian-opposition-for-the-august-21st-sarin-attacks-continue-one-year-on/> (accessed January 14, 2021).

255 *Ibid.*, p. 1.

“De-escalation zone” and Operation Damascus Steel



Children look out from their destroyed home as volunteers search for survivors after several air strikes destroyed civil buildings in Hamoria city, al-Ghouta, January 2018. Photo by MOHAMMED BADRA / EPA

Acting as ceasefire guarantors, Russia, Iran, and Turkey, agreed to designate Eastern Ghouta as a de-escalation zone on May 4, 2017.²⁵⁶ Despite this, the humanitarian situation in the besieged enclave hardly improved. Although Ghouta was in acute need of food and medical supplies, the authorities granted access to only one aid convoy between late November 2017 and February 2018.²⁵⁷

Many residents continued to spend their days and nights hiding in overcrowded basements where they could not even lie down. Children who sometimes survived on no more than a spoon of cooked rice a day were starving. UNICEF chief Henrietta Fore called Ghouta “hell on earth for children.”²⁵⁸

On November 16, 2017, the armed group Ahrar al-Sham carried out an attack against the Syrian Arab Army’s positions in Harasta which was repelled by government forces.²⁵⁹ The attack was followed by intense aerial bombings and hostilities in Harasta that continued into early 2018.

On February 4, 2018, extensive shelling and aerial bombings began

256 Ministry of Foreign Affairs of the Russian Federation, Memorandum on the creation of de-escalation areas in the Syrian Arab Republic, May 6, 2017, https://www.mid.ru/en/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/2746041 (accessed November 17, 2020).

257 UN Security Council, “Implementation of Security Council resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016) and 2393 (2017),” S/2018/243, March 20, 2018, <https://undocs.org/S/2018/243> (accessed November 17, 2020) para. 25.

258 “UNICEF chief calls Syria’s Ghouta ‘hell on earth’ for children,” Reuters, March 8, 2018, <https://www.reuters.com/article/us-mideast-crisis-syria-unicef/unicef-chief-calls-syrias-ghouta-hell-on-earth-for-children-idUSKCN1GK2NS> (accessed November 17, 2020).

259 Philip Issa, “Syria activists: 22 civilians die in fighting near Damascus,” Associated Press, November 16, 2017, <https://apnews.com/823204a8529f46348fc46d3266010f6d/Syria-activists:-22-civilians-die-in-fighting-near-Damascus> (accessed November 17, 2020).

across Eastern Ghouta. On February 18, government forces, supported by Russian Aerospace Forces (VKS), officially launched their operation in Eastern Ghouta, which was home to 400,000 civilians at the time, according to the UN.²⁶⁰ Russian Foreign Minister Sergei Lavrov stated that the reason behind the operation was Jabhat al-Nusra's continued armed provocations, after the armed group had intensified shelling in the residential parts of Damascus, including the blocks where the Russian Embassy and Russian Trade Mission were located.²⁶¹

According to the Syrian Observatory for Human Rights, 1,099 civilians were killed—including 227 children and 154 women—and 4,378 people were injured during the first three weeks.²⁶² The injured could not get medical assistance, as 22 medical facilities had been destroyed in the bombings.²⁶³ The monitors reported the use of barrel bombs (prohibited under international humanitarian law), mortars, and missiles in the strikes by the Syrian army and Russian Aerospace Forces.

Although the Syrian government claimed to be targeting terrorists,²⁶⁴ numerous civilians were killed. As one witness told us in her interview:

“In February 2018, government forces began the intense shelling and bombardment of Douma. The Russian air force also bombed on a massive scale. We stayed in our basements, but sometimes that did not help. They used barrel bombs and people died under the rubble. Surveillance planes patrolled even during five-hour ceasefires, which were broken all the time.”

On February 14, 2018, the first humanitarian aid convoy organised by the UN and the Syrian Arab Red Crescent, reached Eastern Ghouta, carrying enough food, medical supplies, and other essential goods for 7,200 people.²⁶⁵ In a statement to the press, the Deputy Spokesman of

260 “East Ghouta: Action needed now to save hundreds of thousands ‘living in hell on earth,’ stresses UN,” UN press release, February 21, 2018, <https://news.un.org/en/story/2018/02/1003161> (accessed November 17, 2020); “Stop the ‘monstrous annihilation’ of Eastern Ghouta Zeid,” Office of the United Nations High Commissioner for Human Rights (OHCHR) press release, February 21, 2018, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=22685&LangID=E> (accessed November 17, 2020).

261 Ministry of Foreign Affairs of the Russian Federation, “Foreign Minister Sergey Lavrov’s remarks and answers to media questions during a joint news conference following talks with Algerian Foreign Minister Abdelkader Messahel, Moscow,” February 19, 2018, https://www.mid.ru/en/press_service/minister_speeches/-/asset_publisher/70vQR5KJWvMR/content/id/3085195 (accessed November 17, 2020).

262 “Terrifying escalation in the death toll of the Eastern Ghouta raises it to about 1100 civilian casualties, more than half of them were killed since UNSC resolution,” Syrian Observatory for Human Rights press release, March 10, 2018, <http://www.syriahr.com/en/?p=86464> (accessed November 17, 2020).

263 “Third day of bombings traps civilians in rubble; aid agencies desperate,” Union of Medical Care and Relief Organization press release, February 21, 2018, https://www.uossm.org/third_day_of_bombings_traps_civilians_in_rubble_aid_agencies_desperate (accessed November 17, 2020).

264 “Russia, Syria armies step up attacks on Damascus enclave-rebels,” Reuters, November 15, 2017, <https://www.reuters.com/article/us-mideast-crisis-syria-ghouta/syrian-government-ground-forces-attack-ghouta-despite-russian-truce-plan-idUSKCN1GC0V> (accessed November 17, 2020).

265 UN Security Council, “Implementation of Security Council resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016) and 2393 (2017),” S/2018/243, March 20, 2018, <https://undocs.org/S/2018/243> (accessed November 17, 2020); “What is happening in Syrian Ghouta” (“Что происходит в сирийской Восточной Гуте”), TASS, April 12, 2018, <https://tass.ru/mezhdunarodnaya-panorama/4981031> (accessed November 17, 2020).

the UN Secretary-General, Farhan Haq, said that members of the technical team that accompanied the aid convoy reported a “serious shortage of food supplies” in Ghouta. Haq stated that “the UN team also saw expired anaesthetics, the use of which reportedly resulted in two deaths. Reports of cases of communicable diseases such as tuberculosis, typhoid fever and scabies were also received. Vaccines are running low, with the last campaign carried out in November 2017, and 600 children now are reportedly at risk.”

²⁶⁶ On March 5, 2018, when the second convoy was delivering its aid, some of the essential medical supplies sent by the World Health Organization were confiscated at a government checkpoint.²⁶⁷

On February 24, 2018, the UN Security Council unanimously adopted Resolution 2401, demanding that all parties to the Syrian conflict cease hostilities for 30 days to enable humanitarian aid delivery and medical evacuation of the critically sick and wounded.²⁶⁸ Despite the resolution, bombardments of the area continued.²⁶⁹

On February 27, 2018, Russian President Vladimir Putin ordered a daily ceasefire in Eastern Ghouta between 9 a.m. and 2 p.m., which was called a “humanitarian pause.”²⁷⁰ The humanitarian pause was facilitated by the Russian Centre for Reconciliation of Opposing Sides in Syria, while the Russian military police and Syrian army ensured safe exit through the humanitarian corridor.²⁷¹

According to the Russian Ministry of Defence, the humanitarian corridor and all necessary infrastructure was organised to allow the population to evacuate to the area of Mukhayam al-Wafedin, including the injured and sick. The Ministry stated that a facility for the temporary relocation of refugees had been set up in Edduer with capacity for 1,100 people, featuring a mobile medical clinic with capacity for 150 patients and handouts of hot food. The Ministry also stated that additional beds had been set up at the nearest state medical facilities.²⁷²

According to witness accounts, aerial attacks continued during these

²⁶⁶ “Daily Press Briefing by the Office of the Spokesperson for the Secretary General,” UN press release, February 19, 2018, <https://www.un.org/press/en/2018/db180219.doc.htm> (accessed November 17, 2020).

²⁶⁷ “Syrian government removes trauma kits, surgical items from Ghouta convoy: WHO,” Reuters, March 5, 2018, <https://www.reuters.com/article/us-mideast-crisis-syria-ghouta-convoy/syrian-government-removes-trauma-kits-surgical-items-from-ghouta-convoy-who-idUSKBN1GH0WC> (accessed November 17, 2020).

²⁶⁸ “Security Council Demands 30-day Cessation of Hostilities in Syria to Enable Humanitarian Aid Delivery, Unanimously Adopting Resolution 2401 (2018),” UN press release, February 24, 2018, <https://www.un.org/press/en/2018/sc13221.doc.htm> (accessed November 17, 2020); UN Security Council, Resolution 2401 (2018), S/RES/2401 (2018), February 24, 2018, <http://unscr.com/en/resolutions/doc/2401> (accessed November 17, 2020).

²⁶⁹ “Russia Backs Syria in Unlawful Attacks on Eastern Ghouta,” Human Rights Watch news release, March 18, 2018, <https://www.hrw.org/news/2018/03/18/russia-backs-syria-unlawful-attacks-eastern-ghouta> (accessed November 17, 2020).

²⁷⁰ “Briefing of the Russian Reconciliation Center for Syria” (“Брифинг Центра примирения враждующих сторон в Сирийской Арабской Республике”), Ministry of Defence of the Russian Federation, February 27, 2018, https://function.mil.ru/news_page/country/more.htm?id=12164603@egNews (accessed November 17, 2020).

²⁷¹ “No one evacuated: extremists disrupted the humanitarian pause in Eastern Ghouta” (“Никто не вышел: экстремисты сорвали гуманитарную паузу в Восточной Гуте”), NTV, February 27, 2018 <https://www.ntv.ru/novosti/1985980/> (accessed November 17, 2020).

²⁷² “Briefing of The Russian Reconciliation Center for Syria” (“Брифинг Центра примирения враждующих сторон в Сирийской Арабской Республике”), Ministry of Defence of the Russian Federation, February 27, 2018, https://function.mil.ru/news_page/country/more.htm?id=12164603@egNews (accessed November 17, 2020).

“pauses.” Residents could not securely get to the corridor without the risk of being hit from the air. Moreover, while the five-hour ceasefires allowed people to get out of the basement—to go to the market and run some errands—they were too brief to allow for safe evacuation. But most importantly, people feared for their safety in territories controlled by Syrian authorities.

During the first “pauses,” only two children managed to cross the humanitarian corridor and leave Eastern Ghouta.²⁷³ After 15 daily “pauses,” 300 residents had been evacuated, according to information from Russian sources, and several thousands more followed in subsequent weeks.²⁷⁴

Later, the Syrian army opened the humanitarian corridor in Eastern Ghouta not only to civilians, but also to rebels willing to leave the enclave with their families. According to Major General Vladimir Zolotukhin, the spokesman for the Russian Centre for Reconciliation of Opposing Sides, they were allowed to take their personal weapons with them.²⁷⁵

After Eastern Ghouta residents had partially fled the area, reports of chemical weapon attacks persisted, and the government continued to deny ever using them. In March 2018, Syria Civil Defence, a rescue group also known as the White Helmets, reported through Twitter that over 30 people, including women and children, had experienced suffocation in the town of Hamouria in Eastern Ghouta.²⁷⁶ Considering their symptoms, the White Helmets suggested that these people suffocated as a result of a chlorine gas attack. This incident was preceded by aerial bombings by the government, which started during the five-hour ceasefire, soon after the last member of a UN team had left the area. The governments of Russia and Syria called this information “fake.”²⁷⁷

On April 7, 2018, another chemical attack was reported in Douma.²⁷⁸ According to doctors and first responders’ press statements, at least 70 people were killed, including 43 who displayed symptoms consistent with

273 PAX, “Tenth Quarterly Report Part 1: Eastern Ghouta February-April 2018,” April 1, 2018, <https://siegewatch.org/wp-content/uploads/2015/10/pax-report-siege-watch-10.pdf> (accessed November 17, 2020) p. 25.

274 “MoD of Russian Federation: 300 people left Eastern Ghouta via the humanitarian corridor” (“МО РФ: Восточную Гуту по гуманитарному коридору покинули 300 человек”), *Rossiyskaya Gazeta*, March 14, 2018, <https://rg.ru/2018/03/14/mo-rf-vostochnuiu-gutu-po-gumanitarnomu-koridoru-pokinuli-300-chelovek.html> (accessed November 17, 2020); “Briefing of the Russian Reconciliation Center for Syria” (“Брифинг Центра примирения враждующих сторон в Сирийской Арабской Республике”), Ministry of Defence of the Russian Federation, March 14, 2018, http://syria.mil.ru/syria/peacemaking_briefs/brief.htm?id=12166708@egNews (accessed November 17, 2020).

275 “Briefing of the Russian Reconciliation Center for Syria” (“Брифинг Центра примирения враждующих сторон в Сирийской Арабской Республике”), Ministry of Defence of the Russian Federation, March 5, 2018, http://syria.mil.ru/syria/peacemaking_briefs/brief.htm?id=12165438@egNews (accessed November 17, 2020).

276 Syrian Civil Defence Twitter page, March 6, 2018, <https://twitter.com/syriacivildef/status/970781522054778882> (accessed November 17, 2020).

277 «Ministry of Defence: Western media started a provocation about chemical attack in Syria» («Минобороны: Западные СМИ начали провокацию о химатаке в Сирии»), *Rossiyskaya Gazeta*, March 16, 2018, <https://rg.ru/2018/03/16/minoborony-zapadnye-smi-nachali-provokaciiu-o-himatake-v-sirii.html> (accessed January 27, 2021).

278 “Doctors report 70 victims of potential chemical attack in Eastern Ghouta” (“Врачи сообщили о 70 жертвах возможной химической атаки в Восточной Гуте”), *BBC*, April 8, 2018, <https://www.bbc.com/russian/news-43686331> (accessed November 18, 2020).

exposure to toxic chemical agents. Over 500 others were injured.²⁷⁹ The White Helmets published photos of human bodies lying in a basement. Numerous photos and videos of the incident were also posted on the social media.²⁸⁰ On April 9, the UN Security Council convened in New York to discuss the situation. Several governments blamed Bashar al-Assad and his Russian allies.²⁸¹ Vassily Nebenzia, Russia's Permanent Representative to the UN, insisted that the chemical attack was staged and called it a provocation²⁸²

A White Helmets volunteer who now resides in Turkey told us in his interview:

“That day, a total of 176 barrel bombs were dropped on the city, including four containing chlorine. Civilian objects and medical stations were targeted. The White Helmets recorded 42 deaths. By that time, we had already instructed people on what to do during a chemical attack. I guess that might have helped.”

He also stated that the volunteers gave all the evidence they had to international commissions.

In an interview with Russian news agency TASS, Russia's Permanent Representative to the UN and other international organisations in Geneva, Gennady Gatilov, stated that the concern over chemical weapons in Syria was aimed at undermining peace. The diplomat added: “Unfortunately, we all see the attempts to undermine progress towards peaceful and political settlement by hyping up various ‘issues.’ First among these is the ‘chemicals’ question, this is used by Western countries to accuse the Syrian authorities and army, and so indirectly, Russia, of using chemical weapons.” Gatilov also said that “France's initiative in creating the International Partnership against Impunity for the Use of Chemical Weapons was an example of this approach.”²⁸³

On the night of April 8, 2018, members of armed opposition groups in Eastern Ghouta ceased fire and began withdrawing from the city.²⁸⁴ The Russian military negotiated their surrender and the conditions of turning

279 “WHO concerned about suspected chemical attacks in Syria,” World Health Organization press release, April 11, 2018, <https://www.who.int/news-room/detail/11-04-2018-who-concerned-about-suspected-chemical-attacks-in-syria> (accessed November 17, 2020).

280 Syrian Civil Defence Twitter page, April 8, 2018, <https://twitter.com/SyriaCivilDef/status/982727239132418050> (accessed November 17, 2020).

281 “In Emergency Meeting, Security Council Speakers Voice Grave Concern over Alleged Chemical Weapons Use in Syria, as Versions of Recent Attacks Sharply Differ,” UN press release, April 9, 2018, <https://www.un.org/press/en/2018/sc13284.doc.htm> (accessed November 17, 2020).

282 UN Security Council, 8225th meeting (2018), S/PV.8225, April 9, 2018, https://www.un.org/en/ga/search/view_doc.asp?symbol=S/PV.8225 (accessed November 17, 2020) p. 2.

283 Ibid.

284 Zen Adra, “Breaking: Syrian Army, rebels declare ceasefire in East Ghouta,” Al-Masdar News, April 7, 2018, <https://www.almasdarnews.com/article/breaking-syrian-army-rebels-declare-ceasefire-in-east-ghouta/> (accessed November 17, 2020).

over control of Douma to the Syrian government.²⁸⁵

On April 12, 2018, Syrian forces entered Douma in Eastern Ghouta. The Chief of the Russian Centre for Reconciliation of Opposing Sides in Syria, Major General Yuri Yevtushenko, said in a press statement that “the state flag was hoisted on the Douma building which signalled [Damascus’s] control over this settlement and, hence, over all of Eastern Ghouta.”²⁸⁶ According to Yevtushenko, a “unique” humanitarian operation had been completed in Syria’s Eastern Ghouta.²⁸⁷

According to the Russian Centre for Reconciliation of Opposing Sides, “a total of 21,145 militants and members of their families left the town.”²⁸⁸ The centre reported that it helped to organise the exit of 67,680 militants and their family members since the start of the humanitarian operation in Eastern Ghouta.²⁸⁹ Witnesses told our group that they were put on green buses and sent to Idlib. The “green buses” would later become a symbol of forced displacement from de-escalation zones recaptured by government forces (for further details, see sections on Aleppo and Idlib).

Over 1,700 people died in Ghouta after the passage of Resolution 2401, according to the UN Under-Secretary-General for Humanitarian Affairs.²⁹⁰ The UN stated that both government forces and Islamist groups committed war crimes during the siege of Eastern Ghouta.²⁹¹

285 “Syrian military takes full control over Eastern Ghouta,” TASS, 12 April 2018, <https://tass.com/defense/999240> (accessed November 17, 2020).

286 Ibid.

287 “Reconciliation Center: a unique humanitarian operation was just finished in Ghouta” (“Центр по примирению: в Восточной Гуте завершена уникальная гуманитарная операция”), *Russia Today*, April 17, 2018, <https://russian.rt.com/world/news/504407-minoborony-siriya-gumoperaciya> (accessed November 17, 2020).

288 “Militants’ pullout from Syria’s Douma completed — Russia’s top brass,” TASS, April 14, 2018, <https://tass.com/defense/999850> (accessed November 17, 2020).

289 Ibid.; see Idlib section

290 “Humanitarian Affairs Chief Calls on Parties in Syria to Allow Aid Delivery, as Security Council Reviews Implementation of Resolution 2401 (2018),” UN press release, March 27, 2018, <https://www.un.org/press/en/2018/sc13266.doc.htm> (accessed November 17, 2020).

291 Office of the United Nations High Commissioner for Human Rights (OHCHR), “UN Commission of Inquiry on Syria: The siege and recapture of eastern Ghouta marked by war crimes, crimes against humanity,” June 20, 2018, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23226&LangID=E> (accessed November 17, 2020).

RAQQA



Heavy bombing left damaged buildings all across the city of Raqqa, October 2017
Photo by YOUSSEF RABIH YOUSSEF / EPA.

Raqqa, located in northern Syria, is one of 14 Syrian *muhafazat* (governorates) and covers an area of 19,616 square km.²⁹² It borders the al-Hasakah governorate to the northeast, Deir ez-Zor to the east, Homs and Hama to the south, Aleppo to the west, and Turkey to the north. The city of Raqqa, which is the capital of the Raqqa governorate, is set on the Euphrates River. Since the mid-1970s, hydroelectricity production at the Tabqa Dam, agriculture, and oil production from the adjacent oil fields have formed the pillars of the city's economy.

Before the war, the population of the Raqqa governorate exceeded 921,000 people,²⁹³ most of whom were Sunni Muslims. About 300,000 of those lived in the city of Raqqa.²⁹⁴ Since the start of the hostilities, the governorate's population estimates have been constantly changing; an accurate count has not been possible. In June 2017, the UN reported more than 400,000 people living in the governorate, including 87,200 internally displaced persons (IDPs).²⁹⁵ As of June 2019, the approximate reported population of the city of Raqqa was 140,000 people.²⁹⁶

292 "Raqqa, a city neglected by the regime and then ISIS," *The New Arab*, June 8, 2017, <https://rb.gy/jjiuh> (accessed November 19, 2020).

293 UN High Commissioner for Refugees (UNHCR), "Regional Analysis Syria," January 28, 2013, <https://data2.unhcr.org/en/documents/download/38134> (accessed November 17, 2020) p. 13.

294 "Raqqa (governorate, city)" ("Эр-Ракка (мухафазза, город)", Planet Earth, <https://geosfera.org/aziya/siriya/2225-er-rakka.html> (accessed November 17, 2020);

Wikiwand, "Raqqa," <https://www.wikiwand.com/ru/%D0%AD%D1%80-%D0%A0%D0%B0%D0%BA%D0%BA%D0%B0> (accessed November 17, 2020).

295 "Syria: As airstrikes hit Raqqa, UN sounds alarm over plight of civilians," UN press release, June 6, 2017, <https://news.un.org/en/story/2017/06/558882-syria-airstrikes-hit-raqqa-un-sounds-alarm-over-plight-civilians#.WTkbyGiGNPZ> (accessed November 17, 2020).

296 UN Office for the Coordination of Humanitarian Affairs (OCHA), "North-east Syria Humanitarian Snapshot," June 20, 2019, https://reliefweb.int/sites/reliefweb.int/files/resources/NES_Snapshot_20190623.pdf (accessed November 17, 2020).

The Islamic State's Rise to Power



People shopping in Tal Abyad Street, October 2014.
Photo via Transferra Media.

After the Syrian revolution began, protests in the city of Raqqa remained peaceful until 2012.²⁹⁷

A former resident of Raqqa told our team that a major demonstration in the city of Raqqa, on March 16, 2012, drew thousands of participants from all over the governorate, including IDPs. Videos were posted online showing the mass protests that took place in Raqqa.²⁹⁸ Immediately following that protest, the government began to use lethal force, which, according to our witness, prompted people to start buying arms.

In early March 2013, the Syrian authorities lost control of Raqqa city to various armed opposition groups, including the radical groups Ahrar al-Sham (recognised as a terrorist organisation by the Russian Federation) and Jabhat al-Nusra.²⁹⁹ In 2013, the groups began attacking each other as well as government soldiers.³⁰⁰ However, by the end of 2013, the Islamic State (IS) began to dominate the other groups in the region.³⁰¹

Members of the IS abducted people, including members of the local council, activists, human rights defenders, and members and commanders

297 "Raqqa (governorate, city)" ("Эр-Ракка (мухафаза, город)", Planet Earth, <https://geosfera.org/aziya/siriya/2225-er-rakka.html> (accessed November 17, 2020).

298 "al-Raqqa, the revolutionaries of Raqqa protest while honouring their martyr," March 16, 2012, YouTube, <https://www.youtube.com/watch?v=Jl05aAfGIOo> (accessed November 17, 2020); "al-Raqqa. Revolutionary protests, Mansour neighbourhood," March 17, 2012, YouTube, <https://www.youtube.com/watch?v=BXNetPtcyYI> (accessed November 17, 2020).

299 "How Did Raqqa Fall to the Islamic State of Iraq and Syria?," *Syria Untold*, January 13, 2014, <https://syriauntold.com/2014/01/13/how-did-raqqa-fall-to-the-islamic-state-of-iraq-and-syria/> (accessed November 17, 2020).

300 Ibid.

301 Romain Caillet, "The Islamic State: Leaving al-Qaeda Behind," *Carnegie Middle East Center*, December 27, 2013, <https://carnegie-mec.org/diwan/54017> (accessed November 17, 2020); "Insight: Syria's Nusra Front eclipsed by Iraq-based al-Qaeda," Reuters, May 17, 2013, <https://www.reuters.com/article/us-syria-crisis-nusra/insight-syrias-nusra-front-eclipsed-by-iraq-based-al-qaeda-idUSBRE94G0FY20130517> (accessed November 17, 2020).

of other armed groups who refused to join them.³⁰² According to our sources among activists who lived in Raqqa at the time and secondary sources we have used to verify this information, in 2013 and 2014, Islamists abducted (and reportedly killed, in most cases) the following activists:

- 1) Abdullah al-Khalil, a human rights lawyer and head of the local council in the Raqqa governorate. He was arrested by government forces on five occasions since 2011 for defending political prisoners in his capacity as a lawyer and through his human rights work. On May 18, 2013, he was abducted by unknown armed men, thought to be members of the IS, as he was leaving his office in the city of Raqqa. On November 14, the IS seized his house. Al-Khalil's fate and whereabouts remain unknown.³⁰³
- 2) Activist Muhannad Haj Obeid (nicknamed Muhannad Habayebna) was abducted on the night of October 20, 2013 and then killed by members of the IS, some activists claim. His body was found the next morning.³⁰⁴ He had criticised both the Syrian authorities and the IS in his articles.
- 3) Feras al-Haj Saleh, an activist and former member of the local council in Raqqa who was critical of both ISIS and the authorities, was abducted by IS fighters on July 19, 2013. He has been missing ever since.³⁰⁵
- 4) Ibrahim al-Ghazi, an activist and former member of the local council in Raqqa, was abducted by IS fighters during an attack on the Muntada al-Nakhel café on July 22, 2013. He has been missing ever since.³⁰⁶
- 5) Father Paolo Dall'Oglio, an Italian Jesuit missionary and peacemaker,³⁰⁷ had been serving in the ancient Deir Mar Musa al-Habashi monastery (approximately 80 km north of Damascus) for 30 years before the conflict started. He was expelled from Syria for his open condemnation of the government's crimes during the war and eventually left on June 12, 2012. He returned to rebel-

302 Amnesty International, "Rule of Fear: ISIS Abuses in Detention in Northern Syria," December 19, 2013, <https://www.amnesty.org/download/Documents/16000/mde240632013en.pdf> (accessed November 17, 2020).

303 Amnesty International, "Tens of Thousands," <https://tensofthousands.amnesty.org/content/abdullah-al-khalil> (accessed November 17, 2020).

304 "Abduction and murder of Muhannad Haj Obeid by ISIS" ("اختطاف واعدام الشاب مهند حاج عبيد على يد تنظيم داعش"), Raqqa is Being Slaughtered Silently press release, January 6, 2015, <https://www.raqqa-sl.com/?p=260> (accessed November 17, 2020).

305 Kathryn Hamilton, "Armed Words," *The New Inquiry*, November 24, 2015, <https://thenewinquiry.com/three-monsters/> (accessed November 17, 2020); Michael Young, "The Triumph of Politicide," *Carnegie Middle East Center*, August 21, 2017, <https://carnegie-mec.org/diwan/72850> (accessed November 17, 2020).

306 "Raqqa is being slaughtered in silence: activists reveal ISIS violations" ("الرقعة تذبج بصمت" ناشطون يفضحون ممارسات داعش"), Al Watan, April 18, 2014, <https://rb.gy/kuadqh> (accessed November 17, 2020).

307 "Abducted by the armed group priest Dall'Oglio was mostly likely murdered" ("Похищенный боевиками священник-иезуит Даль-Ольо, вероятно, убит"), *Blagovest-Info*, July 3, 2015, <http://www.blagovest-info.ru/index.php?ss=2&s=3&id=63109> (accessed November 17, 2020).

controlled northern Syria in July 2013. On July 29, 2013, he was abducted in Raqqa,³⁰⁸ allegedly by the IS. In February 2019, he was reported alive in Deir ez-Zor governorate,³⁰⁹ but this information remains unconfirmed.³¹⁰

- 6) Ossama al-Hassan and his brother Husam al-Hassan were both journalists who were apprehended in April 2014. Laptops containing information about the IS were seized from them. Their whereabouts remain unknown.

In June 2014, IS leaders declared a caliphate on the territories they had captured, proclaiming the city of Raqqa as its capital.³¹¹ Raqqa became the first major city to fall under the control of the armed extremist group before their string of their rapid victories in Iraq and Syria.

A former resident of Ghanim al-Ali village in eastern Raqqa, who now lives in Lebanon, told us:

“The first armed groups emerged [in Raqqa] in 2012. We have seen abductions and, later, bombings since the beginning of the events in Syria in 2011. My house was completely destroyed; many of my relatives died. The protests in Raqqa began in 2011. The protests spread quickly, like fire, from Aleppo to Deir ez-Zor. Government soldiers fired at people, apprehended and killed citizens, and conducted ‘search-and-sweep’ operations. A school teacher in my village told her students about the protests. The next day, she was taken and shot on the street. I saw it myself. Many people took part in the protests. The government and [armed] groups gave weapons to boys. Each of them tried to turn them to their side.

“The Free Syrian Army was the first armed opposition [group]. They asked people to join them, voluntarily. They did not force anyone [to do so]. Kurds started their attacks in mid-2013. They used heavy artillery. They might have been involved in looting, but they never executed anyone. They took girls and boys as young as 12 or 13 years old to fight for them. They threatened, but never killed. Most of the people agreed because [the Kurdish forces] paid

308 Khaled Oweis, “Al Qaeda group kidnaps Italian Jesuit Paolo Dall'Oglio in Syria: activists,” Reuters (blog), July 29, 2013, <http://blogs.reuters.com/faithworld/2013/07/29/al-qaeda-group-kidnaps-italian-jesuit-paolo-dalloglio-in-syria-activists/> (accessed November 17, 2020).

309 “Father Dall'Oglio alive,” The Agenzia Nazionale Stampa Associata, February 7, 2019, http://www.ansa.it/english/news/general_news/2019/02/07/father-dalloglio-alive-report_a79a3a76-f5a3-4d79-ab19-c0b7671ee5f5.html (accessed November 17, 2020).

310 Devin Watkins, “Six years and still no sign of Jesuit Fr. Dall'Oglio, kidnapped in Syria,” *Vatican News*, July 29, 2019, <https://www.vaticannews.va/en/church/news/2019-07/italian-priest-kidnapped-syria-paolo-dalloglio-sixth-anniversary.html> (accessed November 17, 2020).

