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**Human rights situations that require the Council's attention**

## Report of the Independent International Commission of Inquiry on the Syrian Arab Republic\*, \*\*

### *Summary*

In the present report, submitted pursuant to Human Rights Council resolution 52/30, the Independent International Commission of Inquiry on the Syrian Arab Republic submits its findings covering the period 1 July to 31 December 2023, during which the Syrian Arab Republic experienced the largest escalation of hostilities since 2019/20.

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\* Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter's control.

\*\* The annexes to the present report are circulated as received, in the language of submission only.



## I. Mandate and methodology

1. The present report of the Independent International Commission of Inquiry on the Syrian Arab Republic<sup>1</sup> covers the period from 1 July to 31 December 2023. It is based on 528 interviews, conducted in accordance with established methodology and practices of commissions of inquiry and human rights investigations. The Commission also requested information on incidents and developments,<sup>2</sup> and analysed documents, photographs, videos and satellite imagery from multiple sources, including non-governmental organizations and the United Nations.<sup>3</sup>

2. The standard of proof was met when the Commission had reasonable grounds to believe that incidents had occurred as described.<sup>4</sup> When the Commission has reasonable grounds to believe that conduct that would entail individual criminal responsibility has occurred, it attributes such conduct to a party to the conflict generally, where possible, as the Commission is not a judicial entity that determines the criminal conduct of individuals.

3. The Commission's investigations remain curtailed by denial of access to the country and protection concerns in relation to interviewees. Guided by the principle of "do no harm", interviewees are not named, but the Commission thanks all who provided information, particularly victims and witnesses.

## II. Political and military developments

4. During the reporting period, the conflict in the Syrian Arab Republic was characterized by increased confrontation and infighting among the various authorities and forces controlling areas in the country (see annexes I, II and III).

5. The Syrian Arab Republic continues to be affected by broader regional conflict dynamics that have amplified since the 7 October attack in Israel and the subsequent intensification of the conflict in Gaza.<sup>5</sup> Since then, attacks in the Syrian Arab Republic by groups backed by the Islamic Republic of Iran and by Israel have increased. Israel reportedly conducted at least 22 strikes on targets in the Syrian Arab Republic between 10 October and 31 December, including on central Damascus and on the Aleppo and Damascus airports, putting them out of service temporarily, halting the vital United Nations humanitarian air service.<sup>6</sup> Between 17 October and 18 January, pro-Iranian militias reportedly attacked bases of the United States of America in the north-east of the Syrian Arab Republic with drones and rockets at least 83 times, injuring United States military personnel.<sup>7</sup> Although the Islamic Republic of Iran denied involvement, the United States responded with air strikes against pro-Iranian militias in the east of the Syrian Arab Republic.<sup>8</sup>

6. In another manifestation of cross-border violence, skirmishes occurred on the Syrian-Jordanian border between Jordanian forces and alleged drug smuggling groups. Air strikes widely attributed to Jordan were carried out against alleged smugglers and locations associated with them, resulting in deaths and injuries of civilians (see para. 51).

<sup>1</sup> The Commissioners are Paulo Pinheiro (Chair), Hanny Megally and Lynn Welchman.

<sup>2</sup> The Commission addressed information requests to the Government of the Syrian Arab Republic (see annex VI), without reply to date. It also addressed information requests to other parties to the conflict and other Member States, and is thankful to them for the responses received and other exchanges.

<sup>3</sup> Including 15 of the Government's periodical identical letters to the Secretary-General and others, sent between July and 31 December 2023.

<sup>4</sup> A/HRC/S-17/2/Add.1, paras. 5 and 6; and A/HRC/19/69, para. 10. See also A/HRC/S-17/2/Add.1, paras. 7–10.

<sup>5</sup> <https://www.un.org/sg/en/content/sg/statement/2023-10-31/secretary-general%E2%80%99s-statement-the-situation-gaza>.

<sup>6</sup> See <https://press.un.org/en/2023/sc15505.doc.htm>.

<sup>7</sup> <https://www.defense.gov/News/Transcripts/Transcript/Article/3649790/deputy-pentagon-press-secretary-sabrina-singh-holds-a-press-briefing/>.

<sup>8</sup> [www.defense.gov/News/Releases/Release/Article/3584458/secretary-of-defense-loyd-j-austin-iii-statement-on-us-military-strike-in-east/](http://www.defense.gov/News/Releases/Release/Article/3584458/secretary-of-defense-loyd-j-austin-iii-statement-on-us-military-strike-in-east/).

7. Ongoing fighting along the Idlib front lines in the north-west of the Syrian Arab Republic was punctuated by two distinct waves of violence affecting both pro- and anti-government forces and civilians (see section III.B). A first attack near Milaja in southern Idlib on 26 August killed tens of Syrian army troops when explosives in tunnels dug under their positions were detonated, and led to a fleeting territorial gain by Hay'at Tahrir al-Sham (HTS)<sup>9</sup> and its allies, Ansar al-Tawhid and the Turkistan Islamic Party. A second, unclaimed, attack hit the Homs Military Academy on 5 October, killing and injuring dozens, including many civilians. Both attacks were followed by significant air strikes and artillery attacks. Russian and Syrian forces claimed to have destroyed hundreds of HTS and affiliated targets, while the Commission documented hundreds of civilian casualties and the Office for the Coordination of Humanitarian Affairs reported the displacement of approximately 120,000 civilians following the escalations.

8. That same month, after an attack, claimed by the Kurdistan Workers' Party (PKK), in Ankara on 1 October that injured two Turkish police officers, Türkiye accelerated operations against the Syrian Democratic Forces (SDF),<sup>10</sup> which it considers connected to PKK. Türkiye claimed to have targeted more than 70 sites linked to PKK in the Syrian Arab Republic and northern Iraq as of late December, including an attack on an Asayish (Kurdish internal security forces) training facility that killed 29 Asayish members. The Commission documented civilian casualties and the impact of attacks on civilian infrastructure that affected hundreds of thousands of civilians (see sect. VI.A). Shelling also continued between the Turkish-backed Syrian National Army (SNA)<sup>11</sup> and SDF, particularly around the Operation Peace Spring area (see annex II).

9. Simmering frustration among members of local tribes and the arrest by SDF of a military commander led to fighting in rural Dayr-al-Zawr that to date has claimed at least 96 lives, including civilians, and to the displacement of 6,500 families to government-controlled areas (see sect. VI.A).<sup>12</sup>

10. Tensions within government-controlled areas and between factions also escalated into violence. Civilians were killed and injured in fighting between the Syrian Arab Army (SAA) and the National Defence Forces (NDF) in government-controlled parts of Hasekah. Killings continued of Syrian security apparatus members, pro-government figures and "reconciled" opposition fighters, as well as civilians, in Dar'a Governorate, while peaceful protests continued to be held in neighbouring Suwayda', to demand economic, social, and political reforms (see sect. III.D).

11. Da'esh<sup>13</sup> continued<sup>14</sup> attacking civilian and military targets throughout the country, including in Rif Damashq and central Syrian Arab Republic (see sect. III.C). Da'esh claimed responsibility for 50 attacks tracked by the Commission, allegedly causing 203 casualties, including 120 SAA soldiers and 83 SDF fighters.

12. Tensions also continued in northern Syrian Arab Republic, although SNA reported progress in reducing the number of checkpoints and consolidating control within their central structures (see sect. V.B). Factions reportedly supported by HTS but still formally part of SNA clashed over control of the lucrative Al-Hamran crossing point in Jarabulus, which forms the internal boundary between SDF and SNA territory, before withdrawing.

13. In addition to expanding its influence into SNA areas, HTS reportedly conducted an arrest campaign targeting its own senior leaders in an effort to quash internal dissent and continued unlawful practices affecting civilians (see sect. IV.B).<sup>15</sup>

<sup>9</sup> The Commission continues to regard the group as a terrorist entity as designated by the Security Council in its resolution 2170 (2014) (see [A/HRC/46/54](#), para. 7, footnote 13).

<sup>10</sup> [A/HRC/46/54](#), para. 12.

