



General Assembly

Distr.: General
24 June 2019

English only

Human Rights Council

Forty-first session

24 June–12 July 2019

Agenda item 4

Human rights situations that require the Council's attention

Written statement* submitted by Institut International pour les Droits et le Développement, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[31 May 2019]

* Issued as received, in the language(s) of submission only.



Syria: the inexorable Human Tragedy in 2019

Introduction

Over 8 years into one of the bloodiest conflicts of modern history, today Syria remains stage of serious human rights and humanitarian law violations, likely amounting to war crimes and crimes against humanity.¹ The figures of this crisis illustrate the extent of the humanitarian catastrophe: as indicated by the United Nations High Commissioner for Refugees, to date 6.6 million civilians have been internally displaced, 2.98 million live in besieged areas, and 13.1 million are in need of humanitarian help.² Moreover, the conflict has witnessed the most blatant disregard for human life and dignity by all warring parties, costing the life to half a million people.

All such numbers are indeed well-known to the international community, which has regularly failed to find a political solution to establish peace and achieve justice for all the victims. While the world becomes acquainted to the magnitude of violence characterizing this conflict, the Geneva Council for Rights and Liberties (GCRL) urges the UN Human Rights Council (HRC) to rest appalled in front of the unfolding crisis on the ground. In particular, GCRL urges the HRC to firmly address the situation during its 41st Session by issuing a resolution calling on all the parties involved to comply with their human rights obligations and the laws of war.

Escalation of violence in 2019

In the first part of 2019, hostilities have intensified in the North-West of the country. In the Idlib and Northern Hama governorates, several villages and cities are still under control of rebel groups, including the Hay'at Tahrir al-Sham group, former al-Nusra Front. These areas, filled up with millions of civilians, have been targeted by the Russian-backed Syrian governmental forces with airstrikes and shelling, yet again in abject disregard of international humanitarian and human rights law. The UN Office for the Coordination of Humanitarian Affairs (OCHA) reported that from 29 April to 5 May over 50 villages in the area were attacked, causing the destruction of several civilian buildings, including schools, healthcare facilities and infrastructures, and the death of at least 80 persons.³ A local organization monitoring the conflict placed the death toll of civilians for April to 324 individuals, of which 74 were children and 44 women – the highest percentage killed at the hands of the Syrian-Russian forces.⁴ The airstrikes intensified even further towards the end of May: in the 24 hours between 20-21 May only, more than 1.150 air and ground strikes were said to have been launched by governmental forces, making it ‘the heaviest escalation to the “Putin – Erdogan” area’. The two days-long strikes killed, at the time of writing, 95 persons.⁵ As also warned by UN officials, this recent spike in hostilities is cause of great

¹ HRC, ‘UN Commission of Inquiry on Syria’, <https://reliefweb.int/report/syrian-arab-republic/un-commission-inquiry-syria-continued-hostilities-and-lawlessness>.

² UNHCR, ‘Syria Emergency’, <https://www.unhcr.org/syria-emergency.html>.

³ OCHA, ‘Syrian Arab Republic Flash Update: Recent Developments in North-western Syria’, https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/2019/05/Latest_Developments_in_north_western_Syria_20190507_FINAL_0.pdf.

⁴ Syrian Network for Human Rights (SNHR), ‘The Most Notable Human Rights Violations in April 2019’, p.6. http://sn4hr.org/wp-content/pdf/english/The_Most_Notable_Human_Rights_Violations_in_Syria_in_April_2019_en.pdf.

⁵ Syrian Observatory for Human Rights, ‘More than 1150 air and ground strikes within 24 hours of the return of the heaviest escalation to the “Putin – Erdogan” area along with the violent clashes killed about 95 people’, <http://www.syriaohr.com/en/?p=128581>.

alarm as it will inevitably bring to another humanitarian catastrophe, of the same magnitude of the previously destroyed Aleppo, Eastern Ghouta and Raqqa.⁶

These tragic events are a result of the regime's policy of indiscriminate attacks targeting civilians and civilian objects, in place since the onset of the war in 2011, in striking disregard of the norms of international humanitarian and human rights law. The use of prohibited weapons, including cluster munitions, incendiary munitions, barrel bombs and chemical weapons has been largely documented throughout the conflict by local sources, international organizations and international investigative mechanisms.⁷

Human Rights violations continue

Arbitrary arrests, unlawful detentions, enforced disappearances and extrajudicial killings have also been a pattern in the Syrian conflict. From 2011, tens of thousands of individuals have been systematically arrested or abducted by the Syrian governmental forces, in violation with international law, including with Security Council Resolutions 2139, 2042 and 2254. Among the detainees, there are not only individuals pertaining to various opposition groups, but also activists, aid workers, as well as other innocent civilians. Up until August 2018, more than 90.000 enforced disappearances were recorded and over 60.000 persons were said to be unlawfully detained. The identity and fate of most of these people has been deliberately concealed by the government and only recently scarce attempts to update the civil registries with death certificates were carried out.⁸