311 “Syria fighters hail declaration of Islamic ‘caliphate,’” Reuters, June 30, 2014, <https://www.reuters.com/article/us-syria-crisis-iraq/syria-fighters-hail-declaration-of-islamic-caliphate-idUSKBN0F50L820140630> (accessed November 17, 2020).

money and gave weapons. At some point, they took control of our village for several days. People fled to Lebanon or to other parts of Syria. [Jabhat] Al-Nusra was [also] active [in Raqqa] for some time. There are many Bedouin clans in our governorate. They armed up, mostly to defend their homes and villages, but they did not attack first. The IS came to [our village] in 2014. Civilians suffered from the government, from all of them, of course, but the IS were the most brutal of all the armed groups.”

Human Rights Watch has reported that Kurdish armed groups recruited child soldiers, both boys and girls.³¹²

Life in the Self-Proclaimed Islamic State

After the IS seized power, they established strict rules governing all areas of life. Their criminal and religious police—al-Hisba for men and the al-Khansaa Brigade for women—strictly enforced Sharia law, as interpreted by the leaders of the IS.³¹³ According to the testimonies we collected, the laws were announced in mosques and other public places through loudspeakers. Members of the religious police force also visited crowded areas, such as shops or markets, to explain new policies. During the first two months, the sanctions for non-compliance were limited to warnings and reprimands; later, however, the punishments grew harsher. People were fined, arrested, beaten, tortured, and even killed for any “offence.” Women were not allowed to seek employment other than in education or healthcare and were only allowed to teach girls and treat women. Women were also made to wear all-black clothes and niqabs (full-face veils).

A resident of the city of al-Tabqah in Raqqa governorate said:

“People started to marry off [their daughters] as young as 12 or 13 so that IS members were not tempted [to take them away]. They took two daughters from my neighbour. We have not heard from them ever since. Widows were forced to re-marry.”

312 “Syria: Kurdish Forces Violating Child Soldier Ban,” Human Rights Watch news release, July 15, 2015 <https://www.hrw.org/news/2015/07/10/syria-kurdish-forces-violating-child-soldier-ban-0> (accessed November 17, 2020).

313 Ahmad al-Bahri, “In Raqqa, an All-Female ISIS Brigade Cracks Down on Local Women,” *Syria Deeply*, July 15, 2014, <https://www.newsdeeply.com/syria/articles/2014/07/15/in-raqqa-an-all-female-isis-brigade-cracks-down-on-local-women> (accessed November 17, 2020); “How the Islamic State uses women to control women,” *Syria Direct*, March 25, 2015, <https://syriadirect.org/news/how-the-islamic-state-uses-women-to-control-women/> (accessed November 17, 2020).

According to other Raqqa witness testimonies,³¹⁴ the IS banned the sale and consumption of tobacco and alcohol, and performance of and listening to music.³¹⁵ At prayer time, everyone had to drop all their worldly tasks to perform their prayers. Breaking these rules could lead to fines, flogging, or arrest. People could be sentenced to death for apostasy or blasphemy; adultery was punishable by stoning;³¹⁶ gay men were pushed off the roofs of high-rise buildings.³¹⁷ Sharia courts decided sentencing. People tried to stay out of public places as much as possible to avoid arrests, stoning, or death.

Members of almost all religious minorities left Raqqa. Yazidi women were forcibly transferred from Iraq as slaves. First, the leaders chose women for themselves, and later the rest of the women were sold to other IS members in slave markets.³¹⁸ A few Christians still remained in Raqqa; they were taxed extra and/or forced to convert to Islam.³¹⁹ Alawite and Shiite Muslims had to convert to Sunnism under pain of death.

The al-Tabqah resident told us:

“In 2013, when the IS did not yet control the entire territory [of Raqqa], they detained me in a basement. I had a choice to either join them or be executed. There were 10 of us [in the basement]. Three were held for being Alawites. Abdullah, 23, was also accused of being an Alawite, although he was not. He was shot in front of his mother, who came after him. Another man was detained for stealing. Several others were like me—they refused to join [the IS]. Those [detainees] were not tortured. They were ‘warmly welcomed’ instead. Upon arrival, they were encircled and beaten. I remember a man with a disability who was accused of having links

314 The witness testimonies we collected are corroborated by media and human rights reports:

“Testimony of repentant IS fighter” (“Свидетельства раскаявшегося бойца группировки “Исламское государство””), *RFI*, July 27, 2015, <http://ru.rfi.fr/obshchii/20150727-svidetelstva-raskayavshegosya-boitsa-gruppirovki-islamskoe-gosudarstvo> (accessed November 17, 2020); “Almost a state: policy and economy of Islamist fighters” (“Почти государство: как устроена политика и экономика исламских боевиков”), *RBC*, October 7, 2015, <https://www.rbc.ru/politics/07/10/2015/56154f5b9a7947106fa743d7> (accessed November 17, 2020); “Power of executions and fear: How the Islamic State built its sustainable political system” (“Власть казней и страха. Как “Исламское государство” создало устойчивую политическую систему”), *Gazeta.ru*, November 15, 2015, https://www.gazeta.ru/politics/2015/11/15_a_7891355.shtml?updated (accessed November 17, 2020); “Rise and fall of the IS” (“Взлет и падение ИГ”), *BBC*, November 13, 2017, <https://www.bbc.com/russian/features-41724612> (accessed November 17, 2020); Amnesty International, “Rule Of Fear: ISIS Abuses In Detention In Northern Syria,” December 19, 2013.

315 “ISIS release 4 statements to its subjects in ‘Wilayat al-Raqqa,’” Syrian Observatory for Human Rights press release, January 1, 2014, <http://www.syriahr.com/en/?p=3997> (accessed November 17, 2020).

316 UN Independent International Commission of Inquiry on the Syrian Arab Republic, “Rule of Terror: Living under ISIS in Syria,” A/HRC/27/CRP.3, November 19, 2014, https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/HRC_CRP_ISIS_14Nov2014.doc (accessed November 17, 2020) p. 9; “Women stoned to death in Syria for adultery,” Raqqa is Being Slaughtered Silently press release, January 2, 2015, <https://www.raqqa-sl.com/en/?p=94> (accessed November 17, 2020).

317 “ISIS Execute Gay’ Man by Stoning as He Lays Defenceless on Ground,” Raqqa is Being Slaughtered Silently press release, May 4, 2015, <https://www.raqqa-sl.com/en/?p=1099> (accessed November 17, 2020).

318 UN Independent International Commission of Inquiry on the Syrian Arab Republic, ““They came to destroy”: ISIS Crimes Against the Yazidis,” A/HRC/32/CRP.2, June 15, 2016, https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A_HRC_32_CRP.2_en.pdf (accessed November 17, 2020) p. 13.

319 UN Independent International Commission of Inquiry on the Syrian Arab Republic, “Rule of Terror: Living under ISIS in Syria,” A/HRC/27/CRP.3, November 14, 2014, p. 5.

to the government. Once, he was tortured so severely that he could not recover for three days, while lying down on his side and shaking. I saw so much in just 10 days in that basement. It was only because of the Free Syrian Army that I was released.”

Bashar al-Assad’s supporters, and those suspected of having any links to the official authorities, were executed. Any resistance or criticism of the IS was punishable by death or imprisonment. Prisoners of war either remained in detention or were killed. The IS banned any cooperation with outside journalists or human rights defenders.

In the city of Raqqa, the internet could be accessed only at designated establishments,³²⁰ which the IS police regularly raided. If they found suspicious contacts or content on a person’s phone, that person was arrested and often did not come back.

Another refugee from al-Tabqah told us:

“My uncle used his phone to communicate with his son who lived in Turkey. Once he texted him that ‘Even God could not save us from the IS.’ [IS members] saw the text and put him in jail for three months. But when his family came to take him [home], they were told: ‘Oh, we executed him yesterday.’ This happened in 2016.”

Executions usually took place in major city squares, such as al-Naim square. People were not always obliged to come, but they were strongly encouraged to do so. The bodies and severed heads of those who had been executed were publicly displayed to set an example.³²¹ Books that were deemed inconsistent with the IS’s interpretation of Islam were destroyed. Elementary schools remained open with separate classes for boys and girls. The UN Commission of Inquiry on Syria reported that “education [was] employed as a tool of indoctrination, designed to foster a new generation of supporters.”³²²

According to the testimonies of former Raqqa residents, both Syrians and foreigners lived in IS-controlled territories. Although there was a greater number of Syrians, most of the leadership were foreigners. The IS urged or even forced people to join them; some local young men volunteered. Kiosks were set up in every neighbourhood to hand out promotional material. Videos of IS victories were displayed on big city screens and

320 “ISIS bans private internet access in Syria bastion: activists,” Syrian Observatory for Human Rights press release, July 20, 2015, <http://www.syriahr.com/en/?p=26130> (accessed November 17, 2020).

321 UN Independent International Commission of Inquiry on the Syrian Arab Republic, “Rule of Terror: Living under ISIS in Syria,” A/HRC/27/CRP.3, November 19, 2014, p. 8-9.

322 *Ibid.*, p. 10.

posted online.

A witness from Ghanim al-Ali village in Raqqa told us:

“Most of the locals who joined them were very young or [even] underage. [The IS] gave them weapons, money, houses, wives, and power. The houses and cars [they gave them] had been confiscated from others. Poverty was another reason to join. We lived under the siege. [Free] food was distributed only among the fighters and their families, while buying food was too expensive as the stores were also controlled by [the IS].”

The Commission of Inquiry stated in its report that “humanitarian actors supporting the population’s access to food have been unable to reach the nearly 600,000 people in ISIS-controlled Dayr Az-Zawr and Ar-Raqqah governorates since May and July 2014, respectively.” One witness told the Commission that in April 2014, ‘once ISIS took over, people who left ISIS areas to get medicine risked being arrested by ISIS.’ [...] By preventing the supply of humanitarian aid, the group reinforces the dependence of civilians on the services it controls.”³²³

Ordinary people had to pay a lot of money for food, as food supplies were controlled by the IS, and residents were forced to buy food from them. Sometimes, the IS members distributed aid, but mostly to their members.

A former resident of Ghanim al-Ali said:

“We had no food. In the early days, we used to receive humanitarian aid from the UN. But various [armed] groups sometimes blocked food delivery to make hungry people join them and fight for them. At times, [the armed groups] got hold of the humanitarian aid. They promised to deliver it but did otherwise. They took part of it for themselves and sold the rest for inflated prices.”

Civilians in Raqqa lived in permanent fear and in dire conditions. They were under the complete control of radical armed groups and had hardly any options for leaving. They were also used as human shields.

³²³ Ibid., p. 5.

Operation Wrath of Euphrates



Kurdish female fighters of the Syrian Democratic Forces (SDF) gather after retaking the city from Islamic State (IS) group fighters, on October 19, 2017.

Photo by BULENT KILIC/AFP via Getty Images.

In November 2016, the Syrian Democratic Forces (SDF), supported by the US-led coalition's air force (which included the US, France, and the UK, among others), launched an operation on Raqqa city codenamed "Wrath of Euphrates."³²⁴

The military operation to retake the city was conducted over several stages. The first was in November 2016, with the SDF asserting control over several localities north of Raqqa city. The second phase was announced in December 2016 and saw SDF forces advance on the Euphrates River west of Raqqa.³²⁵ During phase three, in February 2017, the SDF launched a new offensive on the eastern countryside of the IS's self-proclaimed capital.³²⁶

On June 6, 2017, the US-led coalition and the SDF began their assault on the IS's fortified positions in Raqqa city.³²⁷ The assault forces approached the city from all sides, taking control of its suburbs. On September 1,

324 Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/37/72, February 1, 2018, <https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A-HRC-37-72.docx> (accessed November 17, 2020) p. 9.

325 Syrian Democratic Forces, "Statement by Wrath of Euphrates Operations Room, '2480 square kilometers liberated during Phase II of Raqqa Campaign,'" January 16, 2017, <https://www.ypgrojawa.org/SDF%3A-2480-square-kilometers-liberated-during-Phase-II-of-Raqqa-Campaign> (accessed November 17, 2020).

326 "Third phase of Raqqa campaign announced," *Rudaw*, February 4, 2017, <https://www.rudaw.net/english/middleeast/syria/040220171> (accessed November 17, 2020); "ISIS fighters lost control over Raqqa" ("Боевики ИГИЛ потеряли контроль над Раккой"), *Bykvu*, October 17, 2017, <https://bykvu.com/ua/bukvy/77215-boeviki-igil-poteryali-kontrol-nad-rakkoj/> (accessed November 17, 2020).

327 "US-backed force launches assault on Islamic State's 'capital' in Syria," Reuters, June 5, 2017, <https://www.reuters.com/article/us-mideast-crisis-syria-raqqa/u-s-backed-force-launches-assault-on-islamic-states-capital-in-syria-idUSKBN18W29P> (accessed November 17, 2020).

"Syria today: SDF entered Raqqa, battled against IS in Palmyra, the truth about the boy from Aleppo" ("Сирия сегодня: SDF ворвались в Ракку, бои с ИГ под Пальмирой, правда о мальчике из Алеппо"), *Federal News Agency*, June 6, 2017, <https://riafan.ru/807473-siriya-segodnya-sdf-vorvalis-v-rakku-boi-s-ig-pod-palmiroi-pravda-o-malchike-iz-aleppo> (accessed November 17, 2020).

the SDF announced that they had captured the Old City in Raqqa.³²⁸ On October 8, the US-led coalition announced it was launching a final operation against IS positions in Raqqa.³²⁹ This crucial military operation ended on October 17, when the US-led coalition announced its completion.³³⁰

During the hostilities, thousands of civilians were trapped in Raqqa between the IS and SDF fighters. The operation was accompanied by grave violations of human rights and humanitarian law. Survivors and witnesses told Amnesty International that they faced IS “booby traps” and snipers who targeted anyone trying to flee.³³¹ They also said they were used as “human shields.”³³² Civilians were also victims of artillery and airstrikes by US-led coalition forces.³³³

Different estimates put the number of civilians killed during this military operation between 1,300-1,800 people, mainly as a result of bombings.³³⁴ The UN reported that 270,000 people fled their homes in Raqqa governorate since the start of the hostilities.³³⁵ An estimated 70–80 percent of all buildings in Raqqa were destroyed or damaged after the battle.³³⁶ Civilian infrastructure and residential areas were severely damaged.

328 “U.S.-backed forces in Syria’s Raqqa say they take old city,” Reuters, September 1, 2017, <https://www.reuters.com/article/us-mideast-crisis-syria-raqqa/u-s-backed-forces-in-syrias-raqqa-say-they-take-old-city-idUSKCN1BC5AY> (accessed November 17, 2020).

“Kurds and their allies declared occupation of Raqqa’s old town” (“Курды и их союзники объявили о занятии старого города Ракки”), *Lenta*, September 1, 2017 https://lenta.ru/news/2017/09/01/old_city_taken/ (accessed November 17, 2020).

329 “US-led coalition declared the beginning of the final offensive against IS in Raqqa” (“Коалиция США объявила о начале финального штурма ИГ в Ракке”), *Federal News Agency*, October 8, 2017, <https://riafan.ru/984230-koaliciya-ssha-obyavila-o-nachale-finalnogo-shturma-ig-v-rakke> (accessed November 17, 2020); “US-led coalition denied the information about full liberation of Syrian Raqqa” (“Коалиция США опровергла информацию о полном освобождении сирийской Ракки”), *Lenta*, October 14, 2017, <https://lenta.ru/news/2017/10/14/raqqa/> (accessed November 17, 2020).

330 “Islamic State defeated in its Syrian capital Raqqa,” Reuters, October 17, 2017, <https://www.reuters.com/article/us-mideast-crisis-syria-raqqa/islamic-state-defeated-in-its-syrian-capital-raqqa-idUSKBN1CM0VC> (accessed November 17, 2020).

“Raqqa is liberated from ISIS” (“Ракка освобождена от боевиков ИГИЛ”), *Euronews*, October 18, 2017, <https://ru.euronews.com/2017/10/18/syria-raqqa-freed-update> (accessed November 17, 2020); “Syrian armed opposition started the decisive attack on Raqqa” (“Сирийская вооружённая оппозиция начала решающий штурм Ракки”), *Life*, October 15, 2017, https://life.ru/t/%D0%BD%D0%BE%D0%B2%D0%BE%D1%81%D1%82%D0%B8/1052069/siriiskaia_vooruzhionnaia_oppozitsiia_nachala_rieshaiushchii_shturm_rakki (accessed November 17, 2020).

331 Amnesty International, “Syria: ‘I Won’t Forget This Carnage’. Civilians Trapped in Battle For Raqqa,” August 23, 2017, <https://www.amnesty.org/download/Documents/MDE2469452017ENGLISH.PDF> (accessed November 17, 2020) p. 7; Amnesty International, “Syria: ‘War of Annihilation’: Devastating Toll on Civilians, Raqqa,” June 5, 2018, <https://www.amnesty.org/download/Documents/MDE2483672018ENGLISH.PDF> (accessed November 17, 2020).

332 “Syria: ‘Deadly labyrinth’ traps civilians trying to flee Raqqa battle against Islamic State,” Amnesty International press release, August 24, 2017, <https://www.amnesty.org/en/latest/news/2017/08/syria-deadly-labyrinth-traps-civilians-trying-to-flee-raqqa/> (accessed November 17, 2020); Amnesty International, “Amnesty International’s investigation: the US-led coalition is responsible for over 1600 deaths among civilian population in Raqqa” (“Расследование Amnesty International: На совести возглавляемой США коалиции гибель более 1600 мирных жителей в Ракке”), April 29, 2019, <https://eurasia.amnesty.org/2019/04/29/rassledovanie-amnesty-na-sovesti-vozglavliva/> (accessed November 17, 2020).

333 “Nowhere to Run, Trapped in Raqqa,” Amnesty International, https://raqqa-syria.amnesty.org/?fbclid=IwAR2afwWD1ozLAd0Dzz0Elky_KFdLhOZOZ1rYGLTGEwNUMBRL4igseSnFzk#nowhere-to-run-o1DgYmErND (accessed November 17, 2020).

334 “More than 1,800 civilians killed overall in defeat of ISIS at Raqqa, say monitors,” Airwars press release, October 19, 2017, <https://airwars.org/news-and-investigations/raqqa-capture/> (accessed November 17, 2020).

335 “Growing concerns for Syrian civilians amid intense fighting in Al Raqqa and Deir ez-Zor,” UN High Commissioner for Refugees (UNHCR) press release, October 13, 2017, <https://www.unhcr.org/news/briefing/2017/10/59e07b5d4/growing-concerns-syrian-civilians-amid-intense-fighting-al-raqqa-deir-ez.html> (accessed November 17, 2020).

336 “Humanitarian Response in Syria Must Be Urgently Boosted, Emergency Relief Coordinator Tells Security Council,” UN press release, April 17, 2018, <https://www.un.org/press/en/2018/sc13302.doc.htm> (accessed November 17, 2020).

Amnesty International carried out extensive field investigations in Raqqa and collaborated with Airwars on remote analysis. In its report on the situation, Amnesty stated that between June–October 2017, the US-led coalition “launched thousands of air and artillery strikes in support of the SDF.” The operation in Raqqa killed over 1,600 civilians, including children. Four families were killed in one devastating incident on September 25, 2017. They were sheltering in the basement of a five-storey residential building that had been destroyed by a coalition-led airstrike. At least 32 civilians were killed, including four men, eight women and 20 children.³³⁷

“Four months of relentless bombardment reduced homes, businesses and infrastructure to rubble. Civilians were caught in the crossfire in a city that had become a death trap. IS snipers and landmines prevented them from fleeing, while the coalition’s air bombardments and reckless artillery strikes killed them in their homes. [...] The US-led coalition claims to have taken all necessary measures to spare civilians. However, that rhetoric is a far cry from reality,” the report noted.³³⁸

On August 31, 2017, UN High Commissioner for Human Rights Zeid Ra’ad Al Hussein stated that civilians were “paying an unacceptable price” in the battle for Raqqa. He added that “the attacking forces may be failing to abide by the international humanitarian law principles of precautions, distinction, and proportionality.”³³⁹

In the same month, UN Special Adviser to the Special Envoy for Syria, Jan Egeland, said that there was no “worse place on earth” than Syria’s Raqqa, and urged the international community to pause the fighting to allow civilians to leave the armed conflict zone.³⁴⁰ The US-led coalition’s spokesman, US Army Colonel Sean Ryan, denied Amnesty International’s allegations of war crimes, calling them “grossly inaccurate.”³⁴¹ In its monthly civilian casualty report for July 2019, the US-led coalition stated that, in its fight with the IS, it conducted 34,547 strikes in Syria and Iraq from August 2014 through the end of June 2019. The information available suggests that, during that period, at least 1,321 civilians in both countries were killed by its actions.³⁴²

337 “War in Raqqa: Rhetoric Versus Reality,” Amnesty International, <https://raqqa.amnesty.org/> (accessed November 17, 2020).

338 “War in Raqqa: Briefing,” Amnesty International, <https://raqqa.amnesty.org/briefing.html> (accessed November 17, 2020).

339 “Battle to regain Raqqa must not be about defeating ISIL at all costs – Zeid,” Office of the United Nations High Commissioner for Human Rights (OHCHR) press release, August 31, 2017, <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22015> (accessed November 17, 2020).

340 “No ‘worse place on earth’ than Syria’s Raqqa, says senior UN adviser urging pause in fighting,” UN press release, August 24, 2017, <https://news.un.org/en/story/2017/08/563802-no-worse-place-earth-syrias-raqqa-says-senior-un-adviser-urging-pause-fighting> (accessed November 17, 2020).

341 “Rights group accuses U.S. of ‘annihilation’ in Syria,” Associated Press, June 5, 2018, <https://www.cbsnews.com/news/us-military-amnesty-international-raqqa-syria-civilians-isis/> (accessed November 17, 2020).

342 “Behind the tally, names and lives: Massive firepower helped the United States shatter the Islamic State’s grip on Iraq and Syria, but also killed thousands of civilians. Newly disclosed military data provides new certainty about who those victims were and where they died,” Washington Post, November 18, 2020, <https://www.washingtonpost.com/graphics/2020/world/coalition-airstrikes-isis-civilian-death-toll/> (accessed November 19, 2020).

Moreover, survivors told human rights defenders about how Russian-backed Syrian government forces also bombarded civilians in villages and camps south of Raqqa, including with internationally banned cluster bombs. Relentless and often imprecise attacks resulted in a surge in civilian casualties.³⁴³

Consequences of the Operation



Damaged buildings are seen after fighters from Syrian Democratic Forces (SDF) took control of Raqqa, Syria, 22 October 2017. Photo by YOUSSEF RABIH YOUSSEF/ EPA-EFE.

The IS suffered heavy losses. About 4,000 people—including 250 armed and loaded IS fighters along with 3,500 of their family members—were evacuated in trucks and buses under a deal with the local authorities and US-backed forces.³⁴⁴

Our interviewees from Raqqa city and governorate said they failed to grasp the point of all the destruction and civilian casualties if members of the extremist groups were eventually just allowed to leave. They said that at the time of the interview (in spring 2019) IS cells were still active in Raqqa and sometimes attacked civilians. All actors controlling Raqqa governorate today still pose a threat to civilians. Abductions and enforced disappearances continue, living conditions are dire, essential infrastructure has been destroyed, job opportunities are limited, and many residential areas have not yet been cleared of mines and explosives.

343 "Syria: 'Deadly labyrinth' traps civilians trying to flee Raqqa battle against Islamic State," Amnesty International press release, August 24, 2017, <https://www.amnesty.org/en/latest/news/2017/08/syria-deadly-labyrinth-traps-civilians-trying-to-flee-raqqa> (accessed November 17, 2020).

344 "Raqqa: IS 'capital' falls to US-backed Syrian forces," *BBC*, October 17, 2017, <https://www.bbc.com/news/world-middle-east-41646802> (accessed November 17, 2020); "Raqqa's dirty secret" ("Грязная тайна Ракки"), *BBC*, November 15, 2017, https://www.bbc.com/russian/resources/idt-sh/raqqas_dirty_secret_russian (accessed November 17, 2020).

One of our witnesses from Ghanim al-Ali said:

“My village has been completely destroyed. There is no electricity, water, food, or job opportunities. Only elderly people are still living there. My brothers live there too. They tell us not to come back. The entire governorate is divided between various armed groups. The territory between our village and west Syria is controlled by Kurds; [the territory between our village] and east Syria is controlled by various local clans; certain areas are controlled by the government. Our village is controlled by Kurds, and they do not target residents. But the IS fighters in the nearby mountains conduct raids on our village. The most recent incident was in March 2019. My relatives who still live there said that some 50 people drove to the mountains to pick truffle mushrooms. They ran into IS fighters who robbed and killed them.”

Another witness from Ghanim al-Ali also stressed that it was unsafe to return to the area:

“The government controls some of the villages in Raqqa, and [the government] is the worst, although all of them are bad. They rob and harass people... We used to be farmers and reared goats and sheep. Militants destroyed everything; they ruined our life. I left with smugglers eight months ago. It is impossible to live there. Clashes between the [armed] groups and the government continue. I would like to get back to my village, but the conditions there are inadequate and unsafe. You can hardly feel safe anywhere in Syria.”

There are numerous mass graves in and around Raqqa. New burial sites are being discovered even now. Human rights defenders continue to regularly report new graves containing hundreds, if not thousands, of bodies of men, women, and children.³⁴⁵ According to Yasser Khamis, head of Raqqa’s First Responders Team, as of September 2019, 5,218 bodies had been exhumed from mass graves, or from beneath the ruins of destroyed buildings around Raqqa.³⁴⁶ Khamis states that around 1,400 of these were IS fighters, who

345 “Burying the dead Makeshift and mass graves during the Raqqa offensive,” Amnesty International (blog), https://raqqa.amnesty.org/story.html?story_id=1942 (accessed November 17, 2020); “Massive burials of thousands of IS victims were found in Syria” (“В Сирии нашли массовые захоронения тысяч жертв “Исламского государства”), *RBC*, February 22, 2019, <https://www.rbc.ru/society/22/02/2019/5c6f22549a7947678dfda12d> (accessed November 17, 2020); “New Syrian Raqqa a huge massive grave was found” (“Возле сирийской Ракки обнаружена большая братская могила”), *O*, July 3, 2019, <https://p.dw.com/p/3LWzS> (accessed November 17, 2020); “Over 500 bodies were exhumed in Syrian Raqqa” (“Более 500 тел эксгумировали из братской могилы в сирийской Ракке”), *Interfax*, November 27, 2018, <https://www.interfax.ru/world/639650> (accessed November 17, 2020).

346 Sarah El Deeb, “Syria’s Raqqa still finding the dead, 2 years after IS fall,” *Associated Press*, September 10, 2019, <https://apnews.com/9706f13181de4d93b751bc4354d93226> (accessed November 17, 2020).

were distinguishable by their clothes and included some foreigners.³⁴⁷

Khamis said that limited resources slowed the search and made it difficult to determine the exact cause of death. The First Responders Team only started collecting DNA samples in June 2019 and managed to get samples from only a limited number of bodies before reburial.³⁴⁸

347 Ibid.

348 Ibid.

ALEPPO



Destroyed buildings in the old city of Aleppo.
Source: Fly_and_Dive/Shutterstock

Aleppo is Syria's largest city and was once the country's economic capital. In 2011, before the war, Aleppo governorate was home to about 4.6 million people.³⁴⁹ Devastating hostilities forced many to flee, and, as of August of 2016, the reported population of Aleppo was estimated to be over 2 million, including 250,000–275,000 people in eastern Aleppo.³⁵⁰

Throughout the armed conflict, the various warring parties all viewed Aleppo as a strategic location. The battles for Aleppo became a turning point in the Syrian conflict. Between 2012–2016, the city was a site of intense fighting. Residents of Aleppo were subjected to relentless bombardments and the hunger and hardships of an imposed siege. By the time the hostilities ended, countless people had died and Aleppo's infrastructure had been left in ruins. While conducting our research, we interviewed several witnesses from Aleppo who held different political views and were of different faiths. All of them had to seek refuge in either Turkey, Germany, Russia, or Lebanon.

Mass Protests and Government Crackdown

The Aleppo uprising unfolded, for the most part, in the same pattern observed in other governorates and cities across Syria. Mass protests against the Syrian government started throughout 2011 and intensified in 2012. At that time the protests were peaceful.

349 Syrian Central Bureau of Statistics, "Population Statistics," <http://cbssyr.sy/> (accessed November 17, 2020).

350 "UN Office for the Coordination of Humanitarian Affairs (OCHA), "Flash Update, Syria Crisis, Aleppo," August 10-11, 2016, <https://reliefweb.int/sites/reliefweb.int/files/resources/OCHA%20Syria%20Flash%20Update%20No.1%20on%20Aleppo%20August%202016.pdf> (accessed November 17, 2020).

A man from Aleppo spoke to us about the reasons behind the protests:

“We watched it and hoped there will be some improvement in our country. It was mostly the youth who resided in the region and came from poor homes who hoped to see change... But as it became clear that power is something you can only inherit, our hope was lost.”

Syrian government security forces immediately began to detain peaceful protesters:

“After my very first demonstration in 2011, they picked me up right away. When the demonstration ended and people went home, they drove up to me and got me into their car. For about three months I was detained. Then they released me, but I was arrested again four days later and imprisoned again.”

Another man from Aleppo corroborated this account, saying that *“When the revolution started, everyone saw that people were being thrown in jail; some were tortured there, some were killed. Peaceful protests were forcefully dispersed by the military.”* This, in his opinion, ignited the flame of revolution.

There are many witness accounts of the beating and torture of peaceful protesters in Aleppo.³⁵¹ Since Aleppo was home to one of the biggest universities in the country, it was also the site of mass student protests, and the ensuing crackdowns and arbitrary arrests of protesters by the security forces.³⁵²

In his interview, one former student told us about his arrest, which was followed by a three-month detention:

“They called me and asked me to come to the dean’s office. A professor was there, as well as a member of the military, and two other members of the military were by the door. They started questioning me, then handcuffed me, put me in a car, and brought me to a security branch... One of them gave the order [and] they started beating me with a plastic pipe wrapped in fabric, beating me all over my body...”

³⁵¹ Also see chapter “Arbitrary Detentions, Torture and Enforced Disappearances in Detention Facilities”.

³⁵² “Syria: Defectors Describe Orders to Shoot Unarmed Protesters,” Human Rights Watch news release, July 9, 2011, <https://www.hrw.org/news/2011/07/09/syria-defectors-describe-orders-shoot-unarmed-protesters> (accessed November 17, 2020).

Another student never took part in the protests but was still detained along with her sister. She told us:

“A guard used handcuffs to twist my sister’s arms behind her back and dragged her by her hair to the so-called investigation room, to interrogate her. He began beating her right away using his hands and then... he beat her with some sort of cable, a three-tail version of a ‘cat–o–nine-tails,’ with sort of lashes at the tips; she didn’t know what it was; she wasn’t able to get a good look at it, and he beat her until she fell unconscious. She was in a coma for 12 days after that.”