<sup>11</sup> [A/HRC/42/51](#), para. 16.

<sup>12</sup> <https://reliefweb.int/report/syrian-arab-republic/syrian-arab-republic-deir-ez-zor-situation-report-no-1-14-september-2023>.

<sup>13</sup> The Commission continues to regard the group as a terrorist entity as designated by the Security Council in its resolution 2253 (2015).

<sup>14</sup> [A/HRC/54/58](#), paras. 25–29.

<sup>15</sup> [S/2024/92](#), para. 55.

14. Daily life for civilians worsened, with a deepening economic crisis and rampant inflation, and predatory practices by armed actors were increasingly reported. Parties to the conflict variously directly perpetrated, tolerated or were unable to prevent criminal activities such as trafficking, corruption, and extortion backed by violence. While some States helpfully prolonged measures alleviating sanctions in the wake of the February 2023 earthquake,<sup>16</sup> others considered the further tightening of sectoral sanctions, which would risk further worsening economic life. Overcompliance with unilateral coercive measures was again reported to be negatively affecting the enjoyment of human rights.<sup>17</sup>

15. While the humanitarian needs across the country were higher than ever, funding was dwindling to alarming levels. By the end of December, only one third of the country's 2023 Humanitarian Response Plan was funded,<sup>18</sup> and in January 2024, the World Food Programme ended its decade-long assistance programme, although 12.9 million Syrians – more than half the estimated population – were in the grip of hunger.<sup>19</sup> The failure of the Security Council to renew the cross-border aid mechanism in July 2023 raised concerns over the sustainability and effectiveness of the aid response to 4.1 million people in the earthquake-affected northern Syrian Arab Republic.<sup>20</sup> Since then, the Government of the Syrian Arab Republic has twice agreed to the United Nations using the Bab al-Hawa crossing, most recently until 13 July 2024. However, the Commission continued to receive reports of government restrictions hampering civilians' access to essential products in northern rural Aleppo,<sup>21</sup> causing fuel shortages and related cost increases, affecting access to education and health services, particularly for internally displaced persons living in camps.

16. Amid continuing violence, economic decline and dwindling aid, political and diplomatic efforts remained stalled. Despite efforts by the League of Arab States and individual States to advance a political process,<sup>22</sup> progress was limited and the constitutional committee has yet to resume its work.<sup>23</sup>

17. The Arab contact group also sought to ensure the voluntary and safe return of refugees, in coordination with relevant United Nations bodies. However, the Syrian Arab Republic remains unsafe for return, and civilians continued to be affected by the lack of rule of law and the prevailing insecurity (see sects. III–VI). In October, the number of Syrians seeking asylum in Europe reached the highest level in seven years – a 30 per cent increase from the number in October 2022.<sup>24</sup>

18. Outside the Syrian Arab Republic, accountability efforts continued. Ten years after the 2013 chemical attack in eastern Ghouta, in November, the French judiciary issued an international arrest warrant for four high-level Syrian officials allegedly responsible, including the President, Bashar Al-Assad, as Syrian civic groups called for the establishment of an international tribunal on the use of chemical weapons.<sup>25</sup> French, German and Swedish judicial authorities also indicted, arrested or issued arrest warrants against several other Syrian officials or pro-government militia members accused of committing crimes against humanity and war crimes. The Commission continued to cooperate with such accountability efforts, jointly with the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under

<sup>16</sup> [www.consilium.europa.eu/en/press/press-releases/2023/07/14/syria-eu-extends-humanitarian-exemption-for-another-six-months/](http://www.consilium.europa.eu/en/press/press-releases/2023/07/14/syria-eu-extends-humanitarian-exemption-for-another-six-months/).

<sup>17</sup> See A/78/196.

<sup>18</sup> <https://reports.unocha.org/en/country/syria/>.

<sup>19</sup> [www.wfp.org/emergencies/syria-emergency](http://www.wfp.org/emergencies/syria-emergency).

<sup>20</sup> <https://reports.unocha.org/en/country/syria/>, updated 21 December 2023; <https://reliefweb.int/report/syrian-arab-republic/joint-statement-position-syrian-non-governmental-organizations-regarding-recent-developments-cross-border-humanitarian-assistance-enar>.

<sup>21</sup> A/HRC/54/58, para. 18.

<sup>22</sup> [www.spa.gov.sa/en/fa42d24df3t](http://www.spa.gov.sa/en/fa42d24df3t).

<sup>23</sup> [https://specialenvoysyria.unmissions.org/sites/default/files/2023-12-21\\_secco\\_un\\_special\\_envoy\\_for\\_syria\\_mr\\_geir\\_o\\_pedersen\\_briefing\\_as\\_delivered.pdf](https://specialenvoysyria.unmissions.org/sites/default/files/2023-12-21_secco_un_special_envoy_for_syria_mr_geir_o_pedersen_briefing_as_delivered.pdf).

<sup>24</sup> <https://euaa.europa.eu/news-events/asylum-applications-reached-123000-across-europe-october-2023>.

<sup>25</sup> <https://cwtribunal.org/>.

International Law Committed in the Syrian Arab Republic since March 2011.<sup>26</sup> The United States additionally imposed unilateral sanctions on two SNA factions – the Suleiman Shah Brigade and the Hamzah Division – for serious human rights abuses in the northern Syrian Arab Republic.<sup>27</sup>

19. Also in November, the International Court of Justice issued an order for provisional measures for the Syrian Arab Republic to take all measures within the State’s power to prevent acts of torture and ill-treatment and ensure that its officials – as well as any organizations or persons under its control – do not commit such acts. Further proceedings are expected in 2024.<sup>28</sup>

20. Efforts to address the fate of missing and forcibly disappeared persons gained momentum with the planned operationalization of the new Independent Institution on Missing Persons in the Syrian Arab Republic,<sup>29</sup> which the Commission stands ready to support.

### III. Violations in government-controlled areas and pro-government forces’ attacks in the north-west

21. The north-west of the Syrian Arab Republic experienced its biggest escalation in hostilities since 2019/20, while killings continued among security chaos, air strikes and Da’esh attacks in southern and central Syrian Arab Republic.

#### A. Attack on the Homs Military Academy

22. On 5 October, at least two consecutive explosions killed and maimed dozens attending a graduation ceremony at the Homs Military Academy. The ceremony was held before high-level officials, hundreds of cadets and an estimated 2,000 civilians, mostly cadets’ relatives. Reliable information indicates that the explosions occurred near the podium where civilians and military officers were present, after the ceremony formally ended and high-level officials had departed. Most accounts indicate that the attack utilized armed drones. On 7 November, the Ministry of Defence issued a video showing the ceremony and the aftermath, but not the explosions. The video, which the Commission has determined is authentic, although edited, shows dozens injured or killed, including women and children.<sup>30</sup>

23. The Commission verified the death of 63 individuals; among them were 37 civilians, including 19 women and 3 children. Scores of civilians were injured. Although no party claimed responsibility for the attack, Syrian officials initially attributed it to “terror armed groups” supported by “known foreign entities”,<sup>31</sup> stating that State forces had attacked HTS and Turkistan Islamic Party facilities producing improvised explosive devices,<sup>32</sup> before formally attributing the attack to Idlib-based Turkistan Liberation Party “terrorists”.<sup>33</sup>

24. If carried out by a party to the conflict, there are reasonable grounds to believe that the attack was indiscriminate, in violation of international humanitarian law and may amount to a war crime. Investigations are ongoing.

<sup>26</sup> See also an open letter co-signed by the Commissioners, available at [https://twitter.com/pass\\_blue/status/1745127602803691897?s=43&t=A2V0l3QI55VcJpfye\\_GiPQ](https://twitter.com/pass_blue/status/1745127602803691897?s=43&t=A2V0l3QI55VcJpfye_GiPQ).

<sup>27</sup> [www.state.gov/designating-two-syrian-factions-and-their-leaders-in-connection-with-serious-human-rights-abuses/](https://www.state.gov/designating-two-syrian-factions-and-their-leaders-in-connection-with-serious-human-rights-abuses/).