During the course of the war, all warring parties have perpetrated extrajudicial killings, making no distinction between combatants and civilians, in disrespect of international law as well as of human life as a value. In April 2019 alone, over 459 enforced disappearances were documented, including 34 children and 23 women. These arrests took place mostly in the Damascus suburbs, Aleppo and Deir Ez-Zour and were carried out mainly by the Syrian governmental forces, Hay'at Tahrir al-Sham, the Syrian Democratic Forces and other factions of the Armed Opposition.⁹ Reportedly, those arrested are subjected to torture and any sort of ill-treatment, thereby violating the *jus cogens* principle of international law prohibiting such practice.¹⁰

Displacement and dire conditions in IDP Camps

The new wave of displacement in the country due to the constant bombardments of the recent weeks is also cause of concern. From the beginning of May 2019, more than 201.000 civilians have been internally displaced in the North-West, with a total of 239.647 since April 2019.¹¹ A NGO documented that in February about 40.000 IDPs originated from Idlib alone.¹² While many of these displaced persons found refuge in nearby IDP camps, over 80.000 people remain with nowhere to go.¹³

⁶ UN Head of Political and Peacebuilding Affairs, Ms Rosemary DiCarlo, 'Risk grows of 'catastrophic humanitarian fallout' in Syria's Idlib, where 3 million are trapped', <https://news.un.org/en/story/2019/05/1038681>.

⁷ Between 2013-2018, at least 85 chemical weapons attacks were carried out by the Syrian governmental forces. See Human Rights Watch (HRW), World Report 2019, Syria: Events of 2018, <https://www.hrw.org/world-report/2019/country-chapters/syria>.

⁸ HRW, 'World Report 2019, Syria: Events of 2018', <https://www.hrw.org/world-report/2019/country-chapters/syria>.

⁹ SNHR, 'The Most Notable Human Rights Violations in April 2019', p. 6.

¹⁰ See Independent International Commission of Inquiry on the Syrian Arab Republic, 'Detention in the Syrian Arab Republic', https://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/AWayForward_DetentionInSyria.pdf.

¹¹ OCHA, 'Humanitarian Update Syrian Arab Republic', <https://reliefweb.int/report/syrian-arab-republic/humanitarian-update-syrian-arab-republic-issue-03-24-may-2019>.

¹² Islamic Relief, '40,000 displaced in a month as violence in Idlib going ignored',

Furthermore, the conditions in the overcrowded IDP camps are extremely dire. Both the existing and the newly displaced persons are in urgent need of food medical assistance as well as additional water supply, community latrines, hygiene kits and water purification support.¹⁴ Malnutrition and death due to conflict-related injuries, particularly of children, have been reported and will likely be on the rise in the upcoming weeks.¹⁵

Desperate conditions are also affecting the thousands of IDPs living in the al-Hol camp, North-East of the country. Its population has increased by six times in recent months following military operations against ISIS in Hajin and al-Baghouz. The OCHA reported that the majority of arrivals have been females, which raises concerns as to probable screening and detention of men and boys at the exit of al-Baghouz. Those who are in the camp are in urgent need of food and medical assistance, better sanitation and specialized protection.¹⁶

On the border with Jordan, the situation around the Rukban Camp is also cause of distress. While the living conditions there deteriorate day by day, many residents in April 2019 reportedly evacuated the camp and moved towards the regime-held “IDP shelters”. There, allegations were made of men and boys being separated from women and children, being interrogated, beaten and tortured, in some cases, even to death.¹⁷

Recommendations

Urge all parties to the conflict to refrain from arbitrary, indiscriminate and excessive use of force against civilians and civilian objects, including by immediately ceasing the use of prohibited weapons, in accordance with their obligations under international humanitarian law.

Call on the Syrian government to create safe corridors from the 3 million of civilians fleeing the areas of Idlib and Northern Hama and allowing humanitarian aid to reach those in need;

Urge the Syrian government to halt arbitrary detentions of civilians and unveil the truth about the thousands of persons forcibly disappeared and held in prison;

Call on the international community to support international aid agencies to provide immediate assistance to the millions in need;

Urge the UN Security Council to refer the situation to the International Criminal Court in order to bring those responsible for war crimes and crimes against humanity in Syria to justice and ensure accountability in this respect.

<https://reliefweb.int/report/syrian-arab-republic/40000-displaced-month-violence-idlib-going-ignored>.

¹³ UN News, ‘Risk grows of ‘catastrophic humanitarian fallout’ in Syria’s Idlib, where 3 million are trapped’, <https://news.un.org/en/story/2019/05/1038681>.

¹⁴ OCHA, ‘Syrian Arab Republic Situation Report 1’, https://reliefweb.int/sites/reliefweb.int/files/resources/sitrept1_nw_syria_10_may_2019_final1.pdf.

¹⁵ OHCHR, ‘UN Commission of Inquiry on Syria’, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24585&LangID=E>.

¹⁶ UNHRC, ‘Thousands fleeing fighting in northeast Syria’, <https://www.unhcr.org/news/briefing/2019/1/5c385fdf4/thousands-fleeing-fighting-northeast-syria-unhcr.html>.

¹⁷ Medium, ‘Displaced Syrians forced to return to Assad-held areas from Rukban describe detention, torture, death in “IDP shelters”’, <https://medium.com/@SACD/displaced-syrians-forced-to-return-to-assad-held-areas-from-rukban-tell-their-stories-b4b76f9ffe58>.