A defector described the crackdown on Aleppo students in an interview he gave to Human Rights Watch: “We were sent to the university dorms to arrest people, with a simple order: ‘Go in and detain.’ We must have detained more than 200 people in one day around late April/early May. We wanted to scare them and other students to prevent them from protesting again. Our job was to detain the students and take them to the branches of the *mukhabarat*, mostly Military Intelligence. We would beat people all the way to the bus. We didn’t know what would happen to the detainees after we dropped them off with the *mukhabarat*.”³⁵³

A Divided City (2012–2016)

In the summer of 2012, the Aleppo area became the site of armed clashes between the forces of the Free Syrian Army and the Syrian government.³⁵⁴ Later, some armed radical extremist opposition groups, such as Jabhat al-Nusra, also took part in the fighting following their arrival in Aleppo in the early fall of 2012.³⁵⁵ At first these armed groups controlled particular areas of the city by setting up security checkpoints manned by their fighters. As a result, the city was divided into two parts: western Aleppo, which was under government control, and eastern Aleppo, which was outside of government control and administered by self-organised local councils. The government attempted to regain control over eastern Aleppo using military force, and in summer 2012, government forces launched aerial bombardments and began shelling Aleppo with artillery.³⁵⁶ To escape the bombardments and ground clashes, people of various convictions and

353 Ibid.

354 “Syrian forces fight rebels in Damascus, residents flee,” Reuters, July 21, 2012, <https://ca.reuters.com/article/topNews/idCABRE8610SH20120721> (accessed November 17, 2020); “Syria: Aleppo Civilians at Great Risk,” Human Rights Watch news release, August 10, 2012, <https://www.hrw.org/news/2012/08/10/syria-aleppo-civilians-great-risk> (accessed November 17, 2020).

355 “Syria rebels say launch ‘decisive battle’ in Aleppo,” Reuters, September 27, 2012, <https://www.reuters.com/article/us-syria-crisis/syria-rebels-say-launch-decisive-battle-in-aleppo-idUSBRE88J0X720120927> (accessed November 17, 2020).

356 “Syria: Aleppo Civilians at Great Risk,” Human Rights Watch news release, August 10, 2012, <https://www.hrw.org/news/2012/08/10/syria-aleppo-civilians-great-risk> (accessed November 17, 2020); Human Rights Watch, “Death from the Skies: Deliberate and Indiscriminate Air Strikes on Civilians,” April 10, 2013, https://www.hrw.org/sites/default/files/reports/syria0413webwcover_1_0.pdf (accessed November 17, 2020).

faiths either moved to the territories controlled by the Syrian government or were forced to flee the country altogether.

A woman from Aleppo, who now lives in Turkey, told us, *“We had two options: starving to death under the siege, or crossing over to the Shabiha’s territories, controlled by the government, to continue our studies and finish our education there.”*

Another man who once lived in Aleppo explained to our team, *“I used to be an engineer at the water pump station, I never took part in any protests. I supported the government all my life, but I had to leave because a rumour began circulating that the Alawites [and] Christians were the roots of the entire conflict.”*

Despite visible deterioration in living conditions in the parts of Aleppo city controlled by the armed opposition, some parts of peaceful pre-war life still survived. For example, from 2011–December 2015, there was a functioning student street theatre.

The director of this street theatre, who also volunteered rebuilding schools, said that he and his colleagues would put on shows during the air raids. He told us in his interview:

“We created a theatre and called it ‘Breadway.’ We built the stage with our own hands. We bought what we needed and set it all up among the ruins... At the same time, I was working with an education-focused organisation. I was responsible for seven schools in Aleppo, for the management of the properties.”

He added that the school remained open for some time, however:

“When the siege started, we closed after the first month... Most of the schools I was managing were damaged, destroyed; so we went to repair the buildings, to create an atmosphere conducive to studying.”

As the influence of Islamist and jihadist groups in Aleppo grew stronger, territories under government control increasingly came under fire. For the residents of the areas controlled by radical groups, life became increasingly unbearable. IS fighters, including those who came from abroad, felt entitled to the land, establishing their own status quo which was alien to Syrian customs.

According to the report “Rule of Terror: Living in Syria under ISIL” by the UN Commission of Inquiry on the Syrian Arab Republic, in Aleppo and other IS-controlled parts of Syria, the IS committed widespread and

systematic violations, including summary executions, killings, mutilation, rape, sexual violence, torture, recruitment of children soldiers, and outrages upon personal dignity.³⁵⁷

A man from Aleppo told us:

“In 2014, the IS executed five of my friends in Aleppo. They were at a party, which I was invited to as well, but I could not go. An IS car drove up to the house and took people from that party. When the IS were being pushed out of this territory, before retreating, they killed all their prisoners. So, all five of my friends were killed as well.”

Bombing intensified significantly in December 2013, and again when Russian forces entered the conflict in September 2015, and then again during the last months of 2016.

A witness from Aleppo told us in his interview that, *“In 2014, they dropped a barrel on my house, a bomb... My wife was injured, but she survived. My son died. He was only 10 months old at the time. My wife received an injury to the head and a shrapnel wound, all of her teeth were knocked out.”*

In 2015, one could only leave the city of Aleppo using a narrow passageway between government forces, according to witnesses from eastern Aleppo:

“This passage could be used for two purposes: to escape the city, or to get out, stock up on food and other necessities, and come back. A lot of people died in this passage. It was a narrow ‘death path.’ Ambulances could not get there in cases of injury because they could only drive up to a certain point, and then they had to walk. This passage came under sniper fire and was bombed regularly.”

³⁵⁷ Ibid.

The Siege and Bombardment of Aleppo



Residents escape Assad regime bombardment in Al Moyaser neighborhood of Aleppo, Syria on November 29, 2016. Photo by Jawad al Rifai/Anadolu Agency/Getty Images

In July 2016, eastern Aleppo was surrounded by Syrian government forces, who imposed a siege that severely restricted people's access to food, medicine, and other essential supplies. An estimated 250,000–275,000 people were trapped inside.³⁵⁸

One man told us that the siege of Aleppo was much harder than the ones in other cities: *“No manufacturing or agricultural facilities remained in the city. There was no land to grow anything on or live off of... One man traded his car for a pack of cigarettes. His car had no gas in it, no fuel. Nothing. Why would he need this car?”*

Another man from Aleppo told us about fuel shortages:

“The state did not provide any electricity from the moment the government left these territories. That is why we started relying on local generators to produce electricity. Although we barely had fuel to run these generators during the siege. Hospitals suffered most from [the lack of fuel]. I had some wood in my house which I used [to heat water] to wash myself. Before the siege we had power for around five to six hours [a day]. By the end of siege, it was only one to two hours [a day], as fuel became extremely expensive.”

Another Aleppo resident spoke to the International Red Cross Committee

³⁵⁸ “Syrian army says cut off all supply routes into east Aleppo,” Reuters, July 27, 2016, <https://uk.reuters.com/article/uk-mideast-crisis-syria-aleppo-idUKKCN1071FO> (accessed November 17, 2020); “The army establishes control over new areas in Aleppo, targets terrorists in other areas,” Syrian Arab News Agency (SANA), July 9, 2016, <https://sana.sy/en/?p=82051> (accessed November 17, 2020); “UN repeats call for 48-hour ceasefire to reach 250,000 people trapped in Aleppo,” UN Office for the Coordination of Humanitarian Affairs (OCHA) press release, August 22, 2016, <https://www.unocha.org/es/story/syria-un-repeats-call-48-hour-ceasefire-reach-250000-people-trapped-aleppo> (accessed November 17, 2020).

about the siege: “Since the siege on east Aleppo started during Ramadan in 2016, the situation grew even more difficult as the people there were stranded for 190 days. [...] The situation there was in a state of paralysis. My youngest son was always hungry as there was nothing to eat or drink. [...] As food items were extremely expensive, we were forced to eat different kinds of lentil-based food. As a result, I lost 25 kilos.”³⁵⁹

Aleppo siege survivors told us that from July 2016 to December 26 there were two periods of siege. The first lasted from July to August 2016, and the second from early September to late December. A witness told us that a road allowing people passage opened during the month of August, but was repeatedly attacked by government forces:

“A road was opened from the village of Ramouseh. The opposition managed to open this route so that people could travel through. This road passed through a village, but it was bombed intensely by government forces. This road was considered very dangerous and was used more for military purposes, but ambulances still used it when they needed to evacuate a badly injured person in the direction of Turkey, because they could not be treated in Aleppo.”

During the second stage of the siege in early September 2016, government forces took control of the Ramouseh road and surrounded eastern Aleppo, tightening the blockade even further.

Another witness from Aleppo shared his experience during his interview with our team:

“The second [stage of the] blockade was much more severe. The situation was dire as we did not have access to many food items. Civilians could not buy them anyway as they did not have any money. During the last few weeks, we had neither flour nor bread. There were a few civil society organisations that sometimes helped us with food for free; food was kept in warehouses. Otherwise, families had only what they had stocked themselves. For me it was easier as, back then, I did not have a family.”

For humanitarian aid organisations, access to the region was extremely limited. According to an International Red Cross Committee (ICRC) report, “despite their best efforts [...] the ICRC’s teams were unable to get aid into eastern Aleppo between April and December 2016, and the ICRC could

³⁵⁹ International Committee of the Red Cross (ICRC), “International Review of the Red Cross,” Vol. 98, No. 901, 2016, <https://docplayer.net/47717809-Volume-98-number-901-april-humanitarian-debate-law-policy-action-war-in-cities.html> (accessed November 17, 2020).

only provide support remotely, such as by paying for water, sanitation materials or cooking gas for the collective kitchen or the salaries of people working there.”³⁶⁰

According to Amnesty International, “Living conditions for the tens of thousands of civilians significantly deteriorated during the last three months of the siege. Conditions became particularly difficult, residents said, between October 2016 and mid-December 2016, when the dwindling supplies of humanitarian aid organisations were further reduced by the Syrian government and Russian forces’ attacks on warehouses.”³⁶¹

Those working for humanitarian organisations themselves became targets. In a statement on September 19, the UN Office for the Coordination of Humanitarian Affairs said that the UN-Syrian Arab Red Crescent convoy was hit in Urum al-Kubra, southwest of the city of Aleppo. A Red Crescent warehouse was also hit and a Red Crescent-operated health clinic was damaged, the organisation said.³⁶² It added that 20 civilians and one staff member were killed as they unloaded trucks, and that most of the aid—including food and medical supplies meant to help at least 78,000 people—was destroyed.³⁶³ Human Rights Watch relayed that “the UN said that the convoy had received proper permits from the Syrian government in advance to cross from government-controlled Aleppo to parts of opposition-held western Aleppo to deliver the aid.”³⁶⁴

According to the UN Commission of Inquiry, eastern Aleppo was subjected to multiple attacks on “markets, bakeries and other food sources essential for civilian life, [...] violating the right to regular, permanent and unrestricted access to sufficient food [...]. The total number of markets and bakeries attacked from the air during the period under review is indicative of a pattern on the part of pro-Government forces of intentionally violating this right by targeting civilian infrastructure in order to compel the surrender of armed groups.”³⁶⁵

Members of armed opposition groups also contributed to the exacerbation of the humanitarian catastrophe. As the UN Commission of Inquiry stated in a report, “shortly after the siege was laid, some armed groups began

360 International Committee of the Red Cross (ICRC), “I Saw My City Die - Voices from the frontlines of urban conflict in Iraq, Yemen, and Syria,” June 14, 2017, https://shop.icrc.org/i-saw-my-city-die.html?__store=default&_ga=2.25367742.249125083.1580905763-635162238.1579195283 (accessed November 17, 2020).

361 Amnesty International, “Syria: ‘We Leave or We Die’: Forced displacement under Syria’s ‘reconciliation’ agreements,” November 13, 2017, <https://www.amnesty.org/download/Documents/MDE2473092017ENGLISH.pdf> (accessed November 17, 2020) p. 35.

362 UN Office for the Coordination of Humanitarian Affairs (OCHA), “Statement on Convoy to Urum al-Kubra, Syria,” September 19, 2016, https://reliefweb.int/sites/reliefweb.int/files/resources/ERC_USG%20Stephen%20O%27Brien%20Statement%20on%20Urum%20al-Kubra%2C%20SYRIA%2019Sept16.pdf (accessed December 2, 2020).

363 “Syria: Investigate Attack on UN Aid Convoy,” Human Rights Watch news release, September 20, 2016, <https://www.hrw.org/news/2016/09/20/syria-investigate-attack-un-aid-convoy> (accessed November 17, 2020).

364 Ibid.

365 Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/34/64, February 2, 2017, <https://undocs.org/en/A/HRC/34/64> (accessed November 17, 2020) para. 41.

to confiscate and hide food items that had previously been available throughout most districts. [...] Some armed groups distributed food and aid preferentially to those within their ranks, their family members and confidants over civilians. For the remaining population, minimal food assistance was occasionally circulated.”³⁶⁶ Moreover, some groups used civilians and the local population as human shields.³⁶⁷

Bombings and shelling became increasingly intense during the siege. Armed opposition groups attacked western Aleppo, including civilian infrastructure, which resulted in the injury of dozens of civilians, including women and children.³⁶⁸ The skies above Aleppo were controlled by Syrian and Russian air forces. According to the UN Commission of Inquiry, “the Syrian air force [had] limited capability to conduct operations at night; most night operations were therefore conducted by the more capable Russian air force. [...] On 23 September, for example, Russian aircraft conducted 42 air sorties, making at least 28 confirmed airstrikes in eastern Aleppo city.”³⁶⁹

The ICRC further stated that “Syrian and Russian air forces conducted daily air strikes in Aleppo throughout most of the period under review, exclusively employing, as far as the Commission could determine, unguided air-delivered munitions.”³⁷⁰ This unlawful use of unguided weapons in densely populated areas led to civilian casualties and destroyed civilian objects. The constant bombardment of civilian infrastructure during the siege, in particular, led to a significant number of civilian casualties. According to the Syrian Network for Human Rights, 1,244 civilians were killed in eastern Aleppo, between July and December 2016, as a result of attacks.³⁷¹ According to the Commission of Inquiry, the bombardment that started on September 23, 2016, killed about 300 people within the first three days.³⁷² On September 25, UN special envoy to Syria Staffan de Mistura reported that the situation in eastern Aleppo “deteriorated to new heights of horror.”³⁷³

“Those who lost their house, have to go look for a new roof over their heads. People live not only in tents: some shelter themselves in the

366 Ibid., para. 63.

367 Ibid., para 46-47.

368 Ibid., p. 1, para.76.

369 Ibid., para. 14.

370 International Committee of the Red Cross (ICRC), “Syria, the Battle for Aleppo,” <https://casebook.icrc.org/case-study/syria-battle-aleppo> (accessed November 17, 2020).

371 Amnesty International, “Syria: ‘We Leave or We Die’: Forced displacement under Syria’s ‘reconciliation’ agreements,” November 13, 2017, <https://www.amnesty.org/download/Documents/MDE2473092017ENGLISH.pdf> (accessed November 17, 2020) p. 38.

372 Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/34/64, February 2, 2017, <https://undocs.org/en/A/HRC/34/64> (accessed November 17, 2020).

373 “Amid Bloodshed in Aleppo, Special Envoy for Syria Briefs Security Council, Calling on Russian Federation, United States to Save Ceasefire at ‘Eleventh Hour,’” UN press release, September 25, 2016, <https://www.un.org/press/en/2016/sc12533.doc.htm> (accessed November 17, 2020).

burned-out cars and buses. [...] To buy bread, one has to stand in line for several hours,” German news agency *Deutsche Welle* reported in August 2016.³⁷⁴

A witness to these bombardments described them to us in his interview:

“On September 25, 2016 Russian warplanes bombed the city with cluster munitions. When the first attack occurred, I took the camera and ran toward its location. But there was this strategy used, to bomb once and then—when people came over to the location of the attack to help the injured—the plane would return and attack a second time. [This was done] to target as many people as possible. So, after a while people grew too scared to help. Anyway, this is how I received an injury to my stomach, in the second attack, when the plane returned. Unfortunately, no one helped me, so I walked to the hospital myself. While I was walking, I saw several adult men who could not move from their injuries. When I arrived at the hospital, I saw a very big number of wounded people; the hospital was taking only those with the most severe injuries. I saw a girl, aged seven, she was injured in her chest, I saw the doctor taking her to an operating room. I don’t remember anything else as I lost consciousness then. Later, I woke up in a ward.”³⁷⁵

The bombardments paralysed the work of most health facilities in Aleppo.

Another witness from Aleppo told us about this in his interview:

“In 2015, there were eight hospitals in Aleppo. There were only two left by the autumn of 2016: al-Quds and al-Sakhour. I spent 12 days in the latter, then I was transferred to al-Quds as [al-Sakhour] was heavily bombed [and, as a result,] it was closed. All the medical equipment was damaged. When I left the hospital, I could not recognise many areas of my own city.”

As mentioned previously, by the end of siege, there were reportedly no working hospitals left in Aleppo.

On August 12, Doctor Maximilian Gertler—a representative of Médecins Sans Frontières—reported that the organisation had been informed of two

374 “Syrian Aleppo: live among ruins” (“Сирийский Алеппо: Жизнь среди руин”), *Deutsche Welle*, August 3, 2016, <https://bit.ly/3dA6jnQ> (accessed November 17, 2020).

375 This testimony is corroborated by Human Rights Watch, “Russia/Syria: War Crimes in Month of Bombing Aleppo,” Human Rights Watch news release, December 1, 2016, <https://www.hrw.org/news/2016/12/01/russia/syria-war-crimes-month-bombing-aleppo> (accessed November 17, 2020).

chlorine gas attacks in eastern Aleppo on August 10. In his statement, he said: “Currently, we are in contact with two hospitals that use our support. They tell us that they have received around 80 patients. Almost half of them are children under the age of 10. Many patients are diagnosed with acute respiratory problems, others suffer from conjunctivitis. Our colleagues who are in contact with the local doctors are currently trying to get more information about the cause of these symptoms. Presently, we have no way of checking this ourselves.”³⁷⁶

Human Rights Watch also documented the use of indiscriminate weapons, such as cluster munitions and incendiary weapons, including near hospitals.³⁷⁷ The organisation reported that from November 17 to December 13, 2016, “government helicopters [dropped] chlorine in residential areas on at least eight occasions.” However, the number of attacks could well be higher.³⁷⁸ According to their research, “the attacks took place in areas where government forces planned to advance, starting in the east and moving westwards as the frontlines moved.”³⁷⁹

In late July 2016, the Syrian and Russian governments offered to set up humanitarian corridors that would allow food through and give people an opportunity to flee the besieged city.³⁸⁰ At that time, there were around 250,000 civilians left in eastern Aleppo, and the Syrian government—with support from Russia—had already regained a third of the territory.³⁸¹

Russian Defence Minister Sergey Shoygu announced that by order of the Russian President, a large-scale humanitarian operation would commence. In his words, civilians of Aleppo and combatants willing to surrender their weapons would be provided with the opportunity to exit the city through three humanitarian corridors. He said that an additional humanitarian corridor would be arranged for armed fighters carrying weapons and equipment. Shoygu also commanded troops to organise airdrops of food, medicine, and other basic necessities. Russian media

376 “Representative from Doctors without borders: In Aleppo with help while risking our lives” (“Представитель “Врачей без границ”: В Алеппо мы помогаем с риском для жизни”), *Deutsche Welle*, August 12, 2016, <https://p.dw.com/p/1JhKw> (accessed November 17, 2020).

377 “Russia/Syria: War Crimes in Month of Bombing Aleppo,” Human Rights Watch news release, December 1, 2016, <https://www.hrw.org/news/2016/12/01/russia/syria-war-crimes-month-bombing-aleppo> (accessed November 17, 2020).

378 “Syria: Coordinated Chemical Attacks on Aleppo,” Human Rights Watch news release, February 13, 2017, <https://www.hrw.org/news/2017/02/13/syria-coordinated-chemical-attacks-aleppo> (accessed November 17, 2020).

379 *Ibid.*

380 “Russia and Syrian authorities launched a large-scale operation to rescue the residents of Aleppo” (“Россия и власти Сирии начали масштабную операцию по спасению жителей Алеппо”), *Ria Novosti*, July 28, 2016, <https://ria.ru/20160728/1473051453.html> (accessed November 17, 2020); “Proposed humanitarian corridors in Aleppo must be guaranteed by all sides, says UN relief chief,” UN press release, July 28, 2016, <https://news.un.org/en/story/2016/07/535622-proposed-humanitarian-corridors-aleppo-must-be-guaranteed-all-sides-says-un> (accessed November 17, 2020); “Syria: Safe passage for civilians will not avert humanitarian catastrophe in Aleppo city,” Amnesty International press release, July 28, 2016, <https://www.amnesty.org/en/latest/news/2016/07/syria-safe-passage-for-civilians-will-not-avert-humanitarian-catastrophe-in-aleppo-city/> (accessed November 17, 2020).

381 “UN repeats call for 48-hour ceasefire to reach 250,000 people trapped in Aleppo,” UN Office for the Coordination of Humanitarian Affairs (OCHA) press release, August 22, 2016, <https://www.unocha.org/es/story/syria-un-repeats-call-48-hour-ceasefire-reach-250000-people-trapped-aleppo> (accessed November 17, 2020).

claimed that armed groups prevented civilians from leaving the city.³⁸²

On July 28, Bashar al-Assad issued a decree promising amnesty to members of armed groups willing to hand over their weapons and surrender themselves to the appropriate authorities within the following three months.³⁸³ Special Advisor to the UN Special Envoy for Syria Jan Egeland said that there was an urgent need for access to the besieged population of Aleppo, as 400 people required urgent medical evacuation.³⁸⁴ Meanwhile, humanitarian organisations criticised the Russian proposal, calling it “deeply flawed.”³⁸⁵ Thirty-five organisations signed a petition declaring that “a true humanitarian operation would not force the people of Aleppo to choose between fleeing into the arms of their attackers or remaining in a besieged area under continued bombardment.”³⁸⁶

The witnesses we interviewed told us that most civilians could not use the humanitarian corridors as they were afraid to relocate to territories controlled by the Syrian government.

One man told us:

“On the side controlled by the government they knew who I was. They [would] persecute me as I was a journalist. I think that if I had gone to government-controlled territory, I would have been arrested and either killed or, even worse, tortured. There were people like me who took this risk, and some of them were detained.”

On September 9, 2016, Russia, along with the US and the co-chairs of the International Syria Support Group (ISSG), reached an agreement allowing for the cessation of hostilities.³⁸⁷ However, on September 19, the agreement was breached. Armed opposition groups resumed shelling western Aleppo, while the Syrian government resumed its aerial campaign and launched a ground operation led by its military forces and militias.³⁸⁸ According to the UN, the pro-government militias included local groups,

382 “Russia and Syrian authorities launched a large-scale operation to rescue the residents of Aleppo” (“Россия и власти Сирии начали масштабную операцию по спасению жителей Алеппо”), *Ria Novosti*, July 28, 2016, <https://ria.ru/20160728/1473051453.html> (accessed November 17, 2020).

383 Ibid.

384 “Syria: Urgent Need for Aleppo Aid Access,” Human Rights Watch news release, December 12, 2016, <https://www.hrw.org/news/2016/12/12/syria-urgent-need-aleppo-aid-access>; UN Office for the Coordination of Humanitarian Affairs (OCHA), “Syrian Arab Republic: Aleppo, Situation Report No. 2,” December 3, 2016, https://reliefweb.int/sites/reliefweb.int/files/resources/Syria%20SITREP%20Aleppo_3%20December%202016_final2.pdf (accessed November 17, 2020).

385 “Proposed humanitarian corridors in Aleppo must be guaranteed by all sides, says UN relief chief,” UN press release, July 28, 2016, <https://news.un.org/en/story/2016/07/535622-proposed-humanitarian-corridors-aleppo-must-be-guaranteed-all-sides-says-un> (accessed November 17, 2020); “Syria: Safe passage for civilians will not avert humanitarian catastrophe in Aleppo city,” Amnesty International press release, July 28, 2016, <https://www.amnesty.org/en/latest/news/2016/07/syria-safe-passage-for-civilians-will-not-avert-humanitarian-catastrophe-in-aleppo-city/> (accessed November 17, 2020).

386 ““Humanitarian Corridor” Proposal Deeply Flawed,” World Vision, August 2, 2016, <http://www.wvi.org/syria-crisis/pressrelease/%E2%80%9Chumanitarian-corridor%E2%80%9D-proposal-deeply-flawed> (accessed November 17, 2020).

387 Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/34/64, February 2, 2017, <https://undocs.org/en/A/HRC/34/64> (accessed November 17, 2020) para. 9.

388 Ibid.

such as the Ba'ath Brigades, Tiger Forces, and Liwa al-Quds Brigade, as well as groups of foreign armed fighters, such as the Army of the Guardians of the Islamic Revolution (Iran Revolutionary Guard Corps), al-Quds Force, Hezbollah, and the Iraqi militias al-Nujabaa and al-Fatimiyoona among others.³⁸⁹

During this period, parties to the conflict proposed various ceasefire plans. On October 19, 2016, the Syrian government unilaterally declared a three-day ceasefire and once more told civilians to leave the city through two corridors and six safe exits.³⁹⁰ According to the British newspaper *The Independent*, Syrian television even broadcast images of green buses that were arranged for people wanting to evacuate to Idlib governorate. However, people who tried to cross were shot by armed groups.³⁹¹ An ITV correspondent said that he himself witnessed the mortar fire and the empty green buses designated for evacuation.³⁹² Rebels called this information propaganda.³⁹³

On October 21, 2016, the UN Human Rights Council adopted a resolution on the situation in Aleppo, where it demanded that the Syrian government and its allies immediately cease all hostilities and end “all aerial bombardment and military flights over Aleppo.” The resolution also condemned the use of starvation against civilians, any sieges directed at civilians, as well as terrorist attacks and other acts of violence committed by terrorist groups against the civilian population.³⁹⁴ Twenty-four of the Council’s member states voted for this resolution; seven member states voted against it, including Russia. A week later, Russia was not re-elected to the UN Human Rights Council.³⁹⁵

In November 2016, UN Special Envoy to Syria Staffan de Mistura proposed yet another ceasefire. No agreement was reached, however, and military action continued until December 22, 2016—when government forces regained full control of eastern Aleppo. A de facto ceasefire became a reality only at the end of December.

389 *Ibid.*, para. 23.

390 “East Aleppo civilians ‘shot at’ by rebels to prevent them leaving during truce,” *The Independent*, October 21, 2016, <https://www.independent.co.uk/news/world/middle-east/aleppo-crisis-latest-rebel-assad-blame-un-lack-evacuations-a7374081.html> (accessed November 17, 2020).

391 *Ibid.*

392 “No crossings in Aleppo as rebels bombard exit points,” ITV, October 20, 2016, <https://www.itv.com/news/update/2016-10-20/no-crossings-in-aleppo-as-rebels-bombard-exit-points/> (accessed November 17, 2020).

393 “East Aleppo civilians ‘shot at’ by rebels to prevent them leaving during truce,” *The Independent*, October 21, 2016.

394 UN Human Rights Council, “The deteriorating situation of human rights in the Syrian Arab Republic, and the recent situation in Aleppo,” A/HRC/S-25/L.1, October 21, 2016, <https://undocs.org/A/HRC/S-25/L.1> (accessed November 17, 2020).

395 “Russia fails to win re-election to U.N. Human Rights Council,” Reuters, October 28, 2016, <https://www.reuters.com/article/us-un-rights-russia-idUSKCN12S27S> (accessed November 17, 2020).

Forced Evacuation of Civilians and Fighters from Aleppo



Syrian soldiers check belonging of people before they board buses to leave the rebel-held area of Mouadamiya, Damascus countryside, Syria, 02 September 2016.
Source: EPA

In December 2016, the warring parties in Syria reached an agreement that sought to stop the hostilities in eastern Aleppo city. This allowed for the evacuation of civilian residents who did not wish to stay in government-controlled territories, armed opposition group members, their families, and other civilians. The evacuation was organised to territories that were not controlled by government forces.

The evacuation of civilians and armed group members started on December 15, under a ceasefire that had been declared until December 22. Sporadic skirmishes notwithstanding, over 37,500 people were evacuated from eastern Aleppo to opposition-held areas of Aleppo governorate between December 16–22, 2016, according to the UN.³⁹⁶ By the evening of December 22, 2016, the city of Aleppo had come under the full control of pro-government forces. As a result of years of hostilities and the final offensive, the city's infrastructure has been almost entirely destroyed.

At the same time, Syrian government officials, and, to a lesser extent, the Russian media, automatically qualified those who fled the city of Aleppo as fighters. "The total number of fighters and their family members that have agreed to leave eastern Aleppo, according to the framework of the agreement with the Syrian government, is 31,849 people," the head of the city's security committee, Major General Zahid Saleh, said in an interview

³⁹⁶ UN High Commissioner for Refugees (UNHCR), "Syria: Flash update on recent events," December 19, 2016, <https://reliefweb.int/sites/reliefweb.int/files/resources/161219%20syria%20flash%20update%20cccm%20snfi%20protection.pdf> (accessed November 17, 2020); UN Office for the Coordination of Humanitarian Affairs (OCHA), "Syrian Arab Republic: Aleppo situation report No. 8," December 17, 2016, https://reliefweb.int/sites/reliefweb.int/files/resources/Sitrep_Aleppo_17%20December.pdf (accessed November 17, 2020).

with RIA Novosti.³⁹⁷

One of the witnesses told our monitoring team in his interview, *“I left the city in one of the green buses arranged by the government on December 21, 2016. We passed through checkpoints: first a Syrian one, then a Russian one. There were different people on the bus: both combatants and civilians.”*

Another witness told us about a convoy that faced some issues at an Iranian checkpoint:

“On December 16, people from a convoy of green buses that had been turned back told us that they were stopped at an Iranian checkpoint. They forced all of them to leave their buses, and took their phones, personal belongings, and money. After that, the convoy came back to the city [of Aleppo].”