<sup>28</sup> [www.icj-cij.org/case/188](https://www.icj-cij.org/case/188), <https://www.ohchr.org/en/press-releases/2023/11/un-syria-commission-welcomes-landmark-icj-order-syria-prevent-torture-and>.

<sup>29</sup> See A/78/627.

<sup>30</sup> Warning: the following link leads to a page containing graphic images: [www.facebook.com/mod.gov.sy/videos/886343016391497?locale=ar\\_EN](https://www.facebook.com/mod.gov.sy/videos/886343016391497?locale=ar_EN) (in Arabic).

<sup>31</sup> <https://sana.sy/?p=1974886> (in Arabic); and <https://sana.sy/en/?p=318688>.

<sup>32</sup> <https://sana.sy/?p=1982950> (in Arabic).

<sup>33</sup> [https://twitter.com/Presidency\\_Sy/status/1730999640504324398](https://twitter.com/Presidency_Sy/status/1730999640504324398) (in Arabic).

## B. Pro-government attacks in the north-west

25. In response to the shelling and the 26 August tunnel attack by HTS and its allies, Ansar al-Tawhid and the Turkistan Islamic Party (see para. 7), SAA and the Aerospace Forces of the Russian Federation launched ground attacks and retaliatory air strikes in Idlib.<sup>34</sup> While many attacks had an impact on armed groups, in some incidents killing and injuring civilians, there was no discernible military objective.

26. Pro-government forces further increased their attacks in the north-west as of 5 October, in an apparent campaign of retaliation for the Homs Military Academy attack. Approximately 2,300 sites in Idlib and western Aleppo<sup>35</sup> were struck by Government and Russian forces in October, including residential areas far from the front lines, including the city of Idlib. Approximately 120,000 people were displaced within a two-week period, including around 12,000 who remain displaced. Attacks on schools, hospitals, markets, camps for internally displaced persons and densely populated residential areas reduced access to essential services and critically affected civilian infrastructure, including 43 health facilities and hospitals, seven schools and over 20 water systems.<sup>36</sup>

27. Since 5 October, over 500 civilians have been reported killed and injured.<sup>37</sup> The overall numbers are likely to be higher. Civilian objects and infrastructure were also damaged or destroyed.

### Ground attacks by government forces

28. The findings below are illustrative of attacks and patterns of unlawful attacks carried out by pro-government forces in Idlib and western Aleppo. Additional investigated ground attacks by government forces are set out in annex IV.

29. In the context of the escalation between 5 and 8 October, in which pro-government forces targeted multiple locations in the north-west of the Syrian Arab Republic, the city of Idlib was attacked with Grad rockets fired from the government-controlled area of Saraqib on 8 October. Rockets struck civilian houses, the local authorities' "education directorate" and main roads. Five hospitals, part of the long-standing, well-known and clearly visible main hospital compound of Idlib Governorate, were also struck; this caused considerable structural damage and affected access to medical services. The attack killed five civilians, including two women and two children, and injured 30. Subsequently, doctors reported a significant decrease in the number of people seeking treatment. On the same day, three first-responder centres were attacked in three towns; the attacks damaged first responders' vehicles in the city of Idlib and put a women's and family centre in Sarmin temporarily out of service. The Commission notes the long-standing pattern of government forces targeting hospitals and clinics in opposition-held areas since 2012.<sup>38</sup>

30. Government forces also attacked the town of Turmanin; 5 civilians were killed and 27 were injured, including several women and children, on 6 October. Grad rockets landed in the centre of the town, near a market, and near shops, while 9N210 cluster submunitions from a 220mm 9M27-K Uragan artillery rocket system landed close to the Turmanin medical compound and a school.

31. Civilians were killed throughout the reporting period, including before the escalation. First responders inspecting the site of an attack in open farmland near Atarib were targeted by government forces, likely from the Forty-Sixth Regiment, on 11 July. As their clearly marked vehicle came to a stop on a long, straight section of road surrounded by open, flat agricultural land, it was hit with a guided anti-tank missile, which killed one first responder

<sup>34</sup> Facebook عقد في نادي... - وزارة الدفاع في الجمهورية العربية السورية |

<sup>35</sup> <https://reliefweb.int/report/syrian-arab-republic/north-west-syria-escalation-hostilities-flash-update-no4-27-october-2023-enar>.

<sup>36</sup> Ibid., and <https://reliefweb.int/report/syrian-arab-republic/north-west-syria-operational-update-september-october-2023>.

<sup>37</sup> <https://reports.unocha.org/en/country/syria/>.

<sup>38</sup> See, for example, A/HRC/33/55, paras. 44–49. For other incidences since 2012, see other reports of the Commission at [www.ohchr.org/en/hrbodies/hrc/iicisyria/pages/documentation.aspx](http://www.ohchr.org/en/hrbodies/hrc/iicisyria/pages/documentation.aspx).

and destroyed the vehicle. First responders continue to operate despite the fear of being targeted, as previously documented by the Commission.<sup>39</sup>

32. Schools were affected by the hostilities. On 2 December, government forces stationed in Saraqib fired a shell into the courtyard of Afes Martyrs primary school, minutes after pupils had been called inside. One teacher and one pupil died and two children were injured. At the time of the attack, no military activities or objects were reported in the vicinity. The school was forced to close. On 25 December, Sarmin was attacked with Grad rockets and Al-Hikma Private School was hit. School had finished for the day; however, among the 10 internally displaced families living next door, one person was killed and five were injured, including three children.

33. Civilians were also attacked while tending livestock and harvesting crops – for many, their sole source of livelihood. Nine family members, including six children aged 2 to 16, were killed, and another woman injured, by a single artillery shell fired by government forces as they harvested olives in their olive grove near Quqfin village on 25 November. They would have been clearly visible to a surveillance drone that was observed during the attack.

34. In Qarqur, Idlib, on 22 October, an explosive munition fired by government forces killed six children, aged 2 to 6, who had been playing in and outside a tent next to their family home for half an hour. A surveillance drone was observed during the attack. Minutes later, three additional munitions targeted relatives who came to help the victims.

35. On 9 December, government forces attacked central Idlib with rockets, killing eight civilians, including two children and one woman, and injuring 33 other civilians. Most of the rockets struck a central market while others struck the Shuhada' camp for internally displaced persons. Government forces stationed in Enjara attacked Darat Izzah with rockets and artillery shells on 17 December, killing five civilians, including a child and a pregnant woman, and injuring four civilians. As a result, many civilians were displaced and schools were closed temporarily.

36. With the exception of an incident in Ain Sheeb on 5 August (see para. 42), the Commission did not find any evidence of military objectives located in the immediate vicinity of the targets. Furthermore, for each incident described above the Commission sought but did not receive information from the Government of the Syrian Arab Republic or the Russian Federation that would suggest that the locations attacked included military objectives. The Commission has reasonable grounds to believe the statements set out in paragraphs 37 to 40 below.

37. Consistent with previous patterns of attacks targeting medical facilities by pro-government forces, in launching rocket attacks that hit five such facilities in Idlib city on 8 October (see para. 29), government forces directly attacked civilian objects, which may amount to a war crime. Given the absence of military objectives and the spread of indiscriminate and direct attacks on a variety of densely populated civilian areas and medical facilities in the city, the acts spread terror among the civilian population.

38. In targeting a civilian vehicle clearly visible as such with a guided munition on 11 July near Atarib (see para. 31), and civilians in Qarqur on 22 October (see para. 34) and near Quqfin on 25 November (see para. 33) who were clearly visible as such, through surveillance drones, government forces carried out direct attacks against civilians and civilian objects that may amount to war crimes.

39. In attacking the densely populated town of Turmanin on 6 October with rockets, including cluster munition rockets, in continuation of a deadly pattern observed since 2012<sup>40</sup> (see para. 30), the city of Idlib with rockets on 9 December (see para. 35), Darat Izzah with rockets and artillery shells on 17 December (see para. 35), Afes Martyrs primary school with artillery shells on 2 December, and Al-Hikma Private School in Sarmin on 25 December (see para. 32), government forces carried out indiscriminate attacks causing death and injury to civilians that may amount to war crimes.

<sup>39</sup> A/HRC/49/77, para. 53; and A/HRC/44/61, paras. 106–108.

<sup>40</sup> A/HRC/52/69, para. 25; and A/HRC/22/59 and A/HRC/22/59/Corr.1, para. 21.

40. Similarly, regarding the incidents detailed in annex IV, in Darat Izzah on 4 July and 18 October, Barah on 4 and 9 July, Kafr Nuran on 26 July and 5 October, Maarbalit on 1 August, Jisr al-Shughur on 5 August, Kansafrah on 26 August and Sarmin on 2 September and 4 October, government forces carried out indiscriminate attacks resulting in death or injury of civilians that may amount to war crimes.

### Russian air strikes

41. The Aerospace Forces of the Russian Federation conducted a series of air strikes against HTS and armed groups in greater Idlib, rural Hama, Aleppo and Ladhqiyyah,<sup>41</sup> of which the Commission investigated six that had resulted in civilian deaths.

42. On 5 August, three civilian members of the same family were killed and six people injured in an air strike on a farm in Ain Sheeb, west of Idlib. There were reports that one of the buildings may have been used for military purposes despite the presence of civilians at the farm. Two strikes were conducted on 22 August against a former water pumping station, also in Ain Sheeb, where internally displaced families had been living since 2019, killing two civilians, and injuring at least four, including two children, as well as livestock.

43. Following the attack on the Homs Military Academy, the Aerospace Forces escalated aerial attacks in the north-west of the Syrian Arab Republic in support of the Government. In this context, on 6 October, two guided bombs hit a cluster of seven houses in the isolated hamlet of Jiflik Haj Hammoud in western rural Idlib, which a family of farmers has owned for generations and which had hitherto been spared from hostilities. The air strike killed a 2-year-old child, injured three young children and caused extensive property damage.

44. The Aerospace Forces further launched several raids in Jabal al-Zawiyah, Idlib during which a civilian farmhouse in Bezah, Jabal Arba'in was hit, killing an elderly civilian couple on 13 October. Another civilian house was also destroyed in the attack, with no casualties.

45. Another air strike was conducted against Saraqib camp for internally displaced persons on the outskirts of Hamama village on 24 October. One bomb struck the camp's tents, killing five civilians, including three women and two children from the same family, injuring five civilians, including three children and two men from the same family, and destroying 10 tents. The attack displaced 250 people.<sup>42</sup>

46. On 25 December, an air strike targeted houses on a farm near Armanaz, west of Idlib, killing five civilians from the same family, including three children, and injuring another child. Investigations are ongoing.

47. The Commission has reasonable grounds to believe that the Aerospace Forces carried out indiscriminate attacks resulting in death and injury to civilians and damage to civilian infrastructure when they conducted air strikes in Ain Sheeb on 22 August (para. 42), Jiflik Haj Hammoud on 6 October (para. 43), Bezah, Jabal Arba'in, Idlib on 13 October (para. 44) and Hamama village on 24 October (para. 45). Given the unique circumstances surrounding the strike on Jiflik Haj Hammoud, and the pattern of pro-government airstrikes on camps for internally displaced persons with regard to the strike in Hamama village, these two attacks may also amount to direct attacks. Such acts may amount to war crimes. In relation to the strike in Ain Sheeb on 5 August (para. 42), Aerospace Forces may have failed to take all feasible precautions to avoid, and in any event to minimize, incidental loss of civilian life, injury to civilians and damage to civilian objects, in violation of international humanitarian law.

## C. Ongoing insecurity across government-controlled areas

48. The fragmentation of authority in government-controlled areas further eroded rule of law for civilians, with multiple reports of pro-government leaders using their position to

<sup>41</sup> [السورية العربية الجمهورية في الدفاع وزارة - ..نادي في عقد | Facebook](#) (in Arabic).

<sup>42</sup> <https://reliefweb.int/report/syrian-arab-republic/north-west-syria-escalation-hostilities-flash-update-no4-27-october-2023-enar>.



participate in lucrative illegal activities, including kidnapping,<sup>43</sup> extortion<sup>44</sup> and drug smuggling,<sup>45</sup> as previously reported. Reports continued of killings and violence in Dar'a Governorate targeting Syrian security officials, pro-government public figures, "reconciled" opposition fighters and civilians.

49. Armed clashes erupted on 13 September in government-held parts of the city of Hasakah, following a dispute involving Arab tribes and a pro-government NDF commander who reportedly refused to step down from his position. Heavy fighting between SAA and NDF lasted a week, triggering the closure of schools and businesses. On 21 September, a 3-year-old boy was killed and his mother injured as mortars likely fired from government-held parts of the city struck an SDF-held residential neighbourhood in Hasakah, which may constitute an indiscriminate attack in violation of international humanitarian law and may amount to a war crime.

50. Da'esh continued to demonstrate its operational capacity in a series of attacks. For instance, on 27 July, two days after a vehicle-borne improvised explosive device attack reportedly injured two civilians in the area, another such device detonated in the residential area of Sayyidah Zainab, Rif Dimashq, killing nine civilians, including one woman and at least three children, and injuring 26 others. On 28 July, Da'esh claimed responsibility for the attack, targeting Shia Muslims, for their perceived religious beliefs. Such a direct attack against civilians may amount to a war crime.

51. The reporting period also witnessed increased clashes, near the country's border with Jordan, between Jordanian security forces and drug smugglers. On 18 December, air strikes hit several areas in south Suwayda' and Dar'a where drug smugglers are reportedly active. Strikes notably hit a Bedouin settlement nearby Dhibin village, killing at least five civilians, including two children and two women, and a farmer's house in Salkhad, killing one civilian. A similar air strike took place on 18 January. While no party claimed responsibility, the strikes were widely attributed to Jordan, including by the Government of the Syrian Arab Republic.<sup>46</sup> Along with the previous strike on 8 May 2023,<sup>47</sup> they remain under investigation by the Commission.

## D. Restrictions on fundamental freedoms

52. In August, anti-government protests erupted in the Dar'a and Suwayda' Governorates in response to the deteriorating economic situation and grossly deficient public services, with residents blocking roads and calling for closure of businesses. While protests had occurred in Suwayda' previously, these appeared unprecedented in their use of anti-government slogans, including some associated with the political opposition and directed against the president. Presidential portraits were burned and there were attempts to close the Suwayda' Baath party branch.

53. As mediation attempts failed and several influential Druze leaders publicly expressed their support for the movement, the Government sought to avoid confrontation by withdrawing most of its security presence. Nevertheless, on 13 September, armed men positioned on the Suwayda' Baath party branch roof shot at a vehicle carrying unarmed protesters parked at the entrance gate of the branch compound, lightly injuring one passenger. While the branch stated that it was defending its guards and property against the protesters,<sup>48</sup> the Commission found no indication of imminent threat to life that would justify the use of lethal force. There are therefore reasonable grounds to believe that such force was employed arbitrarily and disproportionately in violation of the right to life.

<sup>43</sup> A/HRC/54/58, para. 41.

<sup>44</sup> A/HRC/52/69, paras. 67–69.

<sup>45</sup> Ibid., para. 9.

<sup>46</sup> <https://sanasyria.org/?p=2035048/> (in Arabic).

<sup>47</sup> A/HRC/54/58, para. 31.

<sup>48</sup> بيان... - حزب البعث العربي الاشتراكي\_ فرع السويداء\_شعبة المدينة Facebook (in Arabic).

54. The Government continued to violate the rights of freedom of expression and assembly, and arbitrarily detained individuals solely for expressing their opinions.<sup>49</sup> Following the decision to lift State subsidies, the Government reportedly detained scores of individuals for protests on the Internet, in areas traditionally supportive of the Government. Online activists and journalists were summoned and detained by security apparatus, in some cases incommunicado. A journalist in a pro-government media outlet residing in Ladhīqiyah Governorate was detained for several days after criticizing, on the Internet, the surge in fuel prices and rampant corruption. Other social media users from the coastal area were arrested after publicly criticizing the Government or communicating with opposition activists abroad. A man from Hama Governorate was also detained by the military intelligence branch following a social media post in which he called for protests against State policies.