The International Red Cross Committee (ICRC) reported that “hundreds of sick and wounded people were among the evacuees. Teams from the Syrian Arab Red Crescent and the ICRC stayed on-site day and night throughout the ordeal. [...] With temperatures below freezing, people were burning whatever they could find, including blankets and clothes, to keep themselves and their children warm while they waited to leave. ‘Very few families decided to stay,’ explains Marianna Gasser [head of the IRCC delegation in Syria]. ‘However, the majority had very little choice and felt it was best to leave at that juncture, with their houses turned to rubble, very little food and no water or electricity. Not to mention the violence they had been witnessing for so long. No one could endure such suffering.”³⁹⁸

The UN Commission of Inquiry stated that, “as pro-Government forces recaptured eastern Aleppo city in December, some executed hors de combat fighters and perceived armed group supporters. Hundreds of men and boys were separated from their families and forcibly conscripted by the Syrian army. The fate of others remains unknown.”³⁹⁹

In 2017, the city and governorate of Aleppo became part of the so-called de-escalation zone. Since then, the ceasefire has been violated in the governorate several times. Recently, Syrian government officials announced their readiness to accept the return of residents who fled the

397 “More than 31,000-armed group members and their families existed Aleppo” (“Более 31 тысячи боевиков и членов их семей покинули Алеппо”), *Ria Novosti*, December 23, 2016 <https://ria.ru/20161223/1484440022.html?in=t> (accessed November 17, 2020).

398 International Committee for the Red Cross (ICRC), “I Saw My City Die - Voices from the frontlines of urban conflict in Iraq, Yemen, and Syria,” June 14, 2017, https://shop.icrc.org/i-saw-my-city-die.html?__store=default&_ga=2.25367742.249125083.1580905763-635162238.1579195283 (accessed November 17, 2020).

399 Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/34/64, February 2, 2017, <https://undocs.org/A/HRC/34/64> (accessed November 17, 2020) p. 1.

war—including to Aleppo. However, while large financial investments are needed to restore the country's infrastructure, the Syrian authorities are providing no guarantees regarding safeguarding and respect for human rights. Various human rights organisations said that cases of arbitrary arrests, detention, and forcible disappearances have been reported as recently as 2018, 2019, and 2020.⁴⁰⁰

Moreover, hostilities between armed opposition groups and government forces and bombardments of residential areas continue in Aleppo governorate. In January 2020, Syrian government forces and Russian Aerospace Forces (VKS) bombed areas in the western and southern parts of Aleppo governorate which resulted in a new wave of displacement and refugees.⁴⁰¹ As of May 1, 2020, around 846,000 people who had fled their homes since December 1, 2019 remained displaced.⁴⁰²

As a result, the refugees we interviewed in neighbouring countries so far have no plans to return home. One of them said, *“I love Aleppo very much, Aleppo is very beautiful. But I will never be able to return there.”*

400 Violations Documentation Center in Syria, <https://bit.ly/2ucOKcX> (accessed November 17, 2020).

401 “Russian-led strikes on rebel-held northwest Syria kill 40: rescuer,” Reuters, January 21, 2020, <https://www.reuters.com/article/us-syria-security/russian-led-strikes-on-rebel-held-northwest-syria-kill-40-rescuers-idUSKBN1ZK1WL> (accessed November 17, 2020); Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/44/61, July 2, 2020, https://ohchr.org/EN/HRBodies/HRC/RegularSessions/Session44/Documents/A_HRC_44_61_AdvanceUneditedVersionFINAL.docx (accessed November 17, 2020) para. 19; Human Rights Watch, “Targeting Life in Idlib: Syrian and Russian Strikes on Civilian Infrastructure,” October 15, 2020, https://www.hrw.org/sites/default/files/media_2020/10/syria1020_web.pdf (accessed November 17, 2020) p. 31; Amnesty International, “‘Nowhere is Safe for Us’: Unlawful Attacks and Mass Displacement in North-West Syria,” May 11, 2020, <https://www.amnesty.org/download/Documents/MDE2420892020ENGLISH.PDF> (accessed November 17, 2020); “Syria: A spike in civilian casualties, mass displacement in country’s northwest,” International Committee for the Red Cross (ICRC) press release, January 31, 2020, <https://www.icrc.org/en/document/syria-spike-civilian-casualties-mass-displacement-countrys-northwest> (accessed November 17, 2020).

402 UN Office for the Coordination of Humanitarian Affairs (OCHA), “Recent Developments in Northwest Syria,” May 1, 2020, https://reliefweb.int/sites/reliefweb.int/files/resources/nw_syria_sitrep13_20200501.pdf (accessed November 17, 2020).

HOMS



Shelling and air strikes left the dense urban areas of Homs in ruins.
Source: Karam Almasri / Shutterstock

Homs is the largest governorate in Syria, stretching from the border with Lebanon in the west across to Iraq in the east. The governorate's capital city, also named Homs, was the third-largest city in Syria, with a pre-war population of more than 1 million people.

In the course of our fieldwork, we conducted seven interviews with people who lived in the city of Homs between 2011–2017. They shared many details about what happened in the city during those years.

Mass peaceful protests against the Syrian government began in Homs in March 2011. According to our interviewees, authorities spent the first months trying to quell the large-scale anti-government protests using the same methods employed in other governorates.

Many reports by human right organisations corroborate witness accounts of security forces' use of systematic, widespread, and disproportionate violence against largely peaceful demonstrators. Human Rights Watch documented "dozens of incidents in which security forces and government supported militias violently attacked and dispersed overwhelmingly peaceful protests."⁴⁰³ Between mid-April and August 2011, local activists reported that "security forces killed at least 587 civilians, the highest number of casualties for any single governorate."⁴⁰⁴

403 Human Rights Watch, "Syria: Crimes Against Humanity in Homs," November 11, 2011, <https://www.hrw.org/news/2011/11/11/syria-crimes-against-humanity-homs> (accessed December 2, 2020); Human Rights Watch, "'We live as in War,' Crackdown on Protesters in the Governorate of Homs," November 11, 2011, https://www.hrw.org/sites/default/files/reports/syria1111webwcover_0.pdf (accessed November 18, 2020) p. 17.

404 *Ibid.*, p. 3.

In Homs, Syrian security forces conducted mass arrests of people suspected of participating in the protests. Those detained by the authorities were subjected to torture; many were forcibly disappeared.⁴⁰⁵ Most often, they were taken to a detention facility in local branches of the government's intelligence agencies before being transferred to other locations.

Universities and certain student unions (so-called “yellow” student unions) collaborated with intelligence services. One resident of Homs, who was a university student when the protests started, described to our research team an attempt by the *mukhabarat* (intelligence services) to recruit her as an informant:

“Once, on my way to Bab Sabaa [a neighbourhood in Homs], which was at that time the real centre of the demonstrations, they held me for 14 hours at a military security detention facility in Homs. They asked me to become an informant. There were six members of security forces; they hit me on the back and legs with their hands and a metal stick. That’s how it was for seven hours.”

In parallel to the violence toward young protesters, Syrian authorities tried to connect with older and widely regarded protesters. Qassem al-Zein, who worked as a field doctor in Homs between 2012 and 2014, told our team about a meeting that took place in Homs in April 2011, between local leaders, the city's elders, and government representatives. During the meeting, Dr. Qassem—who said that Ba'ath party members had invited him—raised the need for change and deep reforms. The mayor of Homs, city administrators, and senior security services leaders were reportedly also in attendance.

It is worth noting that Dr. Qassem's initial statement had no effect on his fate. He remained in charge of the central hospital in Homs. But in July, his statements reportedly reached the intelligence services, and he was fired.

Security forces had reportedly escalated their crackdown on Homs as early as May 2011, when they entered the city with tanks.⁴⁰⁶ During that period, “security forces conducted operations on a regular basis, targeting different neighborhoods. [...] Several [operations] led to injuries and deaths,” according to Human Rights Watch.⁴⁰⁷

⁴⁰⁵ Ibid., p. 7.

⁴⁰⁶ “Syria: Security forces enter Homs to crush protests,” *BBC*, May 8, 2011, <https://www.bbc.com/news/world-middle-east-13327815> (accessed November 18, 2020).

⁴⁰⁷ Human Rights Watch, “‘We Live as in War,’ Crackdown on Protesters in the Governorate of Homs, November 11, 2011, p. 32.

Syrian authorities repeatedly attributed the use of heavy weapons in Homs to terrorist groups. The first armed groups appeared in Homs very early on. The conditions of the developing armed conflict led some residents of Homs city, most notably in the Bab Sabaa neighbourhood, to organise themselves into local defence committees that were often armed—mostly with firearms, but in some cases, with rocket-propelled grenades (RPGs).

One man explained in his interview: *“We, I mean the locals, started setting up checkpoints around the square so that [the residents of the rebellious Homs] would not bring weapons or knives to large public rallies, and members of security services, on the other hand, would not get in—we searched for IDs.”*

Our witnesses claim that Free Syrian Army (FSA) units did not begin forming until late 2011 (before that, numerous disparate groups—including Islamists—had challenged government troops). As the conflict evolved, the FSA expanded, and their combat readiness improved. As one witness put it: *“At first, the weapons were basically what people had at home—rifles, pistols—or [opposition fighters] bought weapons on the black market. But as [the opposition] gained strength, weapons were being supplied to Homs, and they were handed out for free.”*

Apart from the FSA, several armed opposition groups were also active in Homs, including the Islamic Front (al-Haq Brigade), al-Farouq Brigade, and Jabhat al-Nusra.⁴⁰⁸ Human rights defenders documented various indiscriminate attacks carried out by these groups, including the use of car bombs, mortars, and unguided rockets, that killed hundreds of civilians in Damascus and Homs.⁴⁰⁹ One witness told us in his interview:

“When the FSA was formed, other militias also formed gradually. There was the al-Farouq Brigade, made up of residents of Qusayr... It was around that time that the authorities released thieves, drug dealers, and Islamists from the prisons. Neither al-Farouq Brigade nor the FSA recruited these people. They formed their own armed group. They kidnapped people for ransom. I heard that they abducted a pilot and got ransom for him. This group began robbing people on the Homs–Damascus road. Sometimes there were skirmishes between the armed groups.”

The growing strength of opposition groups made it impossible for government troops to capture the city in open combat. In February 2012,

408 Human Rights Watch, “He Didn’t Have to Die: Indiscriminate Attacks by Opposition Groups in Syria,” March 22, 2015, https://www.hrw.org/sites/default/files/reports/syria0315_ForUpload.pdf (accessed November 18, 2020) p. 68.

409 Ibid., p. 1.

the Syrian army launched an offensive on opposition-held districts. By June 2012, government forces had imposed sieges on some of these areas, severely restricting access to food and medical supplies.⁴¹⁰ In 2013, members of Hezbollah—a Lebanese, pro-Iranian Shiite militia—were fighting alongside Syrian government forces.⁴¹¹ Involvement of Lebanese Hezbollah members from the early stages of the armed conflict in Syria had a significant effect on the power balance in the region.

The siege of Homs lasted about two years.⁴¹² The interviews we conducted contain evidence as to how life and medical aid were organised in the besieged and starving city. Besieged areas were subject to continuous, relentless bombing, including of civilians and civilian infrastructure. There was nearly no food or medicine. Bombardments destroyed bakeries, hospitals, and mosques. People starved.

In May 2014, after a UN-brokered local ceasefire agreement resulted in the evacuation of armed opposition fighters from the Old City, al-Waer became the last rebel-held neighbourhood in the city of Homs.⁴¹³ The siege of al-Waer was imposed in October 2013, with the movement of residents restricted, along with access to food, medicine, and fuel.

In 2016, the Syrian government—supported by Russia’s air force—escalated its military offensive in al-Waer by tightening the siege and intensifying bombardment, attacking civilians and civilian objects.⁴¹⁴ Once more, “starve and surrender” tactics were used.⁴¹⁵

410 Ibid., p. 52.

411 Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/23/58, June 4, 2013, https://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session23/A-HRC-23-58_en.pdf (accessed December 2, 2020) paras. 14, 23.

412 Human Rights Watch, “He Didn’t Have to Die: Indiscriminate Attacks by Opposition Groups in Syria,” March 22, 2015, https://www.hrw.org/sites/default/files/reports/syria0315_ForUpload.pdf (accessed November 18, 2020).

413 “Rebels evacuated from Homs, cradle of Syrian uprising,” Reuters, May 7, 2014, <https://www.reuters.com/article/us-syria-homs/rebels-evacuated-from-homs-cradle-of-syrian-uprising-idUSBREA4607L20140507> (accessed November 18, 2020).

414 Amnesty International, “Syria: ‘We Leave or We Die’: Forced displacement under Syria’s ‘reconciliation’ agreements,” November 13, 2017.

415 See section: “Sieges and Starvation as a Method of Warfare”.

A witness from Homs told us in his interview:

“There were no bunkers or places to hide. People remained in their homes, in the rooms where they felt safest. But when the Russians arrived, they used the kinds of bombs that, once they land on the roof, they penetrate the [floor] and blow up the entire building.

“How did we recognise Russian airplanes? By the altitude, sound, and accuracy hitting targets. Syrian pilots are cowards and strike from a high altitude, but the Russians [warplanes] descend and strike more accurately.”

In March 2017, a Russian-sponsored deal brought the district back under government control and resulted in the evacuation of 20,000 residents, including remaining fighters of opposition and jihadist groups, their family members, and civilians to Idlib.⁴¹⁶

416 Amnesty International, “Syria: ‘We Leave or We Die’: Forced displacement under Syria’s ‘reconciliation’ agreements,” November 13, 2017, p. 9.

DARAA



Damaged and destroyed buildings in Syria's southern city of Daraa, August 21, 2017.

Source: Photo by MOHAMAD ABAZEED/AFP via Getty Image

The city of Daraa is renowned for being the place where the mass anti-government protests that ignited Syria's bloody civil war began. The spark was an incident involving 15 school children, who had been arrested by the police for scribbling anti-government graffiti on the walls in February 2011.⁴¹⁷

In the course of our research we were able to interview people who took part in the first days of the Daraa protests. According to a witness we interviewed, *"On March 17, 2011, a delegation of Daraa's clan heads went to the governor to find out what was happening to these children. Governor Faisal Kalsum refused to meet with them."*

On the following day, March 18, the first demonstrators took to the streets—a portent of upcoming events. Four hours into the mass gathering, the protesters could not be persuaded to depart or disperse. When they started moving along the river, security forces began shooting at them from the other side.⁴¹⁸

417 Human Rights Watch, "'We've Never Seen Such Horror': Crimes against Humanity by Syrian Security Forces," June 1, 2011, p. 1.

418 "The revolution of the young in Syria and its repression, Daraa alBalad," March 18, 2011, YouTube, https://www.youtube.com/watch?v=letDsvImTtk&feature=player_embedded (accessed November 18, 2020); "The city of Daraa, the first protest in Syria, and the first use of lethal force in the Revolution," March 18, 2011, YouTube, https://www.youtube.com/watch?v=5tmYenWOp_A&t=225s (accessed November 18, 2020).

Omar, a refugee from Daraa, told us during his interview that *“Two guys were killed then. Wissam Ayyash and Mahmoud Jawabra. Mahmoud was around 20 and Wissam was about 27 or 28 years old. One was struck in the head, the other in the body. They died instantly.”*⁴¹⁹ A resident of Daraa also told Human Rights Watch that he understood “four people had been killed and that two bodies were returned to their families.”⁴¹⁹

Instead of opening dialogue with the protesters, authorities used lethal force, which only added to people’s growing anger. With each passing day, more and more people joined the protests.

Ahmed, a refugee from Daraa, told us that *“Daraa was surrounded by tanks as of April 25, 2011... and a travel ban was instituted in the city. Heavy artillery fire began. They detained activists, dozens of people. They set up dozens of checkpoints at all the entrances to the city, on all sides—45 military checkpoints in one of those districts alone. Daraa was split in two.”*

His testimony is corroborated by the report documenting the violations committed in Daraa.⁴²⁰

“Later, the government carried out military operations anywhere in Daraa where there were demonstrations... They tried to detain activists, all the activists—as many as they could... After nine months of protests, small armed groups formed; they had improvised weapons, so that demonstrators could defend themselves against the government.”

International human rights organisations have documented the killing of peaceful demonstrators. In their report “By All Means Necessary,” Human Rights Watch stated that “about half of the defectors interviewed by Human Rights Watch said that the commanders of their units or other officers gave direct orders to open fire at protesters or bystanders, and, in some cases, participated in the killings themselves. According to the defectors, the protesters were not armed and did not present a significant threat to the security forces at the time.”⁴²¹

The report further states that an officer named “Amjad,” who was deployed to Daraa with the 35th Special Forces Regiment, “said that he received direct verbal orders from his commander to open fire at the protesters on April 25. He said: The commander of our regiment, Brigadier General

419 “Syria: Government Crackdown Leads to Protester Deaths,” Human Rights Watch new release, March 21, 2011, <https://www.hrw.org/news/2011/03/21/syria-government-crackdown-leads-protester-deaths> (accessed November 18, 2020).

420 Human Rights Watch, “We’ve Never Seen Such Horror’: Crimes against Humanity by Syrian Security Forces,” June 1, 2011 p. 5, 25.

421 Human Rights Watch, “‘By all means necessary!’: Individual and Command Responsibility for Crimes against Humanity in Syria,” December 4, 2011, https://www.hrw.org/sites/default/files/reports/syria1211webwcover_0.pdf (accessed November 18, 2020) p. 4.

Ramadan Mahmoud Ramadan, usually stayed behind the lines. But this time he stood in front of the whole brigade. He said, 'Use heavy shooting. Nobody will ask you to explain.' Normally we are supposed to save bullets, but this time he said, 'Use as many bullets as you want.' And when somebody asked what we were supposed to shoot at, he said, 'At anything in front of you.' About 40 protesters were killed that day."⁴²²

Over time, like in the rest of the country, armed opposition groups began organising themselves and building up strength. More soldiers and officers defected from the regular army to join them. The Syrian government began to lose control over some of the areas where the armed opposition groups were based. In those territories, raids and arrests were replaced with full-scale military action.

A refugee from Daraa recounted in his interview with our monitoring team: *"The second phase started: Groups that formed in the different suburbs began attacking the army and police, capturing government positions, and improving their armament. They gradually grew stronger and became the Free Syrian Army."*

A significant number of army and intelligence members deserted, not wanting to carry out orders they saw as criminal or looking to spare themselves the violence which reigned within the ranks of government forces. Human Rights Watch reported:

"'Habib,' a conscript soldier from the 65th Brigade, 3rd Division, told Human Rights Watch that a soldier from his battalion was killed for not following orders during a protest in Douma near Damascus around April 14. When protesters started moving towards the soldiers after the noon prayer, Colonel Mohamed Khader, the battalion commander, gave orders to shoot directly at the protesters. 'Habib' told Human Rights Watch:

"'The soldiers were in front. Colonel Khader and the security agents were standing right behind us. Yusuf Musa Krad, a 21-year-old conscript from Daraa, was standing right next to me. At some point the colonel noticed that Yusuf was only shooting in the air. He told First Lieutenant Jihad from the regional branch of Military Intelligence. They were always together. Jihad called a sniper on the roof, pointed at Yusuf, and the sniper then shot Yusuf twice in the head. Intelligence agents took Yusuf's body away. The next day we saw Yusuf's body on TV. They said that he had been killed by terrorists.'"⁴²³

⁴²² Ibid., p. 36.

⁴²³ Ibid., p. 63.

By the end of 2012, opposition groups had begun receiving support from abroad, “so they continued moving in on government positions and border points. By early 2014, they had taken the entire Daraa district, including districts bordering Jordan and Palestine,” a refugee from Daraa, who now lives in Turkey, told our team during his interview.

Another witness from Daraa told us about the Syrian military using “artillery, MiG warplanes, helicopters with barrel [bombs], and mortars.” He added:

“There were cases when they deliberately bombed water stations, power plants, and hospitals. They did tremendous damage when it came to water, because this is an agricultural area. Each week there were five dead and 10 wounded on average. Minor wounds were treated on site. Médecins Sans Frontières took the severely wounded to Jordan, to a clinic in Ramtha.”

Examples of indiscriminate aerial strikes can be found in multiple videos that were posted online,⁴²⁴ as well as in numerous analytical reports focused on the topic.⁴²⁵

Over time, parts of the Daraa governorate fell under the control of armed groups, including ones affiliated with the IS. According to the people interviewed, in 2016, the area of al-Yarmouk Valley—on the border with Golan Heights—was controlled by the IS-affiliated armed group Shuhada al-Yarmouk.⁴²⁶ In his testimony, one of our witnesses from Daraa told us:

“The IS controlled about 20 percent of Daraa. It was hard to document their violations. If they found that someone was providing testimonies about what was going on inside their areas of control, they executed [them]. The IS told people during Friday prayers: ‘Here are the rules now: Beards without moustaches, short trousers.’ At one point [the fighters] would just observe and remind people [of the rules]. Then the punishments grew harsher and harsher. It was like in Raqqa. They banned smoking and [ordered] everyone to attend Sharia classes at the mosque at least once a week.

“Al-Nusra [Jabhat al-Nusra, an armed extremist group banned in Russia] didn’t have an opportunity to set up

424 “Daraa governorate, the moment where a helicopter dropped a barrel bomb on the city,” April 31, 2014, YouTube, <https://www.youtube.com/watch?v=oCPeYQJtGRA&feature=youtu.be> (accessed November 18, 2020).

425 “Syria: New Spate of Barrel Bomb Attacks,” Human Rights Watch news release, February 24, 2015, <https://www.hrw.org/news/2015/02/24/syria-new-spate-barrel-bomb-attacks> (accessed November 18, 2020).

426 “What Russia achieved in two years of operation in Syria” (“Чтого добилась Россия за два года операции в Сирии”), *Komsomolskaya Pravda*, 2017, <https://www.kp.ru/best/msk/karta-boevykh-dejstvij-v-sirii/> (accessed November 18, 2020).

anything like this; they didn't have full control of any area and if they'd tried to intrude, there would have been a conflict with the Free Syrian Army."

The balance of power in Daraa shifted when Russian military intervention started in 2015. The Syrian government renewed its offensive; only this time, forces had Russian air support.

As in other parts of Syria, human rights organisations also documented the Syrian government forces and Russian aircrafts' indiscriminate attacks on Daraa.⁴²⁷ In February 2017, Human Rights Watch sent a letter to the Investigative Committee of the Russian Federation, requesting "information on potential investigations by Russia's investigative committee into the following incidents in which the Russian Air Force may have been involved [...]: Airstrike on al-Mustaqbal Hospital in al-Ghariya al-Gharbiya village, Dara'a governorate on February 5, 2016. The attack severely damaged the facility's structure, operating rooms, emergency wing, medicine storage room, fuel storage room, medical supplies and equipment, and an ambulance. The facility suspended services while staff searched for an alternative location. The Russian Ministry of Defence later announced that the Russian Air Force had conducted strikes in al-Ghariya al-Gharbiya between February 4 and 11, 2016."⁴²⁸

As a result of a memorandum between the Islamic Republic of Iran, the Russian Federation, and the Turkish Republic on May 4, 2017, one of the so-called "de-escalation zones" set up in southwest Syria consisted of the territories of Quneitra and Daraa governorates on the border with Jordan. According to representatives of the Russian Ministry of Defence, implementing the de-escalation plan would enable them to "end combat by the warring parties and in effect stop the civil war in Syria."⁴²⁹

In practice, however, the ceasefire agreement in this zone was routinely violated. According to Human Rights Watch, 10 civilians were killed on June 14, 2017 by an airstrike and artillery attack on a town in the south of Daraa governorate. Witnesses told the organisation that an airstrike on the playground of the Martyr Kiwan secondary school in Tafas "kill[ed] eight people including a child, most of them members of a family who had been displaced from another town and were taking shelter there [...].

427 "Syria: Civilians in Daraa trapped as attacks intensify," Amnesty International press release, July 2, 2018, <https://www.amnesty.org/en/latest/news/2018/07/syria-civilians-in-daraa-trapped-as-attacks-intensify/> ; <https://www.hrw.org/world-report/2019/country-chapters/syria#> (accessed January 14, 2021); Human Rights Watch, *World Report 2019* (New York: Human Rights Watch, 2019), Syria chapter, <https://www.hrw.org/world-report/2019/country-chapters/syria#f31107> (accessed January 14, 2021).

428 "Letter to the Investigative Committee of the Russian Federation Re: Attacks on Health Facilities in Syria," Human Rights Watch news release, February 19, 2017, <https://www.hrw.org/news/2017/02/19/letter-investigative-committee-russian-federation-re-attacks-health-facilities> (accessed November 18, 2020).

429 "World within specified boundaries" ("Мир в указанных границах"), *Rossiyskaya Gazeta*, May 5, 2017, <https://rg.ru/2017/05/05/v-sirii-sozdadut-chetyre-zony-deeskalacii.html> (accessed November 18, 2020).

Artillery attacks roughly an hour earlier on the same day killed two other civilians, including one child, near the school. At least five people were wounded.”⁴³⁰

In late June 2018, Syrian government forces launched an offensive that allowed them to advance deep into the de-escalation zone within a few short months.⁴³¹ According to Syrian media, the offensive was a response to an attack on government forces carried out by Hayat Tahrir al-Sham (previously known as Jabhat al-Nusra).⁴³² Syrian forces advanced rapidly and failed to distinguish between civilians and fighters. Russian Aerospace Forces support played a crucial role in the offensive.

The launch of the military offensive had a disastrous impact on the life of civilians. According to the UN, civilians were harmed and civilian infrastructure was damaged in the area where the offensive escalated between Syrian government forces and armed opposition.⁴³³ The number of internally displaced persons (IDP) was estimated at 330,000, including 60,000 who fled to the border with Jordan.⁴³⁴ The majority of displaced individuals fled toward the Golan Heights.⁴³⁵

International humanitarian organisation Care International, which has been active in Syria since 2014 and provided assistance to 2.7 million Syrians, said in its news release:

“The situation [of internally displaced persons] is dire... Civilians are in desperate need of shelter, clean water and sanitation. [...]

“Displaced people are sleeping on bare earth... some families [are] sheltering among the graves and tying mats to worn-out agricultural machinery to create some shelter from the summer heat. [...]

“[An] aid worker [with CARE], Rami, said, ‘We cannot sleep at night. Yesterday, heavy air strikes continued throughout the day and night...’

“The situation of displaced people at the Jordanian border is particularly precarious, aggravated by dusty desert winds and high temperatures of up to 45 degrees Celsius...

430 “Syria: Airstrike on School Kills Civilians,” Human Rights Watch news release, July 12, 2017, <https://www.hrw.org/news/2017/07/12/syria-airstrike-school-kills-civilians> (accessed November 18, 2020).

431 “‘Putin always has an explanation’: Assad’s troops and Russian Aerospace Forces attack again” (“У Путина всегда есть объяснение”. Войска Асада и ВКС России вновь атакуют”), *Radio Svoboda*, June 27, 2018, <https://www.svoboda.org/a/29321795.html> (accessed November 18, 2020).

432 “The Last Frontier, Syrian government forces launched an offensive in the de-escalation zone” (“Последний рубеж: Сирийские правительственные силы начали наступление в зоне деэскалации”), *RBC*, June 25, 2018, <https://www.rbc.ru/newspaper/2018/06/26/5b30d7b19a7947d66dadad32> (accessed November 18, 2020).

433 “Aid teams respond to escalating southwest Syria conflict: 750,000 civilians are at risk,” UN press release, June 26, 2018, <https://news.un.org/en/story/2018/06/1013052> (accessed November 18, 2020).

434 “As many as 330,000 displaced by heavy fighting in south-west Syria,” UN press release, July 3, 2018, <https://news.un.org/en/story/2018/07/1013852> (accessed November 18, 2020).

435 UN Office for the Coordination of Humanitarian Affairs (OCHA), “Jordan | Syria: Humanitarian Situation in Dar’a, Qunaitra and Sweida, Flash Update,” July 2, 2018, https://reliefweb.int/sites/reliefweb.int/files/resources/2018_07_02%20Southern%20Syria%20Flash%20Update%20No.%204%20%28003%29.pdf (accessed November 18, 2020).

“Food prices are rapidly increasing, and very little food supplies are reaching the areas of displacement. Infant formula is unavailable in some areas. The price of fuel, gas and diesel has doubled in some areas in the last week, leading to the increase in the price of water, which is being trucked to IDP camps and gatherings. There is a shortage in clean water supplies and many civilians cannot afford paying for transport in order to move from one area to the other for safety.”⁴³⁶

Negotiations on handing control of Daraa over to the Syrian government began between the end of June 2018 and the beginning of July. According to sources, the negotiations took place over two stages. First, representatives of the opposition forces were invited to hand over all large-calibre weapons and relocate to Idlib. Negotiations were inconclusive and bombings resumed shortly after. *“They deliberately targeted hospitals and places where ordinary civilians gather. Their goal was to make people leave their homes,”* one witness told us in his interview.

The second round of negotiations was *“more like an ultimatum, the rejection of which could result in bombing, with attacks that can start within ‘half an hour from a single phone call,’”* a former Daraa resident who had taken part in the talks told us. According to Reuters, a senior Russian military delegation played an active role in the negotiations.⁴³⁷ On July 12, 2018, Syrian government forces entered the city.

436 “Humanitarian situation dire as hundreds of thousands leave their homes in south Syria,” CARE press release, July 6, 2018, <https://www.care-international.org/news/press-releases/humanitarian-situation-dire-as-hundreds-of-thousands-leave-their-homes-in-south-syria> (accessed November 18, 2020).

437 “Syrian state raises flag in birthplace of revolt,” Reuters, July 12, 2018, <https://www.reuters.com/article/us-mideast-crisis-syria/syrian-state-raises-flag-in-birthplace-of-revolt-idUSKBN1K22CZ> (accessed November 18, 2020).

The process ended with the government and armed opposition signing a ceasefire agreement according to which members of armed opposition groups were allowed to leave Daraa after turning in their heavy weapons.⁴³⁸ According to a Russian Defence Ministry bulletin,⁴³⁹ agreements were reached on the following issues:

- 1) A ceasefire and the yielding of heavy and medium weapons in all militia-controlled towns.
- 2) Resolution of the status of militants.
- 3) Evacuation of militants who did not want their status resolved, along with family members, to Idlib governorate.
- 4) Resumption of authority by the Syrian Army and government in towns.
- 5) Return of refugees from the Jordanian border to their homes.

The agreement reportedly also provided the area's residents with safeguards against arbitrary arrests for six months.⁴⁴⁰ The presence of Russian military police was key to the agreement and the assurances given to rebels and civilians.

These agreements were not upheld. In 2018, Human Rights Watch documented 11 cases of arbitrary detention and forced disappearance in Daraa, Eastern Ghouta, and southern Damascus: "The government retook these areas from anti-government groups between February and August 2018. In all cases, the people targeted—former armed and political opposition leaders, media activists, aid workers, defectors, and family members of activists and former anti-government fighters—had signed reconciliation agreements with the government. Local organizations, including Syrians for Truth and Justice and the Office of Daraa Martyrs, have documented at least 500 arrests in these areas since August."⁴⁴¹

The humanitarian situation in Daraa reportedly remains extremely precarious.