55. Given the profile of those detained, such detentions often triggered public outcry online and illustrated the Government's limited tolerance for critical voices in areas it controls. While some detainees have still not been released, in all cases documented social media posts criticizing the Government were removed.

## E. Detention

56. Enforced disappearance, torture, ill-treatment and deaths in State custody continued,<sup>50</sup> including in Saydnaya military prison. Families' efforts to ascertain the fate of their detained relatives continued to be obstructed by authorities.

57. In some cases, Syrian authorities issued administrative death notifications for detainees without details of the circumstances of death, with families unable to retrieve the bodies for funeral rites.

58. In November, the family of a former opposition fighter from Dar'a, detained since 2018, was informed through the civil registry that their relative had passed away more than two years earlier. The family last visited the detainee in 2021 but had since been unable to receive information on his whereabouts.

59. Families described how the lack of official avenues compelled them to use expensive government-linked "intermediaries" who demanded large amounts of money in exchange for informal information on the whereabouts of their detained relatives, or rights to visit. In some cases, families were initially able to meet their detained relatives after paying a bribe but were subsequently left without any communication or information from the State.

60. The Saydnaya military prison administration rejected a request for a visit made by the family of a man from Dar'a, detained since 2020, after they were told by an intermediary that their relative had died in detention. The family subsequently requested a family extract of the civil registry from the Syrian authorities, which showed the man registered as alive.

61. Torture and ill-treatment continued<sup>51</sup> to be reported, including of a man who had returned to the Syrian Arab Republic as part of a government-sponsored "reconciliation" process. The man was last reported alive but cadaverous in Saydnaya military prison by his family in late 2023. His family was subsequently told by an intermediary that he had died; however, they were unable to receive any official confirmation of the man's death, or current whereabouts.

62. Increasingly, some detentions by the Government of the Syrian Arab Republic seemed driven purely by pecuniary gain.<sup>52</sup> For instance, a civilian from Hama, working abroad for more than 15 years, was detained soon after he returned in mid-2023 for a family visit and accused of providing support to armed groups and inciting sectarian strife. The family paid

<sup>49</sup> A/HRC/54/58, paras. 34 and 43.

<sup>50</sup> A/HRC/54/58, paras. 32 and 33.

<sup>51</sup> See the conference room paper of the Commission entitled "'No end in sight': torture and ill-treatment in the Syrian Arab Republic 2020–2023". Available at <https://www.ohchr.org/en/hr-bodies/hrc/iici-syria/documentation>.

<sup>52</sup> A/HRC/51/45, para. 26; and A/HRC/52/69, para. 54.

tens of thousands of dollars to intermediaries, eventually leading to the man's release without any trial.

63. The Commission has reasonable grounds to believe that the Government continued to engage in arbitrary detention, including enforced disappearance, and torture and ill-treatment, confirming continuing patterns of crimes against humanity. If a person known to be in State custody dies, the burden is primarily on the State to prove that the death did not result from acts or omissions attributable to the State. By failing to investigate such deaths, the Government violated the right to life.<sup>53</sup> Furthermore, the prolonged, intentional withholding of information concerning the fate of loved ones amounts to violations of the prohibition of ill-treatment of families of the disappeared as well as the procedural guarantees concerning the right to life.<sup>54</sup>

64. On 3 September, President Al-Assad issued Legislative Decree No. 32,<sup>55</sup> which orders the transfer of all cases referred to the military field courts to the military justice. The Commission has long-established the complete absence of fair trial guarantees before field courts.<sup>56</sup> Proceedings were characterized by arbitrariness, secrecy, disregard for the right to defence, and reliance on confessions extracted under torture. Persons tried by field courts were often forcibly disappeared.

65. In one recently documented case, a 17-year-old boy was detained by the military intelligence branch after he attended protests in Damascus. He was held incommunicado and tortured in several facilities, including to extract confessions. About two years later, he was taken to a room in an unknown location, where men in military fatigues asked him if he had participated in attacks against SAA or government security forces, which he denied, before he was made to fingerprint documents he was not allowed to read. Months later, a guard in Saydnaya military prison told him he had been sentenced to death by a military field court. He told the Commission that it was only at that moment that he had realized that the men in the room were serving as a court. The court ordered the confiscation of his assets, and his relatives paid significant bribes for his release in 2019 after more than six years of arbitrary detention.

66. The Commission sought but did not receive information regarding the implementation of Legislative Decree No. 32 (along with Legislative Decree No. 36 issued on 16 November, which again provides for a partial amnesty<sup>57</sup>). Clarity is lacking on the fate of those sentenced by military field courts; on how detainees and their families will be informed of the reform's impact on their individual situations; and on how the preservation of the courts' archives will be ensured.<sup>58</sup>

## IV. Violations by Hay'at Tahrir al-Sham in the north-west

### A. Conduct of hostilities

67. Mutual shelling continued between HTS and its allies and SAA. There were few reports of civilian casualties in government-controlled areas resulting from HTS attacks, probably due to large-scale displacement of civilians from residential areas along the front line.<sup>59</sup> However, on 9 December, HTS shells launched at the towns of Nebbel and Zahra' in

<sup>53</sup> Human Rights Committee, general comment No. 36 (2018), para. 29.

<sup>54</sup> *Ibid.*, para. 58; and A/HRC/46/55, para. 85.

<sup>55</sup> <https://sana.sy/en/?p=316110>.

<sup>56</sup> Conference room paper of the Commission entitled "Out of sight, out of mind: deaths in detention in the Syrian Arab Republic", para. 35. Available at <https://www.ohchr.org/en/hr-bodies/hrc/iici-syria/documentation>.

<sup>57</sup> <https://sana.sy/?p=2001954> (in Arabic). The amnesty excludes ill-defined terrorist activities. See annex VI to the present document for questions raised.

<sup>58</sup> Considering the International Court of Justice order of 16 November 2023, paras. 80 and 83 (2). Available at <https://icj-cij.org/node/203283>.

<sup>59</sup> A/HRC/54/58, para. 47.

a rural area in the north-western of Aleppo Governorate reportedly killed two women and one child and injured at least 20 other civilians.<sup>60</sup> This incident is under investigation.

## **B. Unlawful deprivation of liberty, torture and ill-treatment**

68. The Commission has reasonable grounds to believe that HTS members continued to commit acts that may amount to the war crimes of torture and cruel treatment and unlawful deprivation of liberty, including in a manner tantamount to enforced disappearance. In one case, a young man was arrested and held by HTS criminal security branch in different facilities. The reason for his detention was not disclosed to the family and local authorities refused to inform them of his location and whereabouts. In another case, a man was detained for more than 100 days in four detention facilities. His family was unable to find out where he was detained. He was threatened with execution and recalled the following: “They tied my hands behind my back and did the same with my legs, using a car tyre between my legs, and beating me on my feet.” He also described how a fellow detainee died in custody following beatings and lack of medical attention, consistent with other interviewees’ description of how detainees were beaten with hosepipes during interrogation to force confessions.

69. The Commission also received credible reports indicating that HTS continued to carry out executions based on summary trials and in secrecy, including for adultery, murder and other accusations – in August, a man was reportedly executed by firing squad for witchcraft. Confirming such executions remains challenging given widespread fear of retribution.

## **C. Restrictions on civil society, including women human rights defenders**

70. In HTS areas, while numerous civil society organizations were able to operate and provide essential services, civil society activists working on issues such as gender equality and women’s empowerment faced significant restrictions on their work. In one instance, a network of civil society organizations was shut down by the authorities on the grounds that it was perceived to oppose HTS.

71. Women human rights defenders and women-led organizations operated in a hostile environment characterized by limitations on the participation of women and girls in public life. Several organizations promoting gender equality and women’s rights suspended their activities owing to threats, denial or delays of permits required by the de facto authorities to conduct activities. Individual activists were subjected to harassment and interrogation by HTS security and required to sign a “pledge” in which they committed not to work on specific topics, including human rights, gender equality, violence against women, reproductive health and women’s empowerment, and were threatened with detention if they failed to comply.