438 "Thousands head home in south Syria after ceasefire deal: monitor," Agence France Presse, July 7, 2018, <https://finance.yahoo.com/news/thousands-head-home-south-syria-ceasefire-deal-monitor-103135138.html> (accessed December 10, 2020); "Armed groups in Daraa al-Balad, Enkhel, and Jassem hand over their weapons to the Syrian army," Syrian Arab News Agency (SANA), July 14, 2018, <https://sana.sy/en/?p=142334> (accessed November 18, 2020); "Radical militants and their families started to be taken out from Daraa to Idlib" ("Из Дераа в Идлиб начали вывозить радикальных боевиков и их семьи"), *Ria Novosti*, July 15, 2018, <https://ria.ru/20180715/1524626639.html> (accessed November 18, 2020).

439 "Information bulletin of the Ministry of Defence of Russian Federation on Information bulletins from the Russian Federation Ministry of Defence regarding the status of implementation of the memorandum on the creation of de-escalation areas" ("Информационный бюллетень Министерства обороны Российской Федерации о ходе выполнения Меморандума о создании зон деэскалации"), Ministry of Defence of the Russian Federation, July 7, 2018, https://function.mil.ru/news_page/country/more.htm?id=12184649@egNews (accessed November 18, 2020).

440 "Syria: Detention, Harassment in Retaken Areas," Human Rights Watch news release, May 21, 2019, <https://www.hrw.org/news/2019/05/21/syria-detention-harassment-retaken-areas> (accessed November 18, 2020).

441 *Ibid.*

IDLIB GOVERNORATE



An aerial view shows destroyed buildings in the town of Khan Sheikhun, in the southern countryside of Idlib, August 3, 2019. Source: Photo by Omar Haj Kadour / Getty Images

The northwestern governorate of Idlib is one of 14 Syrian *muhafazat* (governorates). The strategic Aleppo-Latakia (M4) and Damascus-Aleppo (M5) highways both pass through the governorate. Before 2011, Idlib governorate was seen as “the forgotten governorate,” a place young people wanted to leave.⁴⁴² With a pre-war population of up to 1.5 million people,⁴⁴³ most of Idlib’s labour force worked in agriculture, either in Idlib itself or in the neighbouring Aleppo governorate (the capital of the Aleppo governorate was Syria’s second most important city and a well-developed economic centre).

Protests and the Beginnings of Conflict

The mass protests of 2011 drastically changed life in the provincial region. In June 2011, just three months into the protests and their brutal repression, clashes erupted between the Syrian government forces and the opposition in the border city of Jisr al-Shughur in Idlib governorate. The fighting was preceded by mass anti-government demonstrations starting in March 2011.⁴⁴⁴ The first reported incident of violence on the local population’s part came only after government forces opened fire on a peaceful funeral procession on June 4, 2011, killing around 14 people.⁴⁴⁵ Enraged mourners set fire to the post office building where snipers had

442 The International Crisis Group, “Voices of Idlib,” July 18, 2018, <https://www.crisisgroup.org/middle-east-north-africa/eastern-mediterranean/syria/voices-idlib> (accessed November 18, 2020).

443 “Idlib: 5 things you need to know,” PAX press release, June 13, 2019, <https://www.paxforpeace.nl/stay-informed/news/idlib-5-things-you-need-to-know> (accessed November 18, 2020).

444 Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/18/53, September 15, 2011, https://www.ohchr.org/Documents/countries/SY/Syria_Report_2011-08-17.pdf (accessed December 2, 2020) paras. 53-55.

445 UN Office of the High Commissioner for Human Rights (OHCHR), “Report of the Fact-Finding Mission on Syria pursuant to Human Rights Council resolution S-16/1,” August 18, 2011, https://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_965.pdf (accessed November 18, 2020) para. 55.

been stationed.⁴⁴⁶ The Syrian government claimed the clashes were retaliatory, provoked by the death of 120 security force members at the hands of rebels, which the opposition denied.⁴⁴⁷

During the clashes in Jisr al-Shughur in June 2011, the Syrian government reportedly used military vehicles, including tanks, helicopters, and heavy weaponry.⁴⁴⁸ These events triggered a rapid deterioration in Syrian-Turkish relations. After the fighting in Jisr al-Shughur, at least 1,600 Syrian refugees crossed the Syrian-Turkish border and fled to Turkey for safety.⁴⁴⁹ Turkish President Recep Tayyip Erdoğan (then Prime Minister) commented on the situation, saying that Syrian authorities were “not behaving in a humane manner,” and describing their actions as “savagery.”⁴⁵⁰

By the spring of 2012, the armed opposition had assumed control over most, if not all, of Idlib city (the capital of Idlib governorate). In March, government forces prepared and launched an offensive on the city.⁴⁵¹ After four days of fighting, the government recaptured the city of Idlib from the opposition.⁴⁵² However, by July 2012, the rebels—including groups recognised in Russia as terrorist organisations—had gained control of most of Idlib governorate.⁴⁵³ The Syrian government took heavy-handed military measures to crack down on the opposition across the governorate.

However, in March 2015, government forces had to withdraw from the governorate’s capital, after the battle of Idlib. The city of over 100,000 people became the second provincial capital, after Raqqa, to fall under the full control of opposition groups.⁴⁵⁴ This was partly the result of the first-ever alliance between the different armed groups in the governorate,

446 “Syria to send in army after 120 troops killed,” Reuters, June 6, 2011, <https://www.reuters.com/article/us-syria-ambush/syria-to-send-in-army-after-120-troops-killed-idUSTRE7553AI20110606> (accessed November 18, 2020).

447 “Syrian army moved to the rebel city” (“Сирийская армия двинулась на повстанческий город”), *Lenta*, June 10, 2011, <https://lenta.ru/news/2011/06/10/jisralshughour/> (accessed November 18, 2020); “Syria to send in army after 120 troops killed,” Reuters, June 6, 2011, <https://www.reuters.com/article/us-syria-ambush/syria-to-send-in-army-after-120-troops-killed-idUSTRE7553AI20110606> (accessed November 18, 2020).

448 Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/18/53, September 15, 2011, https://www.ohchr.org/Documents/countries/SY/Syria_Report_2011-08-17.pdf (accessed November 18, 2020) paras. 53-55; “Syria to send in army after 120 troops killed,” Reuters, June 6, 2011, <https://www.reuters.com/article/us-syria-ambush/syria-to-send-in-army-after-120-troops-killed-idUSTRE7553AI20110606> (accessed November 18, 2020).

449 “Syria Crisis: Refugees in Turkey fear for Jisr al-Shughour,” *BBC*, June 9, 2011, <https://www.bbc.com/news/world-middle-east-13714168> (accessed November 18, 2020).

450 “Turkey condemns violence as Assad’s helicopters open fire,” *Telegraph*, June 10, 2011, <https://www.telegraph.co.uk/news/worldnews/middleeast/syria/8569383/Turkey-condemns-violence-as-Assads-helicopters-open-fire.html> (accessed November 18, 2020).

451 “Syria: Witnesses Describe Idlib Destruction, Killings,” Human Rights Watch news release, March 15, 2012, <https://www.hrw.org/news/2012/03/15/syria-witnesses-describe-idlib-destruction-killings> (accessed November 18, 2020); “Syria: War Crimes in Idlib During Peace Negotiations,” Human Rights Watch news release, May 2, 2012, <https://www.hrw.org/news/2012/05/02/syria-war-crimes-idlib-during-peace-negotiations> (accessed November 18, 2020).

452 “Pro-Assad rallies mark anniversary of Syria revolt,” Reuters, March 15, 2012, <https://www.reuters.com/article/uk-syria-1/pro-assad-rallies-mark-anniversary-of-syria-revolt-idUKBRE82E0TB20120315> (accessed November 18, 2020).

453 Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/21/50, August 15, 2012, <https://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50.doc> (accessed November 18, 2020); “Syria’s Armed Opposition: A Brief Overview,” *Carnegie Endowment for International Peace*, February 7, 2013, <https://carnegieendowment.org/2013/02/07/syria-s-armed-opposition-brief-overview> (accessed November 18, 2020); “Syrian Rebels Carve Buffer Zone Near Turkish Border,” National Public Radio press release, July 10, 2012, <https://www.npr.org/2012/07/10/156500711/syrian-rebels-carve-buffer-zone-near-turkish-border> (accessed November 18, 2020).

454 “Idlib province is out of regime’s control,” Syrian Observatory for Human Rights press release, March 28, 2015, <http://www.syriaohr.com/en/?p=16063> (accessed November 18, 2020).

which had been established with the aim of achieving short-term military goals. The coalition that emerged was known as the Army of Conquest or Jaysh al-Fatah, and it included Jabhat al-Nusra and Ahrar al-Sham, among others.⁴⁵⁵ The Army of Conquest was actively bankrolled by Saudi Arabia and Qatar.⁴⁵⁶

By May 2015, government troops had been almost completely forced out of Idlib governorate. In September 2015, Russia entered the Syrian armed conflict, citing counterterrorism as the main motive for its involvement.

Idlib: Home of the Forcibly Displaced

As mentioned in previous chapters, residents of territories recaptured by the Syrian government mostly fled or were forcibly displaced to Idlib.⁴⁵⁷ There were two main reasons for this. First, since 2016, neighbouring countries—such as Lebanon, Jordan, and Turkey—had restricted entry for Syrian refugees,⁴⁵⁸ leading people to seek safety within the country. Second, the Syrian authorities—with the active participation of Russian military advisors (and perhaps even on their initiative)—opened humanitarian corridors to Idlib and transferred people there on buses. The logic behind this tactic was probably to ensure quick recapture of territories by the government, minimize the potential for guerrilla warfare in regained territories and facilitate the containment of armed and civilian opposition in a single designated area. As a result, over 3 million people now live in Idlib.

These developments were confirmed by numerous testimonies from the Syrian refugees we interviewed for this report.

One former resident of Darayya told us:

“In late November 2012, Syrian government [forces] besieged our city, and the siege lasted for about four years. But it was only after Russia’s involvement in 2015 that it became clear Darayya was bound to fall. In August 2016, the government set up a [humanitarian] corridor, and all residents of the besieged area were given a chance to leave

455 “Shared battlefield goals trump ideology among Syria rebels - for now,” Reuters, April 30, 2015, <https://www.reuters.com/article/us-syria-crisis-opposition-islamists/shared-battlefield-goals-trump-ideology-among-syria-rebels-for-now-idUSKBN0NL21620150430> (accessed November 18, 2020).

456 “Qatar bankrolls Syrian revolt with cash and arms,” Financial Times, May 16, 2013, <http://ig-legacy.ft.com/content/86e3f28e-be3a-11e2-bb35-00144feab7de> (accessed November 18, 2020); “WikiLeaks: Clinton knew about the support of terrorists from Qatar and Saudi Arabia” (“WikiLeaks: Клинтон знала о поддержке террористов со стороны Катара и Саудовской Аравии”), TASS, June 6, 2017, <https://tass.ru/mezhdunarodnaya-panorama/4315354> (accessed November 18, 2020); “A source in the Saudi royal family has said that Riyadh and Doha are funding an al-Qaeda affiliate fighting in Syria,” *Middle East Eye*, May 29, 2015, <https://www.middleeasteye.net/opinion/obamas-failure-saudi-qatari-aid-al-qaeda-affiliate> (accessed November 18, 2020).

457 Amnesty International, “Syria: ‘We Leave or We Die’: Forced displacement under Syria’s ‘reconciliation’ agreements,” November 13, 2017, <https://www.amnesty.org/download/Documents/MDE2473092017ENGLISH.pdf> (accessed November 18, 2020).

458 Danish Refugee Council, “Closing borders, shifting routes: Summary of regional migration trends in Middle East – May, 2016,” May 31, 2016, <https://reliefweb.int/report/world/closing-borders-shifting-routes-summary-regional-migration-trends-middle-east-may-2016> (accessed November 18, 2020).

for Idlib. After negotiations—involving UN [representatives] and Russians from the Khmeimim Air Base, where the Russian Centre for Reconciliation⁴⁵⁹ was—almost all members of the Free Syrian Army and the majority of the [civilian] population were taken to Idlib.”

A former resident of Douma recounted a similar story in his interview with us:

“Russian attacks on Douma began in late 2015. Before that, we had been shelled and bombed by Syrian government forces. On April 1, 2018, I left for Idlib on a green bus... I was not an Islamist. I was not a member of the armed opposition either. But had I stayed in Douma, the Syrian intelligence agencies would have put me behind bars... The remaining residents and the armed opposition were relocated to Idlib in stages. The first buses left for Idlib on March 25 and the last ones left on April 14. Around 60,000 people in total were taken from Douma and Ghouta to Idlib governorate.”

We heard a similar story from a female witness from Eastern Ghouta:

“By April 2017, Eastern Ghouta was divided into two parts. One of those parts was controlled by the government, with the Russian military acting as guarantors and conducting negotiations with the opposition on their behalf. The government’s goal [was] to clear the city of all people, both armed opposition and residents. The negotiations looked something like this: the Free Syrian Army had to ensure that its 10,000 members left for Idlib, and in exchange, the government promised to allow food supplies through to Ghouta. In April, before the operation started, they had opened [humanitarian] corridors for the residents and allowed them to leave. We could leave only to destinations designated by the government—we could either return to government-controlled territories, or leave for Idlib, or stay in Ghouta under bombings and siege. We chose Idlib.”

⁴⁵⁹ “‘Reconciliation center’ on a Russian military base in Syria” (“‘Центр примирения’ на военной базе РФ в Сирии”), *Euronews*, May 5, 2016, <https://ru.euronews.com/2016/05/05/work-at-the-russian-airbase-hmeymim-in-latakia-to-advance-the-truce-in-syria> (accessed November 18, 2020).

It can be concluded that Syrian government efforts, actively supported by Russia, resulted in an enormous concentration of fighters and civilians in the greater Idlib de-escalation zone. The native population of the area and those forcibly displaced found themselves trapped together, surrounded by different warring parties.

Life Under Hayat Tahrir al-Sham



A drone images shows Syrian demonstrators gathering during a protest in the village of Maaret al-Naasan in Syria's Idlib province on May 1, 2020, to protests against a reported attack by Hayat Tahrir al-Sham. Photo by: MAR HAJ KADOUR/AFP via Getty Image

The numerous ideologically diverse armed groups in Idlib are often in conflict with each other. Hayat Tahrir al-Sham (HTS, designated as a terrorist group by the UN and multiple countries), a merger of several Islamist groups, has been the dominating force in Idlib since mid-2017.⁴⁶⁰ The UN and several countries have recognised it as a terrorist organisation.⁴⁶¹ HTS had been formally associated with al-Qaeda until late 2016. HTS leaders then announced that their group was breaking from al-Qaeda,⁴⁶² but at the time, many saw this as more of a strategic move than a genuine rift. However, some analysts believe that since then, HTS has indeed drifted away from al-Qaeda and undergone actual transformation.⁴⁶³ Today, HTS promotes its self as a locally rooted Islamist

460 "Jihadist group cements control of Syria's Idlib province: rebels," Reuters, July 23, 2017, <https://www.reuters.com/article/us-mideast-crisis-syria-rebels-idlib/jihadist-group-cements-control-of-syrias-idlib-province-rebels-idUSKBN1A80T1> (accessed November 18, 2020).

461 "Security Council ISIL (Da'esh) and Al-Qaida Sanctions Committee Amends One Entry on Its Sanctions List," UN press release, June 5, 2018, <https://www.un.org/press/en/2018/sc13365.doc.htm> (accessed December 2, 2020).

462 "Syrian Nusra Front announces split from al-Qaeda," *BBC*, July 29, 2016, <https://www.bbc.com/news/world-middle-east-36916606> (accessed November 18, 2020).

463 The International Crisis Group, "Silencing the Guns of Idlib," May 14, 2020, <https://www.crisisgroup.org/middle-east-north-africa/eastern-mediterranean/syria/213-silencing-guns-syrias-idlib> (accessed November 18, 2020).

group that is independent from al-Qaeda and opposed to the global jihadist agenda. Nonetheless, the group is still widely viewed as a terrorist organisation.⁴⁶⁴

In November 2017 HTS endorsed the creation of the Syrian Salvation Government (banned in Russia), in which it continues to play a dominant role and through which it effectively exercises control over the region.⁴⁶⁵

In Russia, it is widely believed that Idlib's residents support international terrorists. However, this is not the case. All the Idlib residents interviewed by our monitoring group said that while they are strongly opposed to Bashar al-Assad's government, they do not support "extremists"—and, they said, neither does the majority of the population. They pointed out that terrorist groups have caused suffering for civilians.

For example, HTS and other jihadist groups have indiscriminately shelled civilian neighbourhoods on multiple occasions.⁴⁶⁶ Their attacks on government-controlled territories led to civilian casualties and provoked retaliatory indiscriminate attacks by the government, causing further suffering for Idlib's civilian population.

According to the UN Commission of Inquiry, HTS activities have severely impacted civilian life. HTS regulates access to healthcare and education,⁴⁶⁷ and its presence has prompted the departure of several international humanitarian organisations.⁴⁶⁸ Given the near collapse of the governorate's economy, residents are in dire need of humanitarian aid.

In one case, when HTS attempted to consolidate power in the town of Kafr Takharim, bread and fuel prices spiked as a result.⁴⁶⁹ After HTS introduced a tax on olive oil production, protests began. HTS fighters attacked protesters, killing three people and injuring another 10, including a teenager.⁴⁷⁰

464 Ibid.

465 "'Syrian Salvation Government' Assumes Control of Idlib's Crossings," Enab Baladi, January 8, 2019, <https://english.enabbaladi.net/archives/2019/01/syrian-salvation-government-assumes-control-of-idlibs-crossings/> (accessed November 18, 2020).

466 Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/43/57, January 18, 2020, <https://undocs.org/en/A/HRC/43/57>, para. 32.

467 Ibid., para. 33.

468 Amnesty International, "Nowhere is Safe for Us': Unlawful Attacks and Mass Displacement in North-West Syria," May 11, 2020, <https://www.amnesty.org/download/Documents/MDE2420892020ENGLISH.PDF> (accessed November 18, 2020) p. 29-30.

469 Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/43/57, January 28, 2020, <https://undocs.org/en/A/HRC/43/57>, para. 33.

470 Ibid., para. 34.

HTS has been severely persecuting, intimidating, torturing, and killing its critics, as well as activists and journalists.⁴⁷¹ We managed to meet one such journalist in Istanbul, who told us, *“I cannot go back to Idlib. I criticised al-Qaeda in the media and they blew up my house. Even visiting is not an option for me right now.”*

In 2018, Raed Fares, a prominent journalist, activist, and women’s rights defender, was killed in Idlib governorate. He was a harsh critic of both Bashar al-Assad’s dictatorship and terrorist groups in Syria.⁴⁷² For his criticism of Hayat Tahrir al-Sham (previously known as Jabhat al-Nusra), he was captured and tortured. He nonetheless continued his work until November 23, 2018, when he and a friend were shot dead by armed group members.⁴⁷³

According to Amnesty International, recent months have seen HTS try to control the supply of aid to displacement camps in Idlib and beyond.⁴⁷⁴ The provision of aid to Idlib governorate was also hampered by bombardments, which were still occurring as recently as March 2020, and by the activity of these same armed groups.⁴⁷⁵

Idlib saw many protests against HTS.⁴⁷⁶ Today, however, jihadist groups are much stronger than the civilians exhausted by war.

471 “Syria: Arrests, Torture by Armed Group Move to Solidify Control, Silence Critics,” Human Rights Watch news release, January 28, 2019, <https://www.hrw.org/news/2019/01/28/syria-arrests-torture-armed-group> (accessed November 18, 2020).

472 “Raed Fares, Kafranbel Media Activist,” January 31, 2014, YouTube, https://www.youtube.com/watch?time_continue=287&v=gd3aS_JHsNU&feature=emb_title (accessed November 18, 2020).

473 Front Line Defenders, “Killing of human rights defender Raed Fares,” November 23, 2018, <https://www.frontlinedefenders.org/en/case/killing-raed-fares> (accessed November 18, 2020).

474 Amnesty International, “Nowhere is Safe for Us: Unlawful Attacks and Mass Displacement in North-West Syria,” May 11, 2020, <https://www.amnesty.org/download/Documents/MDE2420892020ENGLISH.PDF> (accessed November 18, 2020) p. 29-30.

475 *Ibid.*, p. 27.

476 “Hijacking of the “freedom revolution”: HTS imprisons activists in northwest Syria (interactive map),” *Syria Direct*, September 15, 2019, <https://syriadirect.org/news/hijacking-of-the-%E2%80%9Cfreedom-revolution%E2%80%9D-hts-imprisons-activists-in-northwest-syria-interactive-map/> (accessed November 18, 2020).

“De-escalation Zone” and Operation Dawn of Idlib



Turkish military vehicles move in the de-escalation zone in Idlib province, Syria, 08 March 2019.
Photo by Yahya Nemah/ EPA-EFE

Bashar al-Assad is seeking to regain control of Idlib as part of his larger goal of regaining control over all of Syria. Armed opposition groups are trying with all their power to hold on to this last enclave of the Syrian revolution. Clashes between these armed groups and government forces still occur regularly. The Syrian military regularly bombs and shells Idlib. The massive risk of casualties—and the possibility of escalating tensions with Turkey—has so far discouraged Russia from large-scale military intervention in the governorate.

Turkey is strongly opposed to military action in Idlib, fearing a new wave of refugees. The country has already received 3.6 million Syrians and cannot open its borders to more refugees.⁴⁷⁷ Aside from this, Turkish authorities are interested in replacing Bashar al-Assad’s government and maintaining their influence in Idlib, which would allow them to play a role in negotiations on the future of Syria. For these reasons, Turkey supports the National Front for Liberation, a coalition of opposition groups that resist Assad’s government.

Russia and Turkey have developed a strategic cooperation framework in several areas. Turkey is one of the most important participants in the Astana Process, and one of the ceasefire guarantors of the de-escalation

⁴⁷⁷ UN High Commissioner for Refugees (UNHCR), “Syria Regional Refugee Response,” January 9, 2020, <https://data2.unhcr.org/en/situations/syria> (accessed November 18, 2020).

zones.⁴⁷⁸ The desire to prevent clashes with Turkey forced the Kremlin to seek acceptable interim solutions for the greater Idlib region for its self-styled image as “regional peacemaker.”

Russia and Turkey signed the memorandum for the “Stabilization of the Situation in the Idlib De-Escalation Area” on September 17, 2018 in Sochi, establishing a demilitarised zone, where there will be no armed terrorist groups; joint Russian-Turkish patrols; and the restoration of two major highways that cross through Idlib governorate.⁴⁷⁹ However, Turkey’s attempts to weaken HTS have essentially failed. For example, in January 2019, following much infighting, HTS signed a ceasefire agreement with one of the most influential Islamist groups in the area, Harakat Nour al-Din al-Zenki—a member of the Turkish-backed National Liberation Front.⁴⁸⁰

During the first half of 2019, Russian military officials and diplomats claimed that the governorate was seeing a rapid increase in attacks by radical Islamist groups.⁴⁸¹ However, it was very difficult to either corroborate or refute such allegations. Russian military forces claim that their priority is to defend the Russian Khmeimim Air Base from frequent drone attacks, and that in order to do so they must push armed groups further north and out of the governorate and establish control over the two major highways passing through that part of the country.⁴⁸²

In late April 2019, the Syrian government, supported by Russia, launched

478 Ministry of Foreign Affairs of the Russian Federation, Memorandum on the creation of de-escalation areas in the Syrian Arab Republic, May 6, 2017, https://www.mid.ru/foreign_policy/news/-/asset_publisher/UdAzvXr89FbD/content/id/2746041?p_p_id=101_INSTANCE_UdAzvXr89FbD&_101_INSTANCE_UdAzvXr89FbD_languageId=en_GB (accessed November 18, 2020); “World within specified boundaries” (“Мир в указанных границах В Сирии создают четыре зоны деэскалации”), *Rossiyskaya Gazeta*, May 5, 2017, <https://rg.ru/2017/05/05/v-sirii-sozdatut-chetyre-zony-deeskalacii.html> (accessed November 18, 2020).

479 Ibid.; “We managed to reach serious decisions’: how agreements in Sochi can change the situation in Syrian Idlib” (“Нам удалось выйти на серьезные решения”: как договорённости в Сочи могут изменить ситуацию в сирийском Идлибе), RT, September 18, 2018, <https://russian.rt.com/world/article/555274-idlib-memorandum-rossiya-turciya> (accessed November 18, 2020); UN Security Council, “Letter from the Permanent Representatives of the Russian Federation and Turkey to the United Nations addressed to the President of the Security Council,” S/2018/852, September 18, 2018, <https://undocs.org/pdf?symbol=en/S/2018/852> (accessed November 18, 2020).

480 “Ceasefire deal reached between armed rebels in Syria’s Idlib,” TRT World, January 10, 2019, <https://www.trtworld.com/middle-east/ceasefire-deal-reached-between-armed-rebels-in-syria-s-idlib-23229> (accessed November 18, 2020).

481 “Briefing of the Russian Reconciliation Center for Syria (June 26, 2019)” (“Брифинг Центра примирения враждующих сторон и контролю за перемещением беженцев в Сирийской Арабской Республике (26 июня 2019 г.)”), Ministry of Defence of the Russian Federation, June 26, 2019, https://function.mil.ru/news_page/country/more.htm?id=12238618@egNews (accessed November 18, 2020); “Briefing by Chief of the Main Operational Directorate of the General Staff of the Russian Armed Forces Colonel-General Sergei Rudskoy on the situation in Syria” (“В Москве состоялся брифинг начальника Главного оперативного управления Генштаба Вооруженных Сил РФ генерал-полковника Сергея Рудского по ситуации в Сирии”), Ministry of Defence of the Russian Federation, July 29, 2019, https://function.mil.ru/news_page/country/more.htm?id=12243385@egNews (accessed November 18, 2020); “Briefing of the Russian Reconciliation Center for Syria (May 1, 2019)” (“Брифинг Центра примирения враждующих сторон и контролю за перемещением беженцев в Сирийской Арабской Республике (1 мая 2019 г.)”), Ministry of Defence of the Russian Federation, May 1, 2019, https://function.mil.ru/news_page/country/more.htm?id=12229005@egNews (accessed November 18, 2020); “Briefing of the Russian Reconciliation Center for Syria (July 12, 2019)” (“Брифинг Центра примирения враждующих сторон и контролю за перемещением беженцев в Сирийской Арабской Республике (12 июля 2019 г.)”), Ministry of Defence of the Russian Federation, July 12, 2019, https://function.mil.ru/news_page/country/more.htm?id=12240959@egNews (accessed November 18, 2020); “Briefing of the Russian Reconciliation Center for Syria (August 12, 2019)” (“Брифинг Центра примирения враждующих сторон и контролю за перемещением беженцев в Сирийской Арабской Республике (12 августа 2019 г.)”), Ministry of Defence of the Russian Federation, August 12, 2019, https://function.mil.ru/news_page/country/more.htm?id=12247082@egNews (accessed November 18, 2020); “Briefing of the Russian Reconciliation Center for Syria (August 8, 2019)” (“Брифинг Центра примирения враждующих сторон и контролю за перемещением беженцев в Сирийской Арабской Республике (8 августа 2019 г.)”), Ministry of Defence of the Russian Federation, August 8, 2019, https://function.mil.ru/news_page/country/more.htm?id=12246142@egNews (accessed November 18, 2020).

482 The International Crisis Group, “Silencing the Guns of Idlib,” May 14, 2020, <https://www.crisisgroup.org/middle-east-north-africa/eastern-mediterranean/syria/213-silencing-guns-syrias-idlib> (accessed November 18, 2020).

the first phase of the military operation “Dawn of Idlib.”⁴⁸³ The hostilities continued until August 31, with only minor pauses. Russia’s Defence Ministry announced that Syrian government forces would unilaterally cease fire in Idlib following negotiations with Turkey.⁴⁸⁴

The hostilities of spring–summer 2019 affected hundreds of thousands of people. Save the Children reported that in the four months of the military campaign, primarily due to airstrikes, people abandoned 17 towns located in the Syrian northwest.⁴⁸⁵ According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), some 630,000 individual displacements, including secondary displacements, took place as people fled their homes to escape from violence and reach services that were essential to their survival.⁴⁸⁶ The overwhelming majority of displaced persons moved to the densely populated areas in the north, close to the Syrian-Turkish border, where humanitarian assistance in IDP camps was already overstretched.

On September 4, Michelle Bachelet, the UN High Commissioner for Human Rights, made a public statement commenting on the situation: “In just the past four months, since the escalation of hostilities on areas in the demilitarised zone of Idlib and its surroundings from 29 April to 29 August, my Office has managed to verify that 1,089 civilians have been killed by parties to the conflict—that is 572 men, 213 women, and 304 children. A total of 1,031 of these civilian deaths are reportedly attributable to the airstrikes and ground-based strikes carried out by Government forces and their allies on Idlib and Hama governorates. Non-State armed groups also carried out attacks on populated Government-controlled territories and are reportedly responsible for the other 58 civilian deaths. Also, since 29 April, we have recorded that 51 medical facilities—such as hospitals, ambulance points and clinics—have been damaged as a result of attacks.”⁴⁸⁷

During the entire four-month operation, Russian Aerospace Forces (VKS) were repeatedly accused by human rights groups of targeting medical facilities in greater Idlib—the same tactics that the Syrian government

483 “Damascus presses Idlib attack, artillery hits Turkish position,” Reuters, May 4, 2019, <https://www.reuters.com/article/us-syria-security-northwest/damascus-presses-idlib-attack-artillery-hits-turkish-position-idUSKCN1SA0EG> (accessed November 18, 2020); “Explainer: Why the war in Syria’s Idlib escalated again,” Reuters, May 9, 2019, <https://www.reuters.com/article/us-syria-security-northwest-explainer/explainer-why-the-war-in-syrias-idlib-escalated-again-idUSKCN1SF0P7> (accessed November 18, 2020).

484 “After heavy air strikes, calm in Syria’s Idlib as ceasefire declared,” Reuters, August 31, 2019, <https://www.reuters.com/article/us-syria-security-idlib/after-heavy-air-strikes-calm-in-syrias-idlib-as-ceasefire-declared-idUSKCN1VL0BA> (accessed November 18, 2020).

485 “More than half of children in Idlib, Syria could miss out on school this year,” Save the Children press release, September 4, 2019, <https://www.savethechildren.net/news/more-half-children-idlib-syria-could-miss-out-school-year> (accessed November 18, 2020).

486 UN Office for the Coordination of Humanitarian Affairs (OCHA), “Syrian Arab Republic Situation Report 11: Recent Developments in Northwestern Syria (as of 6 September 2019),” September 6, 2019, https://reliefweb.int/sites/reliefweb.int/files/resources/nwsyria_sitrep11_6sept2019.pdf (accessed November 18, 2020).

487 “Press conference opening statement by UN High Commissioner for Human Rights Michelle Bachelet,” UN press release, September 4, 2019, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24945&LangID=E> (accessed November 18, 2020).

and its allies have consistently used throughout the conflict.⁴⁸⁸

In December 2019, the Syrian Arab Army, supported by the Russian Aerospace Forces (VKS),⁴⁸⁹ launched the second phase of its offensive in Idlib,⁴⁹⁰ which started with an assault on armed jihadist groups' positions in Umm al-Jalal in southeast Idlib.⁴⁹¹ Armed groups and Syrian government forces engaged in heavy fighting in localities south of Maaret al-Numan. The Syrian army sought to establish control over most of the strategic highway from Hama to Idlib and a part of the Jabal al-Zawiya area.⁴⁹²

The next day, thousands of people fled bombardment to the Turkish border.⁴⁹³ The bombardment turned Maaret al-Numan into a ghost town, with nothing but skeletons of houses and empty streets.⁴⁹⁴ The line of cars jammed at the town exit was several kilometres long.⁴⁹⁵

On December 22, a full-scale military campaign was launched, which saw the extremely intense bombing of populated and rural parts of the Idlib governorate.

A former Idlib resident, who left Syria a month before the operation ended in February 2020, told us in his interview: *“Armed forces take their time before entering [towns]. They first devastate the area—bombs drop almost every minute. People flee. And, after all the residents have fled, they enter the locality.”*

Lubna al-Kanawati, a female activist who works for a women's rights organisation with offices on the ground shared with us: *“When the bombardments started, munitions were falling on people's heads like rain. It was a hell of bombardments... we had local teams of our staff on the ground, all women. We needed to evacuate them somehow. It was horrible.”*

488 Amnesty International, “Syria: ‘Nowhere is safe for us’: Unlawful attacks and mass displacement in north-west Syria,” May 11, 2020, <https://www.amnesty.org/download/Documents/MDE2420892020ENGLISH.PDF> (accessed November 18, 2020).

489 “Syrian armed groups are hiding under ‘Turkish umbrella’. Exclusive report from Evgenii Poddubnyi” (“Сирийские боевики прячутся под ‘турецким зонтиком’. Эксклюзивный репортаж Евгения Поддубного”), Vesti, February 27, 2020, http://www.vesti.ru/videos/show/vid/828496/#/video/https%3A%2F%2Fplayer.vgtrk.com%2Fiframe%2Fvideo%2Fid%2F1999714%2Fstart_zoom%2Ftrue%2FshowZoomBtn%2Ffalse%2Fsid%2Fvesti%2FisPlay%2Ftrue%2F%3Facc_video_id%3D828496 (accessed November 18, 2020).

490 Part of this chapter is based, with permission, on an article which appeared in *Novaya Gazeta*, “Nowhere to Flee” (“Некуда бежать”), April 25, 2020, <https://novayagazeta.ru/articles/2020/04/25/85092-eta-katastrofa-voydet-v-uchebniki> (accessed November 18, 2020).

491 “Breaking: Syrian Army kicks off 2nd phase of Idlib offensive,” *Al Masdar News*, December 19, 2019, <https://www.almasdarnews.com/article/breaking-syrian-army-kicks-off-2nd-phase-of-idlib-offensive/> (accessed November 18, 2020).

492 “Syrian Army went into offensive in Idlib governorate” (“Сирийская армия перешла в наступление в провинции Идлиб”), *Regnum*, December 20, 2019, <http://regnum.ru/news/polit/2813404.html> (accessed November 18, 2020).

493 “Thousands flee bombardment in northwest Syria, head to Turkish border,” Reuters, December 20, 2019, <https://www.reuters.com/article/us-syria-security-idlib/thousands-flee-bombardment-in-northwest-syria-head-to-turkish-border-idUSKBN1YO111> (accessed November 18, 2020).

494 “Battles for Syria, January 29th 2020, images from the newly liberated Maarat al-Numan,” January 29, 2020, YouTube, <https://www.youtube.com/watch?v=46IWcLiT2SI&bpctr=1587680522> (accessed November 18, 2020).

495 “Syria army takes Maaret al-Numan after heavy bombardment,” January 29, 2020, YouTube, https://www.youtube.com/watch?v=UADcwwF_kU (accessed November 18, 2020).

In January, civilian casualties were being reported almost every day. Human Rights Watch reported that government forces launched a ballistic missile equipped with a cluster munition warhead on January 1, 2020.⁴⁹⁶ The missile hit a school, killing 12 civilians, including five children aged 6–13 years old. Another 12 children and their teacher were injured in the attack on a school in the town of Sarmin.⁴⁹⁷ On January 11, 17 people were killed and 40 others injured in airstrikes by the Syrian government, according to human rights organisations and media reports.⁴⁹⁸

On January 23, armed group members reportedly attacked government forces in the southeast of the Idlib de-escalation zone, killing around 40 Syrian soldiers.⁴⁹⁹ On January 27, the Syrian army launched an operation to recapture the western parts of the Aleppo governorate, which resulted in another wave of displacement, with thousands of civilians fleeing toward the Turkish border away from the ongoing bombing.⁵⁰⁰

A refugee from Kafr-Nabl, who came to Turkey after the most recent operation in Idlib started, told us in his interview that *“planes bomb hospitals, markets, schools. Before they recapture [the area], they want to really intimidate people.”*

Another refugee from Idlib recalled his time there:

“We used to live in the basement. People have long stopped living on upper floors and prefer basements or ground floors. The windows in our houses have no glass—we make windows with shatterproof material... Before we left, I replaced that ‘glass’ at least 50 times. It had to be replaced after each airstrike. My three-month old son has known bombings from his first day. As soon as he was born, the shelling started, and we had to evacuate from the hospital.”

On January 31, Médecins Sans Frontières reported that the largest hospital in south Idlib had stopped functioning due to airstrikes. Just two days before, on January 29, an armed group stormed the Idlib Central

496 “Syria: Cluster Munition Attack on School,” Human Rights Watch news release, January 22, 2020, <https://www.hrw.org/news/2020/01/22/syria-cluster-munition-attack-school> (accessed November 18, 2020).

497 Ibid.

498 “At least 17 killed in Syrian army bombing of rebel-held Idlib: witnesses,” Reuters, January 11, 2020, <https://www.reuters.com/article/us-syria-security-idlib/at-least-17-killed-in-syrian-army-bombing-of-rebel-held-idlib-witnesses-idUSKBN1ZA0RW> (accessed November 18, 2020).

499 “Up to 40 Syrian soldiers died and around 80 injured during armed groups’ offensive in Idlib” (“До 40 сирийских военных погибли и около 80 ранены при наступлении боевиков в Идлибе”), *Interfax*, January 23, 2020, <https://www.interfax.ru/world/692372> (accessed November 18, 2020).

500 “Thousands flee northwest Syria as Assad pushes closer to Idlib city,” Reuters, January 27, 2020, <https://www.reuters.com/article/us-syria-security/thousands-flee-northwest-syria-as-assad-pushes-closer-to-idlib-city-idUSKBN1ZQ25G> (accessed November 18, 2020).

Hospital and occupied the facility for military purposes. According to Médecins Sans Frontières, 53 health facilities were forced to suspend activities in January 2020 due to bombings.⁵⁰¹

The UN Office of the High Commissioner for Human Rights (OHCHR) reported that between February 1–16 alone, at least 100 civilians were killed, including 18 women and 35 children. Many other civilians were also injured as a result of air and ground-based strikes on Idlib Idlib by the Syrian government and its allies.⁵⁰² Another seven civilians were killed as a result of ground attacks by armed non-state groups. According to the OHCHR, at least 1,750 civilians were killed from April 2019–late February 2020, mostly by Syrian government forces and their allies.⁵⁰³ The total number of civilians killed and injured during the last phase of the campaign has not yet been fully confirmed.

On March 3, the Russian Military Police began patrolling the strategic, although deserted, city of Saraqib, which had been recaptured by Syrian troops.⁵⁰⁴ By March 5, when Russia and Turkey reached a ceasefire agreement, almost 1 million people had fled to the border. According to the UN, 80 percent were women and children. This was the largest displacement crisis in the nine years of the Syrian war.⁵⁰⁵

501 Médecins sans Frontières (MSF), “Advancing frontlines, mass exodus and reduced access to hospitals in Idlib,” January 31, 2020, <https://www.msf.org/exodus-and-limited-healthcare-frontline-advances-syria> (accessed November 17, 2020); “Northwestern Syria: Hospitals attacked while hundreds of thousands flee the front lines,” Médecins sans Frontières (MSF) press release, January 31, 2020, <https://www.doctorswithoutborders.org/what-we-do/news-stories/news/northwestern-syria-hospitals-attacked-while-hundreds-thousands-flee#p1> (accessed November 17, 2020).

502 “UN human rights chief horrified by escalating humanitarian crisis in Syria,” UN press release, February 18, 2020, <https://www.ohchr.org/FR/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=25564&LangID=F> (accessed November 17, 2020).

503 “Deadly Attacks on Civilians in Syria’s Idlib Region ‘Happening in Plain Sight, Under Our Watch’, Under-Secretary-General Tells Security Council,” UN press release, February 28, 2020, <https://www.un.org/press/en/2020/sc14132.doc.htm> (accessed November 17, 2020).

504 “Russian military police enters the Syrian town of Saraqib” (“Российская военная полиция введена в сирийский город Серакаб”), *Rossiyskaya Gazeta*, March 2, 2020, <https://rg.ru/2020/03/02/rossijskaia-voennaia-policiia-vvedena-v-sirijskij-gorod-serakab.html> (accessed November 17, 2020).

505 “UN human rights chief horrified by escalating humanitarian crisis in Syria,” UN press release, February 18, 2020, <https://www.ohchr.org/FR/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=25564&LangID=F> (accessed November 17, 2020).

Displacement and Humanitarian Crisis



Syrians flee with their belongings due to the offensive by Russian and Syrian Government forces on south of Idlib, February 2020. Photo by: Karam Almasri / Shutterstock.com

People fled to the border where Internally Displaced Person (IDP) camps were located. The camps were overcrowded, lacking not only tents, but space to install them. Osman Atalay, an executive board member of the Turkish NGO İHH—which has been providing massive humanitarian aid to Idlib—said: *“It is all agricultural land where you cannot set up a camp—the soil is just soft mud. The safe area near the border is very small, so the camps are severely overcrowded.”* Those fleeing sheltered in schools, mosques, stadium, and old buses. Many slept in their cars. The most recent arrivals simply set up improvised sheds made of blankets under olive trees.⁵⁰⁶

Regarding the situation in the camps, activist Lubna al-Kanawati told us:

“The situation in the camps is dire, especially for women and children. People lost everything—their work, their homes, their communities, and they literally found themselves on the street in really cold weather. Children, once again, stopped going to schools. Displacement conditions make it impossible to teach so many children. People live in improvised camps without washrooms or due waste management, without any services at all. There are many men around, and violence against women has significantly increased and is higher than ever in this area.”

506 “Nowhere to Flee” (“Некуда бежать”), *Novaya Gazeta*, April 25, 2020, <https://novayagazeta.ru/articles/2020/04/25/85092-eta-katastrofa-voynet-v-uchebniki> (accessed November 17, 2020).

According to Amnesty International, by the time new displaced families arrived, the camps were already overcrowded.⁵⁰⁷ Schools, abandoned sports facilities, and other public buildings had to be turned into temporary shelters. At one point, tens of thousands of people were staying out in the open in sub-zero weather.⁵⁰⁸ There have been several reports of children freezing to death and families have been found dead in their tents from carbon monoxide poisoning because of the heating arrangements they were forced to resort to.⁵⁰⁹

A father of four who stayed at one of the border camps told Amnesty International, “When I woke up in the morning, a glass of water in the tent was frozen solid. [...] When I sleep, I put my infant between my legs to keep him warm.” He added that he usually stayed up until dawn to make sure his other young children did not kick off their covers in their sleep and freeze to death.⁵¹⁰

In late April 2020, some of the displaced families started returning to their homes, or what was left of them. Some of them believed the ceasefire would last; some wanted to be close to their homes during the Islamic fast in the month of Ramadan; others were afraid there would be little protection against the COVID-19 pandemic when it hit densely populated camps.

Omar, a media activist from Idlib, told us in his interview that while some displaced families were coming back, others would not return home. *“Many of the camp inhabitants come from areas that have been recently recaptured by the government. They do not trust the government. Their homes were destroyed by the bombings. They have nowhere to go, no livelihoods. People are extremely poor. There is no economy whatsoever,”* he said.

Amnesty International noted that people were scared to return due to multiple reports of Syrian government forces unlawfully killing civilians and mutilating their bodies in towns they had retaken.⁵¹¹ We have also received similar reports from Idlib refugees in Turkey. We could not independently confirm the claims, however. Several people told us that Syrian soldiers killed a well-known homeless man in Maaret al-Numan who had a mental condition, mutilated his body, and took photos. *“Why would they do that? To deter people from coming back!”* a former Idlib resident, now living in Istanbul, told us.

507 Amnesty International, “Syria: ‘Nowhere is safe for us’: Unlawful attacks and mass displacement in north-west Syria,” May 11, 2020, <https://www.amnesty.org/download/Documents/MDE2420892020ENGLISH.PDF> (accessed November 17, 2020) p. 23-27.

508 Ibid., p. 6.

509 Ibid., p. 25.

510 Ibid., p. 24.

511 Ibid., p. 6.

Russia denies that there was a humanitarian catastrophe caused by joint Russian-Syrian military operations in Idlib. The Russian military insists that Turkey and Western countries have been overestimating the numbers, claiming the governorate is home to no more than 200,000 displaced persons, 85,000 of whom are in displacement camps.⁵¹²

Russian newspaper *Novaya Gazeta* requested a clarification from the UN Office for the Coordination of Humanitarian Affairs (OCHA) on how data was being verified, to which OCHA Deputy Spokesman Jens Laerke responded: “On a weekly basis, the UN conducts an assessment to estimate the latest displacement patterns in northwest Syria to inform the emergency humanitarian response on the ground. Ad hoc assessments are also conducted as required. [...] The assessment is based on primary data collected through a network of more than 100 monitors located across northwest Syria. The monitors are contracted through an NGO funded by the UN. The community-level updates are compared with baseline data, previously reported movements, and other information sources to estimate the number of people that have left their homes in the past week.”⁵¹³

Today, IDPs receive assistance from the UN, WHO, and other major international and Turkish organisations. Local civil society organisations have always played a significant role in the Idlib governorate, but they suffered a severe blow after the most recent military operation.

“All local organisations in Idlib had to close their doors and move elsewhere, as we can no longer provide people with our usual services. We all have to provide emergency aid, but this is not our specialty,” Lubna al-Kanawati said. Her organisation, like all the others, closed its women’s support centres due to the bombings. It will be extremely difficult for them to re-open. *“You cannot rent a space in Idlib—there are no spaces [to rent] whatsoever. People are literally waiting on the street for a free space.”*

Hamza Khedr, a journalist from Idlib who has been living in Istanbul for several years, told us that the mental health of people there—especially that of children—is dire:

“Many children have been living in war conditions since they were born. Many babies in Idlib do not even have birth certificates as they are too expensive [to obtain]. The majority of the population in Syria is extremely poor. [Aid] organisations distribute food. But people do not have either

512 “Russian military denied Turkey’s claims of a wave of million refugees from Idlib” (“Российские военные опровергли заявления Турции о миллионном потоке беженцев из Идлиба”), *Kommersant*, March 3, 2020, <https://www.kommersant.ru/doc/4276056> (accessed November 17, 2020).

513 “Nowhere to Flee” (“Некуда бежать”), *Novaya Gazeta*, April 25, 2020, <https://novayagazeta.ru/articles/2020/04/25/85092-eta-katastrofa-voydet-v-uchebniki> (accessed November 17, 2020).

jobs or livelihoods.”

According to the International Committee of the Red Cross, around 80 percent of Syrians currently living in Syria have to survive on less than US\$1.25 per day, while 50 percent of Syrians do not have enough food to eat every day.⁵¹⁴

Omar, the activist from Idlib, said that apart from the trauma, children severely lack access to proper education:

“Previously, before the most recent [military] operation in Idlib, there were 60 children in a class, now there are 100. Many parents have to send children as young as 10 years old to earn money; others do not let their children leave home, as they are afraid of bombings and other situations unsafe for children.”

The situation in Idlib remains extremely tense. A political solution has yet to be reached and a long-term ceasefire is not feasible until both Russia and Turkey can resolve their conflicting interests in the region. Meanwhile UN-supported humanitarian access to Idlib continues to be limited via Turkey through a July 2020 UN Security Council resolution, pushed by Russia, that closed the Bab al-Salam border crossing.⁵¹⁵ It is clear that the armed groups concentrated in Idlib have nowhere else to go, and that fighters will be ready to die in fierce battles. Any further military action will inevitably result in more casualties and dire humanitarian consequences for the civilian population, which in Idlib has already experienced some of the worst episodes of the Syrian war.

514 International Committee of the Red Cross Syria's Twitter page, https://twitter.com/ICRC_sy/status/1277581941877899265 (accessed November 17, 2020).

515 "Limited Cross-Border Access into North-West Syria Placing Strain on Humanitarians to Reach Many in Need, Aid Worker Tells Security Council," UN press release, July 29, 2020, <https://www.un.org/press/en/2020/sc14268.doc.htm> (accessed December 2, 2020).



THE STATUS OF SYRIAN REFUGEES IN RUSSIA



Children in class, organized by Civic Assistance Committee of the integration centre for the Syrian refugees in the town of Noginsk, 2015. Civic Assistance Committee

The Syrian conflict has led to the largest refugee crisis since World War II. Turkey has accepted the largest number of refugees (about 3.6 million), followed by Lebanon (about 1 million), Jordan (about 700,000),⁵¹⁶ and Germany, which had counted 789,465 Syrian refugees on its soil by the end of 2018.⁵¹⁷ Russia, a key player in the Syrian conflict, accepted a small number of refugees. Their situation remains extremely vulnerable.

Difficulties Obtaining Status

Throughout the Syrian war, Russian migration services have refused to grant Syrians refugee status. Between 2011 and the end of 2019, despite numerous obstacles, 2,631 Syrian citizens petitioned for refugee status in Russia, but only one of them received this status back in 2012.⁵¹⁸ Since then, there have been only two officially recognised refugees (the other was granted refugee status before 2011). Temporary asylum, another kind of protection sought by Syrian citizens in Russia, has been granted to 4,492 people over nine years, but in many cases, it was not extended, so the number of Syrians with valid asylum status at any given moment

516 UN Office for the Coordination of Humanitarian Affairs (OCHA), "Humanitarian Update Syrian Arab Republic," January 28, 2020, <https://reliefweb.int/sites/reliefweb.int/files/resources/FINAL%20VERSION%20HUMANITARIAN%20UPDATE%20NO.%208.pdf> (accessed December 2, 2020); UN High Commissioner for Refugees (UNHCR), "Syria Regional Refugee Response," January 9, 2020, <https://data2.unhcr.org/en/situations/syria> (accessed December 2, 2020).

517 The Federal Statistical Office, "Foreign population by sex and selected citizenship on 31 December 2018," <https://www.destatis.de/EN/Themes/Society-Environment/Population/Migration-Integration/Tables/foreigner-gender.html> (accessed December 2, 2020).

518 Here and henceforth numbers on officially granted asylum are taken from statistics that were regularly published by the FMS [Federal Migration Service] until 2015. After it was shut down and migration problems were transferred to the Ministry of Internal Affairs, we took data from the Demography section of the quarterly handbooks of the Russian State Statistics Service. However, the numbers of Syrian citizens in need of asylum are our expert estimates based on the number of requests after the war started.

remained under 2,000. Russia does not have any other operational protection statuses for refugees.

Russian legislation provides for three asylum (protection) statuses: political asylum, refugee status, and temporary asylum.

- 1) In Russia, the institution of political asylum exists only on paper, as no one has been granted this status in the last 23 years, since the publication of Russian Federation Presidential Order number 746, dated July 21, 1997, “On Approval of the Procedure by which the Russian Federation Grants Political Asylum.” From the collapse of the USSR until then, no more than 10 people received political asylum, all of whom were members of high-ranking Soviet leadership.
- 2) Refugee status, which most fully aligns with the UN Convention Relating to the Status of Refugees, is only rarely granted by Russian migration services. In the last 16 years (since 2004), the number of officially recognised refugees has never exceeded 1,000 at any given time. In all of 2019, only 23 people received refugee status, and, in the last 11 years (2009–2019), it has been granted to only 1,060 people. By October 1, 2020, there were 449 people with refugee status in Russia, including the two abovementioned Syrians.⁵¹⁹
- 3) Russian legislation grants temporary asylum “if there are grounds to deem a person a refugee on the basis of the results of examination of information about that person and accompanying family members, including the circumstances of their arrival in the Russian Federation or the existence of humanitarian reasons requiring that person’s temporary stay in the Russian Federation (e.g. health) until those reasons are eliminated or the person’s legal status changes.” Temporary asylum is granted for no more than a year, and extending it is a complicated procedure that almost entirely replicates the initial document filing process. Russian migration services often refuse to extend temporary asylum for no apparent reason, which makes those holding this status far more vulnerable than recognised refugees. By October 1, 2020, there were 23,612 Syrians in Russia with this status, including only 370 Syrians.⁵²⁰

519 Federal State Statistics, Socio-economic situation of Russia - January-October 2020, December 2, 2020, <https://rosstat.gov.ru/storage/mediabank/ga1Lo4xe/osn-10-2020.pdf> (accessed January 7, 2021).

520 Ibid.

2013 saw a sharp increase in the number of Syrian citizens requesting refugee status and temporary asylum in Russia. According to data from Russia’s Federal Migration Service (FMS) there were about 8,500 Syrian citizens living in Russia in December 2012. By October 15, 2013, this number had risen to 9,700. It dropped once again and has fluctuated between 7,000 and 11,000 ever since. This number includes consular employees and their families, as well as Syrians permanently living and working in Russia with no need of asylum because they hold long-term visas, temporary residency permits, or full residency permits.

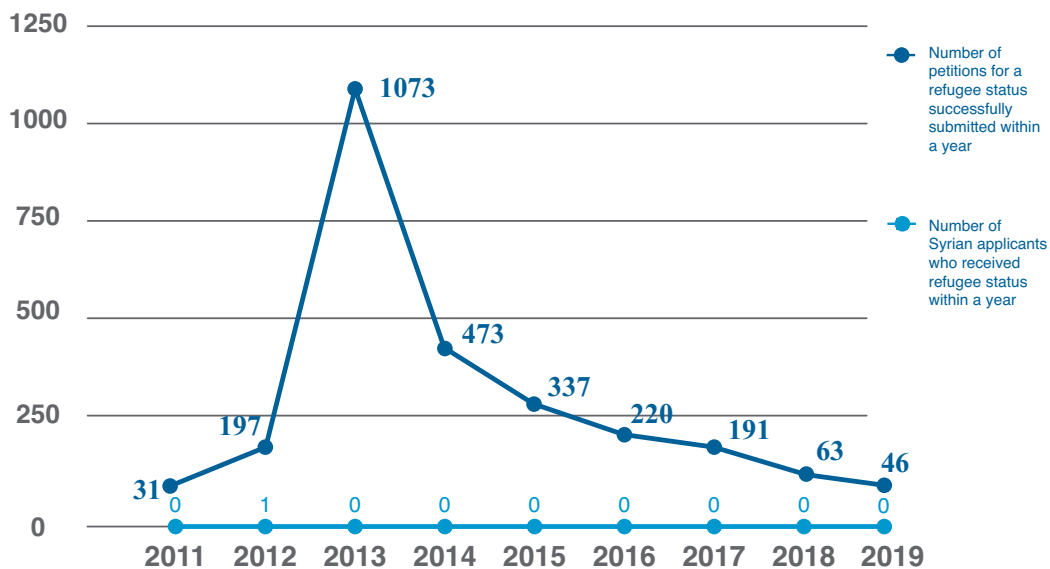


Chart 1. Data on refugee status petitions filed by Syrian citizens for the period 2011–2019, drawn from statistics by Russia’s Federal Migration Service (FMS) and Ministry of Internal Affairs’ (MIA) Main Directorate for Migration Affairs⁵²¹

Between 2011 and 2019, 6,789 applications for temporary asylum were filed, with status granted in 4,492 instances. The number of Syrians with temporary asylum in Russia peaked at the end of 2014 and has never exceeded 2,000 since, as the Migration Service granted this status for a period of less than one year and often did not renew it.

It is noteworthy that despite the expansion of armed conflict in Syria between 2014–2015 and the dramatic increase in the number of Syrian refugees in many countries, the number of requests for both refugee status and temporary asylum in Russia fell sharply and decreased each year thereafter. This can only be explained by the actions of Russian governmental institutions, which create intolerable conditions deterring Syrian citizens from seeking residency and asylum in Russia.

⁵²¹ Here and in several other cases we include the information that used to be published by the Russian Federal Migration Service on its website until 2016. After the FMS was dissolved and its functions were transferred to the MIA’s Main Directorate for Migration Affairs, the rules changed such that this kind of data can only be provided upon a specific request.

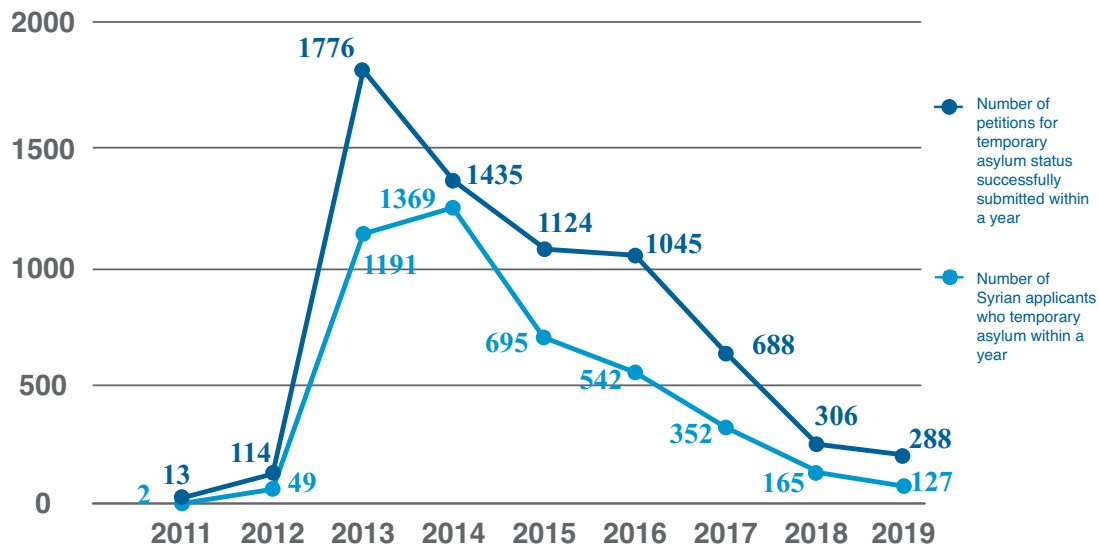


Chart 2. Data on Syrian citizens who applied for temporary asylum status and those who received the status in Russia for the period 2011–2019, drawn from statistics by FMS and MIA

The hurdles to obtaining refugee status or temporary asylum created by the Migration Service and other government agencies, including application dismissals, arrests, fines and lack of information about asylum-seeking procedures, and unfounded rejections of asylum claims, resulted in several thousand refugees seizing the opportunity to leave Russia for Norway and Finland through border crossing points in 2015. Some refugees who had legal immigration status, including Syrians, were later sent back. By 2016, the Russian border was essentially closed, and some refugees, still trying to cross, were detained by Russian police and border guards. Criminal proceedings were initiated against them for attempting to illegally cross the border (punishable by up to two years' incarceration).

Despite the persistently dangerous and hostile situation in Syria, Russian migration services have actually stopped granting temporary asylum to Syrians and have refused to renew existing statuses since the fourth quarter of 2017. This coincided with the first requests from high-ranking officials and generals to withdraw some of Russia's troops from Syria. Refusal to renew and grant temporary asylum reduced the already small number of people with the status in Russia by almost 40 percent in the first 3 quarters of 2020, nearly 3 times less than the number who held it in the beginning of 2018.

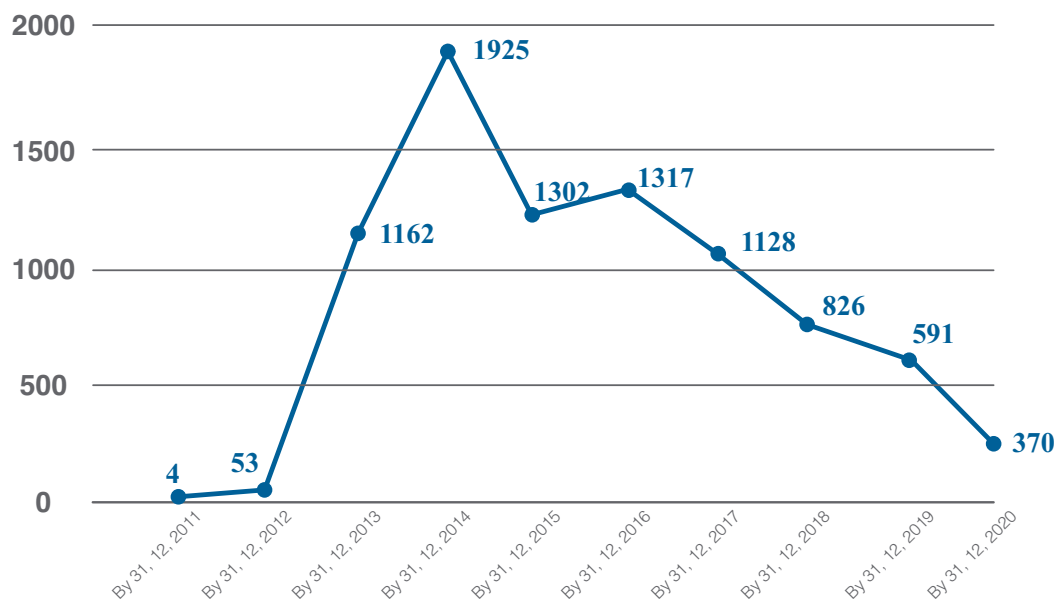


Chart 3. Data on Syrian citizens with temporary asylum status by the end of the year in the Russian Federation for the period from 2011 until October 2020 drawn from statistics by FMS and MIA

According to monitoring by the Civic Assistance Committee,⁵²² the Russian migration services' refusals to grant asylum to Syrians have been full of cynical, unprofessional, misleading, or simply preposterous statements. This pertains both to rejections by regional divisions and to the rejection of appeals at the headquarters—the MIA Main Directorate for Migration Affairs, or the Russian Federal Migration Service until April 2016. We believe that the content of these responses reflects the Migration Services' predisposition to reject asylum applicants, and officials simply cherry-pick information to substantiate the predetermined decision. This explains why migration services' decisions are usually devoid of references to the recommendations of human rights and humanitarian organisations and international institutions, including the UN.⁵²³

In their refusals, officials almost exclusively cite information provided by the Russian Ministry of Defence and Ministry of Foreign Affairs, which can hardly be considered objective or accurate. For example, in early 2016, a few months after the Russian military intervention in Syria, the migration services cited the purported stabilisation of the regional situation as its reason for rejection, despite the new round of violent conflict and the escalation of hostilities. Since then, references to “stabilisation” have become a feature of almost any decision denying Syrians temporary asylum in Russia.⁵²⁴

522 The Ministry of Justice of the Russian Federation has placed this organization in the “register of noncommercial organizations performing the functions of a foreign agent.”