72. Online hate speech and public shaming of women’s rights activists by private individuals targeted at least 10 women’s organizations in Idlib and northern Aleppo. On social media platforms, women activists were threatened with violence and accused of propagating values incompatible with sharia. Between July and October, imams in several mosques preached against women-led organizations, accusing women activists of being “tools of the West”, hostile to Islam, and “infidels”, and of destroying society. Fearing violence, a number of organizations were forced to suspend their activities.

73. In one emblematic case, a human rights defender was subjected to death threats and her family members were subjected to threats of violence. The HTS “salvation government” claimed to be unable to ensure her and colleagues’ safety, stating that the only “solution” was for her organization to cease all activities. Fearing violence, the organization’s women’s centres in Idlib closed for months. Another women’s centre and its staff were threatened online and its office property damaged three times.

74. The Commission has no information on action taken by HTS to address the violent rhetoric against women activists by imams, death threats and the online harassment of women

<sup>60</sup> [https://t.me/albraq\\_mediaa/3169](https://t.me/albraq_mediaa/3169) (in Arabic).

activists. It recommends that HTS publicly state its commitment to protect women against such threats and ensure that women human rights defenders are permitted to operate without undue impediments or restrictions.

## **V. Violations in northern Aleppo, Tall Abyad and Ra's al-Ayn**

### **A. Conduct of hostilities**

75. Mutual shelling continued along the front lines between SDF and SNA, particularly around the Operation Peace Spring area (see annex II), occasionally resulting in civilian casualties.

76. On 9 August, at least one artillery shell landed in the Kuwait al-Rahma camp near Afrin. The camp houses approximately 1,500 internally displaced persons and has been targeted repeatedly since 2022.<sup>61</sup> One man and one girl were killed and two women and two children were injured. The shell was likely fired from the Tall Rif'at area, where both Kurdish-led armed groups and pro-government forces were reportedly present.<sup>62</sup> The attack caused displacement and provoked calls from residents to be relocated to a safer place. In the absence of any indication of military objectives, there are reasonable grounds to believe that the attack on the Kuwait al-Rahma camp directly targeted the civilian population and may amount to a war crime.

### **B. Unlawful deprivation of liberty, torture, ill-treatment, sexual and gender-based violence and looting**

77. In response to concerns raised with SNA, the Commission was informed that SNA was investigating alleged violations and abuses and holding those responsible accountable. Nonetheless, the Commission documented several instances of detention by SNA military police and armed SNA factions. Several detentions, of both Arab and Kurdish men and women, were ostensibly based on "terrorism", affiliation with PKK and alleged cooperation with foreign entities.

78. Detention was also used by certain factions to extort money from families, with detainees being held for prolonged periods without being brought before a judge, only to be released without charge after families paid thousands of dollars for their release. Returnees to SNA-controlled areas were often detained for investigation, with SNA factions, notably the Suleiman Shah Brigade and Brigade 211,<sup>63</sup> imposing stiff fines on returnees. According to one witness, this practice has become colloquially known as a "visa" to the area controlled by the Suleiman Shah Brigade. One man travelling from a government-controlled area was detained for months before gaining access to a lawyer, and was released when his family paid \$1,000. Another man, arrested while attempting to return to Afrin, spent many weeks in detention without contact with his family; he was released after his family paid more than \$5,000. A third man who returned from a government-controlled area remained in detention, with his family not being informed about his whereabouts or whether any charges had been brought against him, despite paying thousands of dollars to an intermediary connected to the military police. In two other cases, detainees were held in solitary confinement for two months before they were able to contact family members or a lawyer.

79. Torture and ill-treatment of detainees continued to be documented in several SNA detention facilities in Afrin, I'zaz, Ma'arratah, Raju and Hawar Killis. Interrogation methods included severe beatings, including with cables, simulated drowning, threats to family members, and acts of humiliation. In Hawar Killis, one man was interrogated by a Turkish officer and subjected to physical abuse by a Syrian prison official. Former detainees consistently highlighted poor conditions in several detention facilities, including limited

<sup>61</sup> A/HRC/52/69, para. 83.

<sup>62</sup> Ibid., para. 85.

<sup>63</sup> Reportedly affiliated with the Sultan Murad Division.

food, poor hygiene and lack of sunlight, and reported being held in solitary confinement. In some cases, detainees were required to pay for their own food and medicine.

80. A 38-year-old man died in Afrin military police custody in August following allegations of torture. SNA publicly denied any wrongdoing and stated that the man had died of natural causes and that an investigation was ongoing.

81. SNA has informed the Commission that they were investigating SNA members for alleged incidents of rape and sexual violence. Nonetheless, isolated cases of sexual and gender-based violence perpetrated by SNA members continue, including threats of sexual violence made against women detainees.

82. Two journalists were beaten with wooden sticks and rifle butts and detained briefly on 18 December, when tensions escalated with security members at a protest of the Free Syrian Lawyers Syndicate against alleged interference in the work of lawyers and the justice system in front of the courthouse in Ra'i.

83. On 9 October, SNA issued a welcome instruction to all SNA units, ordering them to cease preventing olive harvests or collecting any portion or tax from the harvest. Despite this, the practice continued by some SNA factions, notably the Suleiman Shah Brigade, the Hamzah Division and the Sultan Murad Division, who benefit financially and appear to act with impunity, beyond the control of the local authorities.

84. Some SNA factions routinely confiscated part of farmers' olive harvests, depriving many of their main source of income. In areas controlled by the Suleiman Shah Brigade, payment for and seizure of crops were described to have increased significantly, in some cases exceeding the value of the crops. In December, the Commission documented two cases in which Kurdish men were arrested and detained by the Brigade for failure to pay more than \$10,000 in "taxes"—one for a piece of land he was looking after and another for olive oil profits, despite having already contributed to olive "taxes" earlier in the season. Both men were released to raise the funds. One of the detainees was reportedly beaten in custody. Another Kurdish man, from Afrin, refused to pay a share of his olive harvest to the Sultan Murad Division. Shortly afterwards he found that scores of his mature olive trees had been cut down and stolen. Despite his complaints to the Division, no action has been taken. Some factions continued to refuse to accept powers of attorney produced by landowners' relatives authorizing them to harvest on behalf of their absent family member.

85. Land belonging to absent landowners was also appropriated and controlled by armed factions. One witness described returning to Afrin only to find that his agricultural land had been taken over by the Hamzah Division, which had leased it out. Several armed factions also demanded cash payments upon peoples' return so that they could recover their residential houses. A Kurdish woman returning to Afrin was told that her husband needed to recover their house in person. When he arrived, he found it occupied by a relative of an SNA member. Despite showing proof of legal ownership, he is still prevented from returning to his home. As reported previously, many homeowners in the Afrin region feared retaliation by SNA factions if they approached the authorities to complain about their houses being seized or occupied by armed actors or internally displaced persons, and there was little faith in the justice system.

86. In August, the Suleiman Shah Brigade "taxed" humanitarian cash assistance by summoning all families who received financial aid from a humanitarian organization and demanding they hand over half their monthly stipend of \$100 each month. The humanitarian organization subsequently cancelled the project.

87. On 12 November, Suleiman Shah Brigade members threatened to forcibly evict internally displaced families from newly constructed homes built by a non-governmental organization in Ma'abatli village, reportedly because they wanted homes for their members. They opened fire on the internally displaced persons, shooting three men in the legs. They beat an older man, insulted him and threatened to kill him, transporting him in their vehicle before shooting him in both legs and leaving him bleeding in the street. Members of the Brigade vandalized the homes and destroyed cars, solar panel systems and water tanks and stole residents' possessions. Following an outcry in the local media, the Brigade reportedly committed to holding those responsible accountable.

88. The Commission has been informed of the commitment of the SNA to holding its forces accountable for such violations of international law, in accordance with international standards, and looks forward to receiving further details. Meanwhile, there are reasonable grounds to believe that the Suleiman Shah Brigade, Hamzah Division and Sultan Murad Division factions of SNA continued<sup>64</sup> to unlawfully detain individuals and commit acts that may amount to the war crimes of torture and cruel treatment and pillage.