523 For more information about the decisions by Russian migration services, see reports by the Civic Assistance Committee: <https://refugee.ru/en/dokladyi/sirijskie-bezhentsy-v-rossii/> (accessed December 10, 2020) and <https://refugee.ru/news/sirijskie-bezhentsy-v-rossii-obzor-situatsii-za-2018-god/> (accessed December 10, 2020) (Russian only).

524 For examples of how Syrian asylum seekers' application were reviewed, see report *Russia as a Country of Asylum*, <https://refugee.ru/en/knigi/rossiya-kak-strana-ubezhishha/> (accessed December 10, 2020).

In stating the reasons for refusal, an official almost always makes a generic statement about the applicant requesting temporary asylum for economic reasons and “because of the complex social and political situation in his homeland.” However, in recommendations to Russian citizens, that same Ministry of Internal Affairs refers not to a “complex” situation, but rather to an “unsafe” one: *“Highest terrorist threat level. Since 2011 Syria has been in a state of severe military and political crisis and internal armed conflict. The Ministry of Internal Affairs of Russia does not advise Russian citizens to visit Syria for any purposes.”* Russian citizens are also told, *“The public health and disease control situation is unstable. Gastrointestinal infections, parasitic diseases, amoebic dysentery, and viral hepatitis A are present. Bottled water is advised. It is impossible to ensure a safe stay in the country.”*⁵²⁵ This evinces a policy of double standards regarding fundamental human rights.

Because Russian courts usually side with the country’s migration agencies, it is extremely rare for human rights organisations to succeed in appealing the denial of asylum in court. The only way to preserve a relatively legal migration status, after exhausting all options of appeal, is to refile the documents for temporary asylum. Migration services, however, often refuse to accept the documents again.

To analyse the situation of Syrian refugees, we look at the examples of Losino-Petrovsky and Noginsk, two towns in the Moscow region where the Civic Assistance Committee has aid centres for Syrian refugees. Two small Syrian communities have formed in these towns. They grew around textile factories established by other Syrians who had already attained some form of legal status in Russia. In the pre-war period, most of the Syrian nationals who came to work at these enterprises stayed in the country on a one-year visa, returned to their families afterwards, obtained a new visa, and returned to work. Since hostilities began, return has been impossible. Instead, community members’ relatives began coming to stay. Since 2017 regional migration agencies have been accepting documents from applicants only after making them pay a fine for breaching migration legislation (in 2020, the fines usually amounted to 5,000 rubles (around US\$77). The fines are often unaffordable. Those unable to pay them are forced to live without legal migration status.

Despite the small number of Syrian citizens in Russia and the permanent prohibitions on their removal (under UN and other human rights organisations guidelines), Russian courts have regularly issued orders

⁵²⁵ “Syria” (“Сирия”), Consular information portal of the Consular Department of the Ministry of Foreign Affairs of the Russian Federation, https://www.kdmid.ru/docs.aspx?lst=country_wiki&it=/%D0%A1%D0%B8%D1%80%D0%B8%D1%8F.aspx (accessed December 10, 2020).

for their removal throughout the years of war in Syria. Sometimes, though not often, court removal orders are stayed by appeal orders from higher courts. The only effective mechanism, however, has been the application of Rule 39 of the European Court of Human Rights, which directs Russian authorities to prohibit removal.

At the height of the war, between 2014 and 2017, police and migration services made repeated attempts to actually remove Syrians from Russia, violating UN guidelines and sometimes even Russian judicial procedures. Some Syrian refugees were in fact removed, although human rights organisations managed to stop a number of those attempts.

On November 21, 2017 the European Court of Human Rights issued a ruling in consolidated case number 29957/14 *M.S.A. and others v. Russia*.⁵²⁶

The case pertained to 12 Syrian nationals who had received expulsion orders issued by Russian authorities in 2013–2016. Attorneys from the Migration and Law Network of the Memorial Human Rights Center⁵²⁷ represented 11 of those 12 Syrians in domestic proceedings and before the European Court of Human Rights.

The applicants arrived in Russia at different times from 2012 through 2016, and were unable to leave when the period of their stay expired because of the hostilities in Syria. All the applicants were placed in temporary detention centres for foreigners in Saint Petersburg, Makhachkala, Moscow, Murmansk, and Izhevsk. They were kept in these detention facilities between 2013 and 2016 for periods ranging from five months to two years. By the time the European Court reviewed the appeal, the applicants had all been released. Based on appeals from their attorneys, six applicants had left Russia for other countries, specifically Germany and Sweden. The other applicants were granted temporary asylum in Russia, meaning they were no longer facing the threat of deportation. If new rulings are issued, they can be appealed in court.

All the applicants complained that their forced return to Syria would directly threaten their lives and subject them to inhumane treatment (articles 2 and 3 of the Convention). Some of the applicants also complained about violations of article 5(4) of the Convention, claiming that their detention for removal purposes had been too long; that migration agencies did not act efficiently and conscientiously; that removal was impossible to carry

526 European Court of Human Rights, *M.S.A. and Others v. Russia*, judgement of December 12, 2017, no. 29957/14, 5, <https://hudoc.echr.coe.int/app/conversion/docx/pdf?library=ECHR&id=001-179419&filename=CASE%20OF%20M.S.A.%20AND%20OTHERS%20v.%20RUSSIA.pdf> (accessed December 10, 2020).

527 The Ministry of Justice of the Russian Federation has placed this organization in the “register of noncommercial organizations performing the functions of a foreign agent.”

out; and, in certain instances, that their detention had lasted more than two years, meaning that they were arbitrarily detained and they did not have access to effective judicial review at the end of a certain period of time or in case of changes to their circumstances or status.

The European Court did in fact find that violations of the referenced articles had been committed and awarded the applicants compensations ranging from EUR 7,500–9,500.

For some time after that ruling, Russian courts refrained from issuing removal and detention orders against Syrian nationals who were considered in violation of the terms of their stay or employment in Russia. However, the Civic Assistance Committee reported that in 2019, the courts once again began issuing removal orders against Syrians, which were upheld by higher courts. The placement of Syrian citizens in detention centres for foreigners also became more frequent in 2019. In 2020, removals were suspended after a moratorium on administrative removals from the Russian Federation was introduced on 18 April due to the pandemic.

It is worth noting that Russian Ministry of Foreign Affairs (MFA) consular offices typically issue entry visas fairly easily to Syrian nationals. Applicants from the Civic Assistance Committee, however, frequently stated that they obtained visas through middlemen for money, paying up to US\$3,000 per person. This results in a situation where MFA employees apparently do not understand that Syrian citizens obtaining Russian entry visas will become asylum-seekers while migration services do everything in their power to avoid granting them asylum. When they realise how bleak their prospects for getting asylum in Russia are, Syrians try to move to other countries. In early 2014, hundreds of Syrian citizens crossed to Norway or Finland through Murmansk. However, by late 2015, Norway amended its legislation to close its border for this kind of crossing. So Syrian refugees found themselves in Russia with no rights and no way out.

THE REALITIES OF REFUGEE LIFE



Syrian refugee during an appointment in Civic Assistance Committee's office, 2016
Civic Assistance Committee

Sixteen Syrian refugees were surveyed in a series of interviews between March 5–May 21, 2019 in Noginsk and Losino-Petrovsky. They included seven men and nine women. Some of the participants were couples. There were no special criteria for the selection of the Syrian refugees (e.g. age, education, or marital status). We spoke to people on the basis of their consent to be interviewed. The majority of interviewees (10 people) were young, under the age of 30, with elementary and lower-secondary education. Another five were aged between 30–40 years. Only one woman was older than 60. Two of the women work as seamstresses while the rest are homemakers. Two women have a college education and used to teach at schools in Syria, but in Russia they have been resigned to housework. Almost all of the men we interviewed make clothing in factories. With the exception of three people, the refugees we interviewed had lived in Aleppo or its environs before coming to Russia. All interviewees moved between 2010–2019.

The goal of these interviews with the refugees was to analyse the situation of Syrians in Russia, understand the main problems and challenges they face, and identify the mechanisms and social connections they use to adapt to life in Russia.

Reasons for Coming to Russia and Interactions with State Institutions

The interviews revealed that the main reason for refugees moving to Russia specifically was their ability to obtain a visa (including a tourist visa) in Syria with relative ease, as well as invitations from employers, relatives, and acquaintances. Several women were reunited with their husbands, who had come to Russia prior to the conflict.

Almost no one knew anything about Russia before arriving. Several interviewees expected they would be able to obtain asylum and build a life in Russia, since it is a big and “mighty” country. After arrival, the hope of many for a good future was replaced by disappointment and, at times, despair. Problems began almost immediately upon arrival, with everything from their unsettled migration status to police extortion, problems with requests for asylum, landlords refusing to complete migration paperwork, and abusive employers taking advantage of their unsettled migration status.

A.M. said he travelled to Russia because in Syria *“there were no visas except for Russia.”* He was counting on finding a good job, but his landlord refused to put him on the migration register.

B. didn’t have a clue where she was going or what the country was like, but she travelled because her husband A. was already in Russia.

M.A. arrived in Russia for the first time on a one-year tourist visa in 2011, almost immediately after the clashes in Syria began. He wanted to continue his studies. A maternal uncle, who was already a Russian citizen at that time, invited him and paid for the visa and ticket. All together it cost *“1,000 dollars—including airfare.”* When things didn’t work out with his studies, he returned to Syria in 2012, and was caught in the crossfire in his village near Aleppo. He acquired another visa and flew back to Russia.

H.A. travelled to Russia to meet her future husband M.A. in 2017. She was from a neighbouring village, where she had lived under constant artillery fire for several years. Many people in her district had died. She scraped by on humanitarian aid from the UN High Commissioner for Refugees, until her husband and relatives sent her money for a visa and ticket to Russia. She paid US\$2,000 for the visa and airfare.

After the hostilities began, M.'s father sent him to Russia, since he had acquaintances in the clothing industry and M. worked as a tailor. On the relocation of Syrians to Russia, M. said, *"I think... they have no other option. Otherwise they'd go elsewhere; there's just no alternative. With a Syrian passport... there's nowhere else to go."*

S.A. arrived in 2015 at the invitation of an employer who had even bought him a plane ticket and managed to resettle his wife H.T. After a while, S.A. began to get into disagreements with his employer, who had made work conditions inhumane and took advantage of his unsettled migration status. Regarding his expectations, S.A. said, *"We expected the situation to be better, that it would be good, that it would be a little better. But it turned out to be a lot harder."*

H.H. came to Russia with her son in 2017 because her husband had gone missing in Syria. She had no expectations for Russia other than it being a *"global country. What else is there to say?"*

Not one of the interviewees had anything positive to say about Russian migration services. Each had their own exceptionally negative experience dealing with the government agency and its employees. Many encountered rudeness, extortion, red tape, and a propensity toward refusal. Most had to pay numerous visits to migration service offices, collecting and dropping off documents, which they went to great lengths to prepare, all the while making no progress on their migration status. In some cases, migration service employees called the police to apprehend asylum seekers, who were ticketed for administrative violations and then summoned to court to pay a fine, which was a condition for access to asylum procedures.

A.M. and his wife B. were unable to obtain legal migration status because of corruption. The middlemen drawing up their documents demanded 200,000 rubles in exchange for processing temporary asylum or temporary residency authorisations.

B.M. filed documents requesting asylum about five times, by his count. He received the status only once and for less than a year.

Z.D. managed to obtain temporary asylum status in 2015 and extend it for two years thereafter. In 2018, however, he was denied renewal. He is now trying, although so far unsuccessfully, to appeal the rejection.

M.A. said that, after his return to Russia, he filed an application for temporary asylum. The migration services granted him the status in exchange for money and also extended it for money. In 2014, however, migration services refused to extend his temporary asylum, but M.A. did not appeal because he did not know how to do so.

M. has lived in Russia since 2011 and has not been able to obtain temporary asylum. When he attempted the procedures, he found out it would cost about 130,000 rubles. He did not have that kind of money. When he tried to file documents to request asylum, migration service employees called the police, who took him to the police station and held him for several hours before releasing him. At the time of his interview, he said that he can no longer able to file the documents, since *“my passport has already expired, so I can’t do anything.”*

The police often see people with unsettled migration statuses, including Syrian refugees, as a source of illegal income. Some members of the police force abuse their power and extort money from refugees. All the men we interviewed have encountered this problem in their interactions with the police. One interviewee said that officers slapped him around for a long time, demanding money. But the majority of Syrians prefer to simply hand over the money, sometimes all that they have. Many interviewees reported that in areas where Syrian refugees work or live in tight quarters, the police know how to ask for “a thousand” or “five thousand rubles” in Arabic. Not all the women interviewed encountered extortion, but this is mostly because of their isolated way of life: they rarely leave home and almost never go further than a few hundred metres from home. Not one of our male interviewees could recall a single positive interaction with the police or any instance when they received help from them. They talked only about extortion, threats, rudeness, and mockery.

A.M. was regularly stopped by the police, even when he had a valid visa. He was asked to provide proof of migration registration, which his landlord had refused to complete. A.M. said that in his case, the police usually did not ask for money while they were out on the street. The extortion began at the police station, he said. The average bribe was always between 1,000—1,500 rubles, but, sometimes, A.M. paid more. For example, *“when my wife was pregnant, they stopped us. That time they took 2,500 rubles.”* His wife B. was also stopped once while on her own. Her pregnancy was what helped her, as she *“pointed [at her belly], and they let her go.”*

B.M. and N.A. told us that the police stopped them numerous times while they were out on the street and forced them to pay money: *“They immediately say ‘alf.’⁵²⁸ If they see that a person is rich, they say ‘five thousand’—‘hamsat alaf’.*” N.A.’s little daughter got lost once and was picked up by police, as she told us:

“My daughter went missing outside; the police picked her up within five minutes. It’s good that nothing happened to her, but when I got there [to the police station], they tormented me and questioned me for a very long time. Questions like, ‘What are you doing here?’ They went home with me and asked where my husband was, where I lived. I cried, I wanted to see my little girl, but they kept asking and asking. Then they took my telephone and began looking at what was on it, looking at photographs, and saying, ‘Oh, nice, look,’ about a photograph of my husband.”

M. explained that the police, *“as soon as they see dark hair, say, ‘Come here.’ Most often, they stop us on Saturdays, on the way home from work. They stand around near the depot and, when we come out, they catch us. You’re no sooner outside than you’re in the van.”* The extortion usually began in the police van, M. said; they first ask for 5,000 rubles, and if he didn’t have that much on him, they took what he did have. If he refused, they threatened him with deportation and called him names. They did not hit him, however.

A.S.’s husband was often detained and pressed for 1,000 rubles as many as several times a month. She herself had had no experience interacting with the police because she stays home with her child, until, one day, the family visited a migration service office in the Moscow region. There, they were detained by the police and held for four hours at the station. A.S.’s daughter was quite small at the time: *“We asked for something, at least, at least to wipe her [or change her diaper]—the baby was still nursing. They all refused... A bad attitude.”*

Adaptation and Integration

The stories of the various Syrian refugees make it clear how hard it is for them to organise their lives in Russia. On a day-to-day basis, they often face obstacles because of their unsettled migration statuses and poor knowledge of Russian. They have had no assistance from the state. On the contrary: as previously indicated, refugees face various challenges while seeking asylum, including extortion and intimidation. Added to that

⁵²⁸ ‘Alf’ is the Arabic word for one thousand.

are the wary, sometimes hostile, attitudes that refugees often receive from Russian citizens. One example of this is difficult landlords, who often refuse to help Syrian tenants complete their paperwork in order to be added to the migration register where they live.

Syrian refugees with an unsettled migration status—and they are the majority—do not have access to free medical care except in emergencies and urgent cases. Nor does Russia have any national-level programs to help with the adaptation and integration of refugees and migrant workers. Even in the largest cities, it is impossible to find free, government-sponsored Russian language courses for refugees and migrants; not to mention the lack of centres that provide comprehensive support. Although the Russian Federation's constitution guarantees free, universal access to preschool and general education, in a number of regions the country's education authorities refuse the enrolment of Syrian refugee children in schools and preschools because they are not officially registered where they live.⁵²⁹ None of our interviewees' children (10 children) who needed preschool education had access to it. Some Syrian refugees whose migration status remains unsettled receive medical and humanitarian aid and free Russian language courses from the UNHCR and other non-governmental and charitable institutions.

A.M. said he understands the need to learn Russian. *"It's necessary—very important, but I have no time. I'm either working or looking for work. I start work in the morning, leaving the house at 7 a.m. and returning home at 8–9 p.m. This is just so I can put food on the table and pay the apartment's rent."* Working with other Syrians, he has no need to communicate in Russian. In a store or supermarket, he just takes what he needs and pays for it.

A. learned Russian almost exclusively because of his Russian-speaking girlfriend, who also happened to know Arabic. She began teaching him Russian, and they later married.

B.M. insisted he is not looking for any special help or support, only an opportunity to work legally so that his children can go to preschool and learn Russian. Although he does not know how to write in either Russian or Arabic, he communicates well in both languages. He learned Russian on his own without textbooks or teachers. His wife N.A. had tried to put their children in school, but the administration demanded a *"propiska,"* or

529 Civic Assistance Committee, "A universal right is not for everyone. Access to schooling for children of refugees and migrant workers in Russia," 2017, <https://refugee.ru/wp-content/uploads/2018/11/Doklad-o-dostupe-k-obrazovaniyu.pdf> (accessed January 7, 2021).

residence registration.⁵³⁰ She was unable to provide the paperwork given their unsettled migration status and lack of consent from their landlord. According to N.A., a private preschool costs 16,000 rubles a month, which her family cannot afford.

M.A. learned Russian through his interactions with Russian-speaking co-workers at the factory where he works. His wife H.A. mostly stays home and is not learning the language. With the help of an uncle, they were able to pay for a medical insurance policy so their newborn son could be vaccinated.

M. lives in a small, two-room apartment with three Egyptians. He was arrested and detained after he tried to flee across the Russian border into Norway, as many of his countrymen were doing. During the investigation, which did not take place until 25 days after his arrest, he was diagnosed with active tuberculosis, after which he was isolated and held in a cell for another four months. He was mistreated, denied basic necessities, ridiculed for speaking poor Russian, and not given proper medical care. It was only four months later that he was sent to the prison hospital, but there he was not able to make a full recovery. It was only with help from the Civic Assistance Committee that he was able to buy the necessary medicine and seek appropriate medical treatment.

H.H. told us that she has been diagnosed with cancer and was suffering from the lack of access to proper medical care, as well as her inability to obtain legal migration status for herself or her children.

At the time the interviews were conducted, almost all of the men had been working without a contract or work permit. Only two of the nine women we interviewed had jobs. Those who were employed, both men and women, said that their work conditions were very harsh and sometimes borderline inhumane; the money was not always enough to cover even basic necessities. Labour laws were obviously not being enforced in these workplaces: there were no benefits, and refugees were being overworked, often for a low wage that was barely enough to pay the rent of a tiny apartment (sometimes shared with others) and food for the family. Also, the police usually took some of the money. Many of the interviewees were actually living in squalor. But they were still afraid of losing the job they did have: otherwise, they said, they would have nowhere to live and nothing with which to buy food. They became hostages of their employers. According to Syrian tailors we have interviewed who work long overtime hours without extra pay, their monthly income ranges from 30,000 to

⁵³⁰ *Propiska*, or the residence permit system, was officially repealed in the early 1990s, since it violated the Russian Constitution. However, many officials have recently been using the word to refer to residence registration, which has essentially become similar to the old residence permit system.

40,000 rubles, which is considered below average for the Moscow region.

A.M., for example, was offered a job while he was still in Aleppo. He makes clothes and earns an average monthly wage of 30,000-35,000 rubles. He said work takes up all of his time. *“There’s nothing but work, there is no time for anything else.”*

A. earns a relatively reasonable wage and works under better conditions than most other refugees. This is because A. works in a café owned by his father.

B.M. admitted that many of the Syrian refugee families in Russia put children as young as 12 years old to work around the house, or even send them out to work. He explained that this is caused by desperation and tight economic conditions:

“If it’s a girl, she helps her mother at home; if it’s a boy, he works. Because it’s hard to make a living. You see this apartment. It’s a bad apartment, but it costs 20,000 [rubles]. I’ve been here two years already. They also a charge for water and [electricity]. I turned off the house’s intercom so that I don’t have to pay an extra 300 rubles every month.”

M. works a minimum of 12 hours a day. He often starts at 8 a.m. and ends at about 10 p.m. His average wage is 40,000–45,000 rubles, but only when there is a lot of work. M. says he works *“sometimes all month, except for a day or two,”* but, other times, there is no work at all and the problems begin. *“You get money only when you work,”* he said.

S.A. had a job, for which she had an offer prior to her coming to Russia. Her employer, a Syrian émigré, made work conditions difficult. She couldn’t work for him for long, as *“he worked us hard because he helped us get here, so I decided to leave him.”* Her husband H.T. is not steadily employed and has to scrape by doing a number of odd jobs.

Our interviewees all said they experience serious challenges adapting and integrating into Russian society. The majority of them have a very small social network, and none mentioned having any Russian friends, except for other Syrian immigrants who held Russian citizenship. The Syrian community in Russia is not a cohesive group in which mutual assistance and close interaction are the rule. The majority of the Syrian couples we interviewed rely only on themselves and their loved ones. The husbands of the women interviewed were exclusively Syrians, most of whom they had met before ever coming to Russia. The men we interviewed had spouses of mixed nationalities (most were Syrian, one woman was Moldavian, two others were Russian). All the families we interviewed were monogamous;

almost all the marriages were either registered or recognised in Russia.

B. said she socialises online with friends from Syria and has no friends in Russia.

A. socialises primarily with other Syrians, but notes that there is no tight-knit community; conversations are usually superficial and there are occasional events. *“If someone gets married, they rent a big hall, invite everyone, and everyone comes. It’s a party. But we don’t get together just for fun, it doesn’t work out,”* he said.

B. said that, because of her baby, she has no time to socialise. She also mentioned encountering hostility because of her “hijab,” or headscarf (for example, from passers-by). *“A lot of people say something, but I don’t understand what [they say]. Sometimes I get unpleasant looks.”*

B.M. noted that there is no Syrian community where he lives, or any kind of mutual assistance, even though he is employed by a wealthy Syrian man. *“I, for example, work. I ask my employer for money, to help with money, but he doesn’t give it.”* His wife N.A. said that Syrian women in Russia communicate through several WhatsApp groups, which they use to share news, socialise, and ask for advice.

Z.D.’s wife is a Russian citizen. She told us that the two of them quickly became friends and began dating, although the decision to marry was not simple for her. But since Z.D. readily accepted her two children, she was willing to seriously consider marriage. Ultimately, the pair not only married, but also had children of their own.

None of the interviewees had a clear plan for the future. Most, if not all, were preoccupied with their problems, their unsettled situation in Russia, and the need to survive. Almost all of them thought about returning to Syria, but none had decided on it at the time of their interviews. They understood that the situation was still quite dangerous, that their properties were mostly gone, their homes were destroyed, and that men faced the threat of forced military conscription. In conversations about the future, they expressed melancholy, cynicism, bewilderment, and sadness.

A.M. said, *“God knows, I don’t. I just want to survive until tomorrow. There is no future here or in Syria... Going to Europe legally requires a visa. No one is giving visas. You have to escape [cross the border illegally]. I don’t want this; I won’t do it.”*

When asked about his future, A. answered that he sees himself *“most likely in Russia. I have a family here, a child, I want to get Russian citizenship, grow a business. I’d like to stay here.”*

N.A. leaned more toward returning: *“The situation [in Syria] is still*

complicated, serious. But for us, it's better, because at least the children could go to school. We'd have documents there. They wouldn't persecute me." Her husband B.M. was of the same mindset, saying, *"Me? Yes, I'd return. But now, I can't, because they'd draft me into the army. I have nowhere to live there, nothing."* He said Syria is *"a million times better than [Russia]. There is work there without humiliation and with respect!"*

Z.D. prefers to stay in Russia. *"No, returning would be awful. Naturally I want to live with my wife, to stay here,"* he said.

M. is undecided about the future. Asked about plans, he responded with melancholy and cynicism: *"The future... to obtain [legal] documents and then we'll see. If not, we won't see."* When asked whether he would advise any of his brothers to move to Russia he said, *"I'd break his neck, I wouldn't let him come here, I'd say don't. Better somewhere else, but not here."* He has no plans to have a family but said he would like to marry a Kurdish or Russian girl, but *"not now; now it's too tough."*

S.A. and H.T. are thinking about returning to Syria. The one thing stopping them is the fact that *"there are no relatives, no home, nothing there."* They too said they would not advise their friends or acquaintances from Aleppo to move to Russia. They said they would tell them, *"Don't come. The situation in Russia is difficult, tough, you need a lot of money. We have two children, and we aren't able to feed them properly."*

When we asked B.M. what he would request if he were to meet with a government official with the power to change the situation of refugees in Russia, he answered: *"I'd ask him to enrol my children in school, to give us documents, to give us housing. Like in Europe; they give asylum, they provide housing, they train them. At least the children, the children. Children have no rights, nothing."*

THE RETURN OF SYRIAN CIRCASSIANS TO RUSSIA

Syrian refugees in Russia don't only live in large central cities, but also in some republics of the Northern Caucasus, such as Kabardino-Balkaria, Karachay-Cherkessia, Adygea, and others⁵³¹. These are mostly Syrians of Circassian origin, whose ancestors were forced to leave the Russian Empire after the end of the Caucasian War in 1864. The expulsion of Circassians to the Ottoman Empire led to large-scale human casualties and the exodus of a large portion of the Circassian population from the Northern Caucasus. As a result, a large Circassian diaspora formed in Turkey and in Middle Eastern countries. After the collapse of the Soviet Union, Circassian activists demanded that the Russian government recognise crimes against Circassians and include them in the repatriation program, enabling those who wished to return to their historical homeland.

After the war in Syria began, the problem of Circassian repatriation became relevant once again. This time, it was not merely a matter of historical fairness, but primarily a humanitarian matter of giving asylum to people fleeing bombs and violence. It is difficult to estimate the population of the migrants or the Circassian diaspora, as of 2011. Preliminary estimates put the number at 90,000–120,000 people.⁵³²

Researchers agree only that the number of Syrian Circassians is in the tens of thousands. Some of them fled the war to Turkey, others to Germany, while some tried to resettle in their historical homeland of the Caucasus, where local activists offered them whatever help they could. There is no official information on how many Syrian Circassians came to the Caucasus regions of the Russian Federation.

Since the hostilities in Syria began, the Circassian community has repeatedly asked Russian leadership—the State Duma, the Federation Council, and executive branch agencies—to rescue Syria's Circassians, the descendants of ethnic Circassians ejected from their historical homeland because of the Caucasus War, giving them an opportunity to return to their homeland.

In their requests, the Circassians cite the Russian constitution and Federal Law N.99, “On the State Policy of the Russian Federation with Respect to Russian Citizens Abroad ” (dated May 24, 1999), which declares that one of the principles of Russia's state policy is “the need to provide civil, political, social, economic, cultural and other rights and freedoms to

531 While Circassian population is prominent not only in Kabardino-Balkaria, but also in other regions like Karachay-Cherkessia and Adygea, the current study was conducted in *Nalchik*, the capital of Kabardino-Balkaria and thus it addresses the situation only in this region. It is this research's limitation.

532 “Syrian Circassians and the issue of repatriation” (“Сирийские черкесы и проблема репатриации”), *Carnegie Moscow Center*, September 13, 2012, <https://carnegie.ru/2012/09/13/ru-pub-49368> (accessed December 2, 2020).

expatriates and to protect their legal interests in the states where they reside pursuant to generally accepted principles and norms of international law.” Another goal of the state’s expatriate policy is “to provide state support to Russian citizens, including providing legal protection for their interests and conditions under which they might live as citizens with equal rights in foreign states or return to the Russian Federation.”

However, despite the numerous requests and petitions, to date Moscow has provided no intelligible answer or clear position with regards to the status of these expatriates in light of the conflict in Syria.

The state programme “Aid for Voluntary Resettlement in the Kabardino-Balkar Republic of Expatriates Living Abroad” has been in effect in the republic since July 31, 2019.⁵³³ This program was adopted in the Kabardino-Balkar Republic for the first time, but it is not generating any particular optimism in the Circassian community, since it is designed for a mere 50 expatriates and 150 family members. Many local community activists claim that for the Circassian diaspora, which numbers in the many millions, “this is but a drop of the ocean.”

According to human rights advocates’ rough estimates, about 3,000 Syrian refugees have gone to Russia’s northern Caucasus region since the start of the civil war in Syria. Human rights advocates note that about 300–400 Circassians were forced to leave for other countries (primarily Turkey and Germany) after they failed to obtain legal migration status or meet conditions for Russian residency. Ultimately, according to human rights activists’ data, 2,000–2,500 Syrian refugees remain in Russia’s Caucasus regions.⁵³⁴ These are mainly Syrian Circassians, but also several hundred Syrian Arabs.⁵³⁵

533 “On state program in the Kabardino-Balkarian Republic ‘Assisting in voluntary return of the compatriots living abroad to the Kabardino-Balkarian Republic” (“О государственной программе Кабардино-Балкарской Республики “Оказание содействия добровольному переселению в Кабардино-Балкарскую Республику соотечественников, проживающих за рубежом””), Government of the Kabardino-Balkarian Republic: a decree from July 31, 2019, amended in April 20, 2020, <http://docs.cntd.ru/document/561463453> (accessed December 10, 2020).

534 “Circassians gaining recognition” (“Черкесы добиваются признания”), *Kavkaz.Realii*, April 17, 2017, <https://www.kavkazr.com/a/cherkesy-dobivayutsa-priznania/28435551.html> (accessed December 2, 2020).

535 As estimated by local activists, from monitoring group interviews in *Nalchik*.

Charitable institutions and human rights organisations, as well Russian Circassians who support the cause, have been aiding Syrian Circassians' return to the historical homeland of their ancestors by arranging invitations and receptions. Syria's Circassians come to the Russian Federation with no preferences or special programmes.

They face serious financial burdens and difficulties in processing invitations, obtaining Russian visas and passports for foreign travel, and paying for travel expenses. Further challenges include a lack of comprehensive adjustment programmes, issues processing documents at the Federal Migration Service of Russia, and countless bureaucratic hurdles that can be resolved only with government support.

One community activist told us:

“Repatriation has been allocated 2,740,000 rubles from the national and regional budgets; that is 13,700 rubles per person. If an expatriate living abroad wants to participate in the programme, how can this sum help him? Circassian expatriates spend about 300 dollars just on travel to Russia, given that there are almost no direct flights to Moscow, only from Turkey or Lebanon, where they most often have to travel by private transport. Not to mention they have to rent housing, eat, and so on in their homeland.”

On April 24, 2019, Russian President Vladimir Putin signed an order introducing a simplified procedure for Russian citizenship to residents of the southeastern regions of Ukraine. Putin emphasised that he signed this order strictly for humanitarian purposes. In early May, it was reported that President Putin signed another order simplifying procedures for issuing Russian passports to certain categories of Ukrainians and to some citizens of Afghanistan, Iraq, Yemen, and Syria who were born in the Russian Soviet Federative Socialist Republic or had USSR citizenship (or their family members). The Ministry of Internal Affairs pledged to spend no more than three months reviewing applications. *“We see that this order in no way applies to our compatriots,”*⁵³⁶ said a cofounder of the Circassian NGO Ochag.

⁵³⁶ “Circassian activists point out the gaps in adaptation of repatriates” (“Черкесские активисты указали на пробелы в адаптации репатриантов Источник”), Caucasian Knot, August 11, 2019, <https://www.kavkaz-uzel.eu/articles/338971/> (accessed December 2, 2020).

Almost every Circassian NGO in every country has previously appealed to President Putin to include Syrian Circassians alongside Ukrainians in the list of people eligible for simplified citizenship procedures. Their appeals have been ignored.

From April 1–3, 2019, monitoring group representatives conducted a small field study in Nalchik, the capital of Kabardino-Balkaria. During the trip they conducted interviews with three human rights organisations (the Kabardino-Balkaria Regional Human Rights Center, Ochag, and Peryt) and with Circassian Syrian families. The following is information obtained from those interviews, particularly on how Circassian repatriates justified their arrival in Russia:

F.: *“We chose Russia. We came here [because] it’s the historical homeland of our ancestors. And we thought it would be... better for us here, so we came.”*

S.: *“I came back because I have friends, relatives here.”*

Thanks to local NGOs, many of the Syrian Circassians who arrived in Nalchik were initially placed in a health resort on a temporary basis. Later, many were given housing, which was acquired with help from wealthy benefactors, and moved to rural districts of Kabardino-Balkaria. There was no government support for the reception and placement of the refugees. It was quite the contrary. Peryt, an NGO that was helping the refugees, was forced to close in early summer 2014. It was three years later—and only after the Circassian community voiced its indignation—that the organisation was allowed to reopen. The health resorts where some of the Syrians had been placed received no government assistance or expense reimbursements. Management had to cast about for funding in order to house the refugees. There were also cases where Syrian refugees were evicted and replaced by Ukrainian refugees.

Before the arrival of Ukrainian refugees, Syrian Circassians had lived in well-established health resorts, such as Elbrus, Druzhba, and Gorny Rodnik. Following their eviction, the Circassian refugees who had lived in those resorts were relocated to abandoned, long-neglected wings of the Terek health resort (nearly unfit for living), as well as to the Narzan resort, where living conditions are also substandard. The orders to evict Syrian expatriates came from health resort management, but it is clear that it was not their decision.

Although many of the returning Syrian Circassians are highly qualified specialists, they have no opportunity for work in their fields in Russia—primarily, though not exclusively, because they do not know Russian.

The language barrier also makes it impossible for them to obtain a temporary residency permit, a permanent residency permit, or Russian citizenship—since one has to take a comprehensive Russian language exam to complete any of these procedures.

The majority of the immigrants, especially the older generation, speak Circassian quite well. For that reason, human rights activists have asked they be permitted to take the migration status language exam in Circassian. However, their numerous requests to various government agencies were met with similar responses: Circassian expatriates, including Syrian Circassians, are foreigners as far as the Russian state is concerned. Their origin means nothing to the authorities.

A few repatriating Syrian Circassians spoke to us about the necessity of knowing Russian.

V. said she never had the chance to learn: *“I didn’t have an opportunity to study Russian, because I was hired for a job right away... If I’d just studied Russian and not worked, my family would have had nothing to live on.”*

P. had other views:

“I read the Constitution of the Russian Federation and it says that there are many republics, constituents of the Russian Federation, and they recognise both Russian and the national languages [of those areas]. Why do I have to know Russian for a residency permit, for citizenship documents, if it’s possible, if a different language is recognised as official? Do I have to know Russian? It’s possible with time, but now I know the national—my native—language.”

The conditions Syrian refugees face in Kabardino-Balkaria stand out because local human rights and humanitarian organisations have been actively assisting Syrian Circassians in many ways: helping them find work or buy livestock, providing financial assistance for medicine, finding used furniture and providing it for use, organising festivals, assisting in settling migration status procedures, and providing them with representation in court. These organisations exist primarily thanks to the support of the existing Circassian community in the area, since they receive no other grants or financial support. Therefore, they have to cut costs. The NGO Ochag, for example, now works without an office.

The Circassian Syrian families we interviewed were among those who managed to obtain a legal residence permit in Russia. But their problems did not end there: the families complained that they spend a lot of time and money renewing and preparing documents, as well as different legal procedures, which makes it considerably harder to live and work. Moreover, the families are dispirited by the fact that it is almost impossible for them to obtain Russian citizenship under current legislation. But almost all migrants in many countries around the world face these same problems.

CONCLUSION

The war in Syria is in its tenth year. Devastated cities, towns, and villages, a ruined economy, and, most crucially, the substantial loss of human life and severe post-war trauma will require many years of recovery and reconciliation in a deeply divided society.

Russia's intervention in the conflict has secured military advantage for Bashar al-Assad, who is considered a war criminal by many Syrians. Russian military support enabled al-Assad not only to remain in power, but also to regain control over most of the country. By doing so Russia effectively assumed responsibility for the fates of millions of Syrian civilians, and we, Russian citizens, bear this responsibility too.

During our research, we conducted 150 in-depth interviews in several countries that have been hosting refugees. We talked to Syrians in Lebanon, Jordan, Turkey, Belgium, Germany, and Russia. In the poverty of refugee tents in the Beqaa Valley in Lebanon and in prosperous Berlin, people who had endlessly suffered from the actions by various warring parties, including Russia, recalled the most horrible days of their lives—and pictured the future. They spoke to us hoping that we would be able to take their pain, their losses, and their hopes to Russian audiences, including Russian decision-makers who now largely define the fate of their home country today.

Our research went on for over two years, but, unfortunately, the calls to end the war—or at least respect the lives and safety of civilians in Syria—still stand. Despite the objectives declared in the 2017 Russia-initiated memorandum on establishing de-escalation zones (a ceasefire to achieve a political settlement of the conflict in Syria), military operations have been ongoing in many parts of the country. A year after the memorandum had been signed, three of the four de-escalation zones fell under the government control as a result of violent joint military operations by the Syrian government, the Russian Aerospace Forces (VKS), and Iranian troops and pro-Iranian militias.

In October 2019, Turkey began a military operation against Kurdish forces in northeastern Syria, which led to the forced displacement of the local civilian population. In 2019–2020, Syrian forces supported by the Russian Aerospace Forces (VKS) launched a two-phase military operation with the aim of reasserting control over Idlib governorate. As a result, according to the UNHCR, between December 2019 and March 2020, up to 950,000 people fled the bombings and hostilities to the Turkish-Syrian border where they lack—and continue to lack—even the most basic necessities to live.⁵³⁷ Thus hostilities have continued,

⁵³⁷ “UNHCR statement on the situation at the Turkey-EU border,” UN High Commissioner for Refugees (UNHCR) press release, March 2, 2020, <https://www.unhcr.org/news/press/2020/3/5e5d08ad4/unhcr-statement-situation-turkey-eu-border.html> (accessed December 2, 2020).

with no end to the suffering of Syrian civilians in sight.

While in the first years of the war Syrian citizens were able to seek refuge in neighbouring countries, and some even made it to Europe, now most countries have closed their borders to new refugees. Moreover, the return of Syrian refugees they host has become a pressing issue.

In 2015, Lebanon began to restrict the entrance of Syrian refugees, and refugee support programmes were reduced.⁵³⁸ In 2016, Turkey tightened its rules for entering the country, which meant Syrian refugees could only arrive in Turkey illegally.⁵³⁹ The Russian Federation has officially recognised only two Syrian citizens as refugees; one-year temporary asylum was granted 4,492 times. Meanwhile, Russia takes a proactive approach to refugees' return to Syria.

During our work, we saw that returning home is something that many Syrians hope for or even dream of. They picture the future Syria as a country that is free from injustice, violence, and humiliation by its own authorities, that is safe and respectful of its citizens. Being a refugee for them is not a lucky ticket, but an ordeal.

However, people do not feel that they can safely live in Syria: hostilities rage on, and they do not trust Bashar al-Assad's government, believing that arrests, torture, and disappearances will continue as long as he remains in power.

Around 130,000 people have been detained or gone missing during the Syrian conflict; the fate of the majority of these individuals remains unknown.⁵⁴⁰ These people include thousands of innocent men and women who perished in the hell of Syrian prisons without charge or trial. And not one single state party to the conflict, not one single international institution demonstrated any successful attempt to urge the Syrian government to investigate the crimes committed in places of detention. Impunity fuels yet another wave of violence—the Syrian security forces continue to arbitrarily arrest refugees who return home from different countries.⁵⁴¹

Other abuses committed against Syrian citizens by government forces, their allies, and other warring parties have yet to be investigated. Use of indiscriminate and prohibited weapons and attacks on civilian objects documented by multiple human rights organisations and confirmed by

538 "Lebanon implements new controls at Syrian border," Reuters, January 5, 2015, <https://www.reuters.com/article/us-mideast-crisis-lebanon-refugees/lebanon-implements-new-controls-at-syrian-border-idUSKBN0KE10C20150105> (accessed December 2, 2020).

539 "Refugees continue to enter Turkey despite border closure with Syria" ("Турция закрыла границу с Сирией, но беженцы все равно проникают"), *BBC*, March 20, 2017, <https://www.bbc.com/russian/features-39326168> (accessed December 2, 2020).

540 This number was of 130,000 detained or forcibly disappeared as of May 2020, "At least 138 Cases of Arbitrary Arrests Documented in Syria in April 2020 Despite the Recent Amnesty Decree," Syrian Network for Human Rights, May 2, 2020, http://sn4hr.org/wp-content/pdf/english/At_least_138_Cases_of_Arbitrary_Arrests_Documented_in_Syria_in_April_2020_en.pdf (accessed December 2, 2020).

541 "Syria: Detention, Harassment in Retaken Areas," Human Rights Watch news release, May 21, 2019, <https://www.hrw.org/news/2019/05/21/syria-detention-harassment-retaken-areas> (accessed December 2, 2020); "Syrians Deported by Lebanon Arrested at Home," Human Rights Watch news release, September 2, 2019, <https://www.hrw.org/news/2019/09/02/syrians-deported-lebanon-arrested-home> (accessed December 2, 2020).

our field research require transparent international investigation and international legal assessment. Time destroys evidence of past abuses, and so do the direct perpetrators of violence. Failure to intervene and investigate the violations leaves Syrians alone with the violence they have survived, prevents healing, and fuels further violence.

Another reason why young men of draft age are refusing to return to Syria is forced conscription—involuntary involvement of citizens in the armed conflict. Forced conscription is prohibited under the Geneva Conventions and international human rights norms. Refusal to serve in the military may be related to unwillingness either to fight on the Syrian government's side or to participate in the conflict on any side at all. Syrian citizens do not have the options of refusing to serve or performing alternative service on the grounds of conscientious objection.⁵⁴² The government's announced six-month deferral on the draft for returnees has been widely ignored.

Severely damaged civilian infrastructure and residential housing in Syria, and inability to make a living, also prevent Syrians from returning.⁵⁴³ According to the Carnegie Middle East Center, which held a focus group with refugees in Lebanon and Jordan, "half of the focus group participants in Jordan and two-thirds in Lebanon indicated that their homes were partially or completely destroyed. Other refugees indicated that their homes were occupied by displaced Syrians or people connected with the regime, such as pro-Iranian militia members."⁵⁴⁴

The owners of houses that have not been destroyed or occupied are hardly in a better position. In April 2018, the Syrian government enacted Law No. 10, which enables it to seize real estate and put it into redevelopment.⁵⁴⁵ To keep their property from ending up in the hands of the government, owners had to claim their rights within 30 days, either in person or through a representative. These terms ignore the interests of people who were forced to abandon their homes because of hostilities, since many of them have been unable to return or lack the necessary documents to prove ownership.

According to PAX, this law is discriminatory and will prevent refugees' return. Many Syrians considers it part of a policy of demographic

542 The right to refuse to perform military service is part of freedom of conscience, thought and religion, as recognised in the International Covenant on Civil and Political Rights (ICCPR), adopted December 16, 1966, A/RES/21/2200, entered into force March 23, 1976, art. 18.

543 The World Bank, "The World Bank In Syrian Arab Republic," <https://www.worldbank.org/en/country/syria/overview> (accessed December 2, 2020);

"Syria's Economy Collapses Even as Civil War Winds to a Close," *New York Times*, June 15, 2020, <https://www.nytimes.com/2020/06/15/world/middleeast/syria-economy-assad-makhlouf.html?auth=login-email&login=email> (accessed December 2, 2020).

544 "Refugee Attitudes Toward a Return to Syria," Carnegie Middle East Center, April 16, 2018, <https://carnegie-mec.org/2018/04/16/refugee-attitudes-toward-return-to-syria-pub-76061> (accessed December 2, 2020).

545 PAX, "Violations of Housing, Land and Property Rights: An Obstacle to Peace in Syria," March 10, 2020, <https://www.paxforpeace.nl/media/files/policybrief-syria-hlp-2020-english-10-03-2020.pdf> (accessed December 2, 2020).

engineering in which the Syrian government is attempting to prevent citizens who lived in opposition-held areas from coming home.⁵⁴⁶

Besides, economic recovery has had little impact on the quality of people's lives so far. These processes are currently limited to rewarding Bashar al-Assad's allies and punishing his enemies. For example, Russia is being granted lucrative contracts on oil and gas production. In December 2019, the Syrian parliament passed laws contracting two Russian companies to develop three oil and gas fields. Investigative reporting by the Russian newspaper *Novaya Gazeta* has revealed ties between the contracted companies and enterprises owned by Evgeny Prigozhin, a notorious Russian businessman who serves the interests of the Russian leadership.⁵⁴⁷

Refugee return requires prompt political settlement, stimulation of a reconciliation process, the release of the illegally detained, and investigation into war crimes committed by all parties to the conflict. To accomplish the latter goal, the Independent International Commission of Inquiry was established by the UN Human Rights Council on August 22, 2011. We have regularly cited its findings in our report. Despite its high-level mandate, the Commission has never been able to visit Syria over the years of its existence, which, we believe, is a clear indication of Damascus's unwillingness to engage in a constructive dialogue toward peace.

Meanwhile, without the restoration of justice, long-term peace in Syria can only be maintained at bayonet point. Since the Syrian army alone is hardly capable of controlling the country, and its political leadership has long lost legitimacy in the eyes of most Syrians, these "bayonets" will most likely be Russian and Iranian. We hope that this report will inspire critical thinking in Russia and that people will draw their own conclusions as to whether they want their country to continue playing this role.

Unfortunately, many people in Russia view the Syrian conflict as a war against terrorist organisations and radical Islamists who sow death and fear. This report is a reminder that this is not true. Not all opposition forces in Syria are linked to radical or terrorist groups, and apart from the warring parties, there are millions of suffering Syrian civilians, the vast majority, who have never taken up arms. When we introduce this variable of civilians dying every day to the equation of the Syrian war, we see much greater responsibility for Syria's future resting on all state parties to the conflict—first and foremost, on Russia.

⁵⁴⁶ Ibid.

⁵⁴⁷ "Wagner. First oil" ("Вagner. Первая нефть"), *Novaya Gazeta*, January 19, 2020, <https://novayagazeta.ru/articles/2020/01/19/83514-vagner-pervaya-neft> (accessed December 2, 2020).

RECOMMENDATIONS

To prevent civilian casualties during military operations

To all parties to the conflict

- 1) Take all possible precautions to limit harm to civilians, including by issuing advance warnings to those in areas under imminent attack and informing them about possible evacuation routes;
- 2) Cease the use of any prohibited weapons near areas densely populated by civilians;
- 3) Stop all attacks on civilians or civilian infrastructure, particularly medical facilities and medical workers, schools, bakeries, and sources of clean water and power;

To the government of the Syrian Arab Republic

- 4) Conduct thorough and independent investigations in Syrian government controlled territories into all bombardments and shelling by Syrian government forces that have resulted in civilian deaths, injuries, or damage to civilian infrastructure, particularly medical facilities;
- 5) Conduct thorough and independent investigations in Syrian government controlled territories into credible allegations by human rights organisations and international monitors regarding the use of prohibited weapons by Syrian government forces, and the resultant civilian deaths, injuries, or damage to the civilian infrastructure, particularly medical facilities;

To the government of the Russian Federation

- 6) Conduct thorough and independent investigations into all bombardments by the Russian Aerospace Forces (VKS) that have resulted in civilian deaths or injuries, or damage to civilian infrastructure, particularly medical facilities, according to reliable information from human rights organisations and international monitors;

- 7) In cases when any warring party uses civilian objects or infrastructure for military purposes, warn such party that their actions may constitute a serious violation of international humanitarian law and inform the civilians in the vicinity of such objects about the planned airstrike, giving them the opportunity to leave the area;
- 8) Publicly acknowledge the scale of casualties during the joint Russian and Syrian military operations, prosecute those responsible for unlawful deaths and injuries, and pay compensation to the victims (injured survivors or family members of those killed) and all those who have lost or been compelled to leave their homes due to bombings by the Russian Aerospace Forces (VKS);
- 9) Do not support military operations by the Syrian government forces that violate international humanitarian law;
- 10) Cease use of the veto for the adoption of the UN Security Council resolutions that urge the investigation of bombardments, shelling, or attacks on civilians or civilian infrastructure in Syria;
- 11) Encourage the Syrian government to facilitate open and impartial investigations into allegations regarding indiscriminate bombardments and shelling that have resulted in civilian deaths, injuries, or damage to civilian infrastructure, including medical facilities in territories controlled by the Syrian government;
- 12) Ensure all Russian military personnel in Syria have undergone training concerning their obligations under international humanitarian law in regards to military operations in civilian-populated areas;

To the governments of the member states of the US-led coalition

- 13) Conduct thorough and independent investigations into all bombardments by coalition forces in Syria that, according to credible reports by human rights organisations and international monitors, have resulted in civilian deaths, injuries or damage to the civilian infrastructure;

- 14) Conduct and publish thorough and independent investigations into credible information presented by human rights organisations and international monitors regarding the coalition's use of prohibited weapons and resultant civilian deaths, injuries, or damage to civilian infrastructure;
- 15) Acknowledge the scale of civilian casualties caused by the airstrikes by the US and their allies, and, when there is enough evidence to suspect members of the coalition of war crimes, bring them to justice in fair trials;
- 16) Pay compensation to those who have been injured and family members of those killed, as well as to those who have lost their homes;
- 17) Publicly acknowledge the scale of casualties due to airstrikes by the US and their allies; prosecute those responsible for unlawful deaths and injuries; pay compensation to those who have been injured and relatives of those killed, as well as to all those who have lost their homes as a result of these strikes;

To the armed opposition groups

- 18) Halt the attacks on civilians or civilian objects prohibited under international humanitarian law;
- 19) End the use of weapons prohibited under international humanitarian law, and of indiscriminate weapons;
- 20) Stop the military use of civilian objects, such as hospitals, schools, and mosques;

To prevent further blockades of populated areas and address the consequences of previous blockades

To all parties to the conflict

- 21) Stop using blockades as a method of warfare;
- 22) Fully comply with international humanitarian law standards banning the use of starvation as a weapon of war and denial of humanitarian aid;

- 23) Fully comply with international humanitarian law regarding the voluntary nature of evacuation of civilians, their free choice of the evacuation destination, and the obligation to ensure safety and protection to those evacuated;

To the armed opposition groups

- 24) Ensure that civilians in territories under their control can enjoy freedom of movement, are free to leave those territories, and are no longer used as “human shields”;

To international and Syrian NGOs

- 25) Increase programs to deliver counselling and social rehabilitation to survivors of blockades or hunger;
- 26) Assist children who have survived blockades in filling the gaps caused by forced interruption of their schooling;

To establish the fate of the forcibly disappeared and missing persons, ensure the release of those arbitrarily detained, and guarantee respect for human rights in Syrian detention facilities

To the government of the Syrian Arab Republic

- 27) Immediately end the practice of enforced disappearance;
- 28) End unlawful and arbitrary detention, and ensure that all future criminal proceedings are conducted in a transparent manner in full compliance with international law;
- 29) Publish a list of all official and unofficial detention facilities, end the use of unofficial facilities, and provide comprehensive lists of the names of all detainees;
- 30) Begin the process of unconditional large-scale release of all arbitrarily detained persons, beginning with the most vulnerable, women, the elderly, and minors;
- 31) Ensure humane conditions of detention in accordance with international law and ensure prisoners’ rights to dignity and physical integrity, including regular contact with their families and access to adequate food, water, and medical assistance;
- 32) Allow immediate and unhindered access for relevant international humanitarian and medical organisations to all places of detention;

- 33) Clarify the status of missing persons and provide families with notifications of causes of death and burial sites of detained and disappeared persons who have died;
- 34) Identify the remains of victims of extrajudicial executions and investigate mass gravesites;
- 35) Investigate all alleged extrajudicial executions and torture of detainees and prosecute perpetrators;

To the government of Russia

- 36) Use influence on Syrian authorities to end enforced disappearances and arbitrary arrests;
- 37) Support international efforts, including through the UN Security Council, to prioritise the issue of detainees and missing persons;
- 38) Use influence on the Syrian authorities to urge investigations into mass grave sites where Syrian prisoners were buried, and call for independent investigations into the circumstances of their death;
- 39) Call for international humanitarian and medical access to all detention facilities and use influence to urge Syrian authorities to support immediate and unhindered access;

To the armed opposition groups

- 40) End the practices of abductions, arbitrary detentions, torture, and extrajudicial executions;
- 41) Share lists of the names of all detainees, the whereabouts of missing persons, and burial sites of detained and disappeared persons that have died;
- 42) Allow for international humanitarian and medical access to all places of detention;
- 43) Release all arbitrarily detained persons and ensure adequate reparations for survivors and victims' families;

To put an end to sexual violence in prisons and bring those responsible to justice

To all parties to the conflict

- 44) Put an end to all forms of sexual violence in prisons;

To the government of the Syrian Arab Republic

- 45) Conduct investigations and prosecute all members of the Syrian government security forces responsible for sexual violence at the detention facilities;

To members of the armed opposition

- 46) Put an end to all forms of sexual violence;
- 47) Root out the practices that allow them to use their status to exploit women and girls, including forcing women and girls to marry fighters;

To investigate and bring to justice perpetrators of war crimes and other serious violations of international humanitarian law and international human rights law**To all parties to the conflict**

- 48) Fully cooperate with the UN International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011;

To the government of the Syrian Arab Republic

- 49) Provide unhindered access to Syria to the Independent International Commission of Inquiry on the Syrian Arab Republic, experts from the Organisation for the Prohibition of Chemical Weapons (OPCW), and members of international human rights organisations to investigate allegations of crimes committed during the armed conflict in Syria;
- 50) Cooperate with the office of Independent International Commission of Inquiry on the Syrian Arab Republic, including implementation of successive Commission of Inquiry report recommendations;

To the government of the Russian Federation

- 51) Provide full access to necessary information and documents to the representatives of the UN International, Impartial and Independent Mechanism and the International Commission of Inquiry on the Most Serious Crimes Committed in the Syrian Arab Republic since March 2011, OPCW experts, and members of international human rights organisations, to investigate allegations of crimes committed during the armed conflict in Syria;

- 52) Cooperate with the office of Independent International Commission of Inquiry on the Syrian Arab Republic, including implementation of successive Commission of Inquiry report recommendations;

To the United States and other members of the coalition against the IS

- 53) Provide full access to all necessary information and documents to the representatives of the UN International, Impartial and Independent Mechanism and the International Commission of Inquiry on the Most Serious Crimes Committed in the Syrian Arab Republic since March 2011, OPCW experts, and members of international human rights organisations to investigate allegations of crimes committed during the armed conflict in Syria;
- 54) Cooperate with the office of Independent International Commission of Inquiry on the Syrian Arab Republic, including implementation of successive Commission of Inquiry report recommendations;

To ensure the protection of refugees and internally displaced persons and satisfaction of their basic needs

To the government of the Syrian Arab Republic

- 55) Assist returnees in reissuance of their missing documents, including titles to properties owned by citizens prior to the armed conflict, and repeal Law No. 10;
- 56) Ensure adequate protection and access to humanitarian aid, clean water, heating in winter, healthcare, and education to all internally displaced persons (IDPs), and provide them with temporary shelters, such as tents or houses, and hot meals;
- 57) Ensure that refugees return to their homes only voluntarily and only under the condition of their safety and respect of their human rights, including property rights. Upon return, they should be provided with accommodations and social, humanitarian, and medical assistance;

- 58) Abolish forced conscription; establish effective mechanisms to exercise the right to freedom of conscience that would allow citizens to refuse to perform military service on the grounds of conscience, including by opting for alternative civilian service;

To provide protection to the citizens of the Syrian Arab Republic who seek asylum in the Russian Federation

To the Russian authorities

- 59) Refrain from administrative expulsions or deportations of asylum-seekers back to Syria. Adopt a general rule that Syrian citizens are offered temporary asylum for one year with the possibility of its extension if life-threatening conditions in Syria continue. In case of additional individual threats or risks of persecution by the Syrian authorities, grant them refugee status;
- 60) Ensure access to health services, education, and employment for Syrian citizens in the Russian Federation and afford them government-sponsored opportunities to integrate into Russian society, particularly by offering free Russian language courses;
- 61) Allow for a fast-track citizenship application process under the resettlement of compatriots procedure for those Syrian citizens whose direct ancestors currently reside or used to reside in the Russian Federation or in the territories of the Russian Empire or the Soviet Union that today constitute a part of the Russian Federation;

To facilitate the continued monitoring of human rights abuses, violations of humanitarian law, and activities of Russian military forces in Syria

To the government of the Russian Federation

- 62) Inform the Russian public about airstrikes by the Russian Aerospace Forces (VKS) in Syria which resulted in civilian casualties and damage to civilian infrastructure, including information about the type of weapons used, location, targets, and reasons for the strikes as well as about the measures taken to protect civilians and civilian infrastructure;

- 63) Fully inform the Russian public about Russian government spending for the needs of the Syrian Arab Republic, including the cost of military operations in Syria, military training and weapon transfers, humanitarian aid, assistance in rebuilding destroyed infrastructure, etc.;
- 64) Fully inform the Russian public about inquiries and investigations into violations of international humanitarian law allegedly committed by members of the Russian Aerospace Forces (VKS) which resulted in civilian casualties and damage to civilian infrastructure;

To Russian civil society

- 65) Research and constantly monitor human rights abuses and violations of humanitarian law in Syria, particularly during military operations with the participation or support of the Russian military forces;
- 66) Inform the Russian public of the credible facts regarding human rights abuses and violations of humanitarian law in Syria committed with the participation or support of Russia;
- 67) Build contacts among representatives of Syrian civil society with the aim of conducting joint investigations and preventing grave human rights abuses in Syria, violations of humanitarian law, and war crimes that resulting in civilian deaths or injuries;
- 68) Build contacts among representatives of Syrian civil society to develop joint peacebuilding initiatives and facilitate reconciliation;
- 69) Participate in the work of international organisations and structures which defend the rights of Syrian civilians, strive to establish the truth about the conflict, and seek to punish war criminals;

To the Russian mass media outlets

- 70) Independently and impartially report on the situation in the Syrian Arab Republic, particularly on the situation with grave violations of humanitarian law and human rights;

To the international community

- 71) Call for UN Security Council action to address the situation of detainees and missing persons in Syria, including securing lists of the names of all detainees, humanitarian and medical access, closure of secret sites, and widescale releases of detainees;
- 72) Urge the UN Special Envoy to prioritise large-scale release of the most vulnerable detainees;
- 73) Ensure that the UN Security Council adopts future resolutions that allow for maximum humanitarian assistance to all Syrians as needed;
- 74) Pursue accountability for serious violations of international humanitarian law and international rights law by all parties to the conflict, including through the use of domestic legislation and universal jurisdiction;
- 75) Invite members of Russian civil society, experts, and politicians to participate in various international initiatives related to resolution of the conflict in the Syrian Arab Republic.

A DEVASTATING DECADE

Violations of Human Rights and Humanitarian Law in the Syrian War

'A Devastating Decade: Violations of Human Rights and Humanitarian Law in the Syrian War is a landmark collaboration between independent human rights defenders and organisations based in Russia (one of the key actors in the Syrian conflict). Bringing together the latest data and analysis from human rights and humanitarian organizations, with new first-hand interviews with survivors, *A Devastating Decade* examines the key episodes of the war, the human rights violations and grave breaches of international humanitarian law by multiple sides, and the steps'.

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