89. In areas under effective Turkish control, Türkiye has a responsibility to ensure public order and safety, and to afford special protection to women and children. Türkiye remains bound by its obligations vis-à-vis all individuals present in such territories, including in relation to violations committed by SNA members. Where Turkish forces fail to intervene to stop such violations when made aware of them, they risk violating their obligations under international human rights law and international humanitarian law. Regarding the presence of a Turkish official during the interrogation of a detainee involving torture or ill-treatment (para. 79), Turkish officials remain<sup>65</sup> bound to prevent torture and ill-treatment when present. Türkiye must investigate any such reports and hold accountable those involved.

## VI. Violations in the north-east

### A. Conduct of hostilities

#### Hostilities between the Syrian Democratic Forces and tribal forces in eastern Dayr-al-Zawr

90. In late August, clashes erupted between SDF and a coalition of tribal fighters in SDF-held Dayr-al-Zawr Governorate and subsequently spread to other parts of north-eastern Syrian Arab Republic, following calls for a “general mobilization” against the SDF presence, issued by tribal leaders. Tribal forces, initially an informal coalition of individuals, became more structured, announcing a unified command in September.

91. The unrest appeared to be underpinned by long-standing grievances against the self-administration governance, including with regard to lack of services and security, restrictions to freedom of movement, forced recruitment, inadequate school curriculum and alleged corruption. An additional trigger was the 27 August detention by SDF of a senior SDF commander and head of the Dayr-al-Zawr Military Council, alongside several of his associates, for alleged involvement in criminal activities.<sup>66</sup> Several members of his family were reportedly placed under house arrest.

92. SDF initiated military operations in villages where tribes supporting the anti-SDF uprising were present, entailing shelling, raids, curfews, detention and deployment of snipers from 28 August. In Suheil, Abu Hamam, Hawayij and Aljardi villages, schools were used during the operations, restricting education for thousands of pupils. Tribal fighters responded with hit-and-run attacks on SDF positions.

93. During the night of 29 August for instance, SDF-affiliated Arab and Kurdish fighters raided houses across Daman searching for perpetrators of an attack on a nearby SDF-held checkpoint which reportedly caused casualties. At least two civilians, a man and an 11-year-old boy, were killed in their homes during the raids. At midday the following day, SDF shot several unarmed civilians from a military vehicle in the village of Al-Jardi, where clashes had occurred the preceding night, killing one boy and one man and injuring at least one boy and three men. Following this incident, the SDF military command reportedly convened a meeting with locals to inform them that disciplinary measures had been taken against the perpetrators.

94. Properties were damaged and looted during hostilities between SDF and tribal fighters, particularly those belonging to civilians temporarily displaced by the hostilities. Between 29 August and 7 September, SDF detained more than 100 men and boys belonging

<sup>64</sup> A/HRC/48/70, para. 84; A/HRC/49/77, paras. 84, 88, 89 and 92; and A/HRC/54/58, para. 79.

<sup>65</sup> A/HRC/46/55, para. 94.

<sup>66</sup> <https://sdf-press.com/en/2023/08/statement-on-dismissal-of-ahmed-al-khubail-aka-abu-khawla/>.

to tribes deemed opposed to SDF during raids, most charged with stealing SDF property; about 60 were released after a few days.

95. Following attacks by tribal fighters on SDF positions, SDF shelled a farm in the outskirts of Abu Hamam village, killing an elderly man and injuring a 10-year-old boy and another man on 11 September, without any known military target located in the immediate vicinity of the farm. During an SDF raid in the village of Al-Izbah, an unarmed civilian was shot and killed as he exited his home on 14 October.

96. Tribal fighters stationed in government-held areas west of the Euphrates River shelled a residential area in an SDF-held village near Dhiban during an exchange of fire on 5 November. Mortars fell near houses and schools, killing one woman and a 2-year-old boy, and injuring another woman.

97. Looting of properties (para. 94), if committed by a party to the conflict, may constitute pillage, which may amount to a war crime. Regarding the 29 and 30 August and 14 October incidents (paras. 93 and 95), there are reasonable grounds to believe that SDF violated the international humanitarian law prohibition of murder, which may amount to war crimes. The Commission reiterates that parties to the conflict must investigate alleged violations involving fighters under their command in a prompt, impartial and transparent manner. Regarding the 11 September incident (para. 95), SDF carried out a direct attack against civilians, which is a violation of international humanitarian law and may amount to a war crime. Regarding the 5 November incident (para. 96), if the tribal forces were sufficiently organized to be considered an armed group bound by international humanitarian law, the attack on 5 November may have amounted to an indiscriminate attack.

#### **Hostilities between pro-Turkish forces and the Syrian Democratic Forces**

98. In response to the 1 October Ankara attack, Türkiye carried out a series of aerial attacks in north-east Syrian Arab Republic,<sup>67</sup> stating that infrastructure, superstructure and energy facilities of PKK and the People's Protection Units (YPG) were legitimate targets.<sup>68</sup> Between 5 and 9 October, Türkiye attacked what it termed SDF military facilities, as well as electricity and petrol production infrastructures, stating that it had destroyed 194 targets and neutralized 162 terrorists,<sup>69</sup> with the self-administration reporting more than 200 sites hit across the north-east in this period.<sup>70</sup> Strikes were also conducted in residential areas, including a camp for internally displaced persons, interrupting services provided by non-governmental organizations for residents.

99. On 5 October, Turkish aerial attacks on the Swediyah power plant and two electric transfer stations in Amuda and Qamishli resulted in electricity cuts, which in turn affected electricity-reliant water pumps, depriving nearly 1 million people of access to water for weeks. The Commission was not able to identify any military targets nearby. Dozens of health facilities were temporarily deprived of power, notably in the Qamishli and Malikiyah districts. Production of fuel and cooking gas, dependent on the Swediyah power plant, also significantly dropped at a time when residents, including internally displaced persons, were increasingly relying on fuel and gas to cope with electricity shortages. Electricity was partly

<sup>67</sup> <https://specialenvoysyria.unmissions.org/statement-attributable-united-nations-special-envoy-syria-mr-geir-o-pedersen>.

<sup>68</sup> [www.aa.com.tr/tr/vg/video-galeri/bakan-fidan-irak-ve-suriye-de-pkk-ypgye-ait-butun-altyapitesisleri-enerji-tesisleri-bundan-sonra-guvenlik-guclerimizin-topyekun-mesru-hedefidir/0](http://www.aa.com.tr/tr/vg/video-galeri/bakan-fidan-irak-ve-suriye-de-pkk-ypgye-ait-butun-altyapi-ustyapitesisleri-enerji-tesisleri-bundan-sonra-guvenlik-guclerimizin-topyekun-mesru-hedefidir/0); and [www.msb.gov.tr/SlaytHaber/8cf0185812694f36bd12f670434cc434](http://www.msb.gov.tr/SlaytHaber/8cf0185812694f36bd12f670434cc434) (both in Turkish).

<sup>69</sup> <https://www.tcgb.gov.tr/en/news/542/149770/-we-will-share-with-every-segment-of-our-nation-the-resource-that-will-emerge-as-turkiye-grows-richer-#:~:text=President%20Erdo%C4%9Fan%20said%3A%20%E2%80%9CWe%20will%20continue%20to%20implement,emerge%20as%20T%>.

<sup>70</sup> <https://m-syria-d.com/%d8%a8%d9%8a%d8%a7%d9%86-%d8%a5%d9%84%d9%89-%d8%a7%d9%84%d8%b1%d8%a3%d9%8a-%d8%a7%d9%84%d8%b9%d8%a7%d9%85-%d8%a7%d9%84%d8%a7%d8%ad%d8%aa%d9%84%d8%a7%d9%84-%d8%a7%d9%84%d8%aa%d8%b1%d9%83%d9%8a/> (in Arabic).



restored in the weeks following the escalation, although emergency repair measures risked damaging equipment further in the medium term.

100. Subsequently, between 23 and 27 December, Turkish forces again conducted a series of aerial attacks against targets they claimed to be PKK facilities, following the reported killing of dozen Turkish soldiers in northern Iraq.<sup>71</sup> These remain under investigation, along with renewed air strikes occurring in mid-January.

101. Other Turkish aerial attacks, including with drones, continued to be documented. On 23 August, a woman journalist working for a media outlet deemed close to the self-administration was severely injured and her male driver killed, when a suspected Turkish drone struck their vehicle between Qamishli and Amuda, as they were returning from an interview with self-administration officials. Similarly, on 23 November at night, a drone attack killed a humanitarian worker and injured two of his relatives when it struck their car near Amuda, after they attended a family gathering. On 20 June, a drone launched two consecutive strikes, hitting a moving vehicle near Qamishli, killing two civilian self-administration officials and their driver, and injuring another civilian official. A third strike near the vehicle hampered attempts to help victims.

102. The 5 October attacks on electricity infrastructure disrupted the provision of electricity to water pumping stations, depriving civilians of access to water.<sup>72</sup> Such acts amount to attacks on objects indispensable to the survival of the civilian population in violation of international humanitarian law, as well as direct attacks against civilian objects, which may amount to war crimes.

103. The suspected drone attacks of 20 June, 23 August and 23 November fit the pattern of drone attacks by Turkish forces. No information was provided indicating that any of the victims had taken part in hostilities. Thus there are reasonable grounds to believe that the incidents constitute direct attacks on civilians, which may amount to war crimes.

## B. Unlawful deprivation of liberty

104. Approximately 46,600 people,<sup>73</sup> including some 28,800 children and 14,700 women, continue to be held in the Hawl and Rawj camps by SDF and the self-administration, in addition to an estimated 9,000 men in other detention facilities,<sup>74</sup> including around 2,000 non-Iraqi foreigners<sup>75</sup> and several hundred who were minors when first detained.<sup>76</sup> The self-administration and SDF continued imposing restrictions on freedom of expression, including for journalists.

### Situation in Hawl and Rawj camps

105. Living conditions in the camps continued to be appalling, with insufficient food, drinking water, hygiene products and medical services. Some women reported having to rely on funds sent by their families to purchase sufficient food and medication. Lack of sufficient educational services continued. The transfer of some adolescent boys from the camps to other detention facilities reportedly continued, including in the documented case of a 13-year-old boy transferred from Hawl to an unknown detention facility where contact with his mother is limited.

<sup>71</sup> [https://twitter.com/tcsavunma/status/1739961607675924765?t=\\_GMAQvqJPAlYF9zSANedJA&s=19](https://twitter.com/tcsavunma/status/1739961607675924765?t=_GMAQvqJPAlYF9zSANedJA&s=19) (in Turkish).

<sup>72</sup> Civilian water access was also affected in other instances; see [www.unocha.org/publications/report/syrian-arab-republic/statement-united-nations-resident-coordinator-and-humanitarian-coordinator-syria-ad-interim-mr-sudipto-mukerjee-militarization-ebreha-water-plant-deir-ez-zor-governorate-enar](http://www.unocha.org/publications/report/syrian-arab-republic/statement-united-nations-resident-coordinator-and-humanitarian-coordinator-syria-ad-interim-mr-sudipto-mukerjee-militarization-ebreha-water-plant-deir-ez-zor-governorate-enar).

<sup>73</sup> <https://reliefweb.int/report/syrian-arab-republic/humanitarian-update-syrian-arab-republic-issue-18-november-2023>, pp. 4 and 5.

<sup>74</sup> [https://media.defense.gov/2023/Nov/27/2003347442/-1/-1/OIR\\_Q4\\_SEP2023\\_FINAL\\_508.PDF](https://media.defense.gov/2023/Nov/27/2003347442/-1/-1/OIR_Q4_SEP2023_FINAL_508.PDF).

<sup>75</sup> [https://oig.usaid.gov/sites/default/files/2023-08/OIR\\_Q3\\_JUN2023\\_Revise.pdf](https://oig.usaid.gov/sites/default/files/2023-08/OIR_Q3_JUN2023_Revise.pdf).

<sup>76</sup> [www.ohchr.org/sites/default/files/documents/issues/terrorism/sr/Position-Paper-on-prosecutions.pdf](http://www.ohchr.org/sites/default/files/documents/issues/terrorism/sr/Position-Paper-on-prosecutions.pdf).

106. While the frequent murders of previous years were not reported this period, security in the camps remained volatile. Camp residents lived in fear of threats posed by individuals in the camp loyal to Da'esh, amid frequent security raids by camp guards. In Rawj camp, a woman was beaten by female residents for removing her head cover. While the camp administration relocated her, she continued to receive threats and insults. Women accused of breaching camp rules were reportedly temporarily transferred to an external SDF-run detention facility.

107. Over 600 foreign non-Iraqi camp residents, from 17 different countries, were repatriated in 2023 (see annex V). Women and children from the Middle East and North Africa region reported concerns about the lack of repatriation efforts by, among other States, Egypt, Lebanon, Morocco and Tunisia, and about the risks of statelessness for children born in the Syrian Arab Republic to women from countries without matrilineal transmission of nationality, notably Lebanon, in cases where there is no legal link to the father.<sup>77</sup>

108. Close to 17,000 nationals of the Syrian Arab Republic remain held in Hawl, with some 800 released in 2023. Two major transfers to Manbij and Raqqah in May and September comprising around 570 individuals illustrated challenges faced by Syrian camp residents before and after their release. Camp residents willing to exit needed to undertake a lengthy and opaque process, entailing providing a vetted named male guarantor to the camp administrator, often associated with tribes. Syrians hailing from areas not controlled by SDF seem excluded from the process due to the lack of agreement with the Government and relevant de facto authorities.

109. Those returning to homes in the north-east reported being confronted often with social stigmatization and related restricted access to housing or jobs. Access to civil documentation, often required to access humanitarian aid and services, also proved to be challenging, particularly for children of foreign fathers, for whom registration is complex and associated with stigmatization.<sup>78</sup> Children were often excluded from the educational system as a result of social stigmatization or lack of documentation. Such challenges even led certain families to voluntarily return to the camps, putting them at renewed risk of being exposed to radicalization.

110. Almost five years after the Baghouz battle, some 46,600 people in the Hawl and Rawj camps remain unlawfully deprived of liberty and unable to challenge the grounds for their detention, in conditions amounting to cruel or inhuman treatment. There are reasonable grounds to believe that the form, severity, duration and intensity of the physical and mental suffering inflicted may amount to the war crime of committing outrages upon personal dignity, and particularly humiliating and degrading treatment, in relation to each interned individual. In addition, the SDF practice of separating boys aged above 12 from their families without allowing regular family contact or visits raises concerns of a potential international humanitarian law violation of respect for family life.

#### **Detention of men and adolescent boys for alleged Da'esh affiliation and of journalists**

111. An estimated 9,000 foreign men and adolescent boys in SDF custody continued to be held without the possibility to challenge the legality of their detention, most of which was incommunicado. Conditions of detention continued to raise concern, with sources describing detainees as ill and malnourished.

112. Relatives of seven Canadian, one German and four Moroccan male detainees reported that they had been unaccounted for since 2022, or longer.<sup>79</sup> Since the Al-Sina'a prison attack in January 2022,<sup>80</sup> detainees' families reported not having received letters through the International Committee of the Red Cross, previously the sole source of proof of life. Some families also reported that their requests for information to the de facto authorities were met without response. Others described having sought consular assistance from their countries'

<sup>77</sup> [www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coisyria/policypapersieges29aywar/2023-06-12-Gendered-impact-women-girls-%20Syria.pdf](https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coisyria/policypapersieges29aywar/2023-06-12-Gendered-impact-women-girls-%20Syria.pdf).

<sup>78</sup> Ibid.

<sup>79</sup> A/HRC/54/58, para. 90.

<sup>80</sup> A/HRC/51/45, annex V.

foreign ministries to obtain proof of life of their relatives, but seeing such requests denied or unanswered.

113. Reports of restrictions on independent journalism and freedom of expression continued,<sup>81</sup> including specific challenges affecting women journalists and detention of journalists. On 27 August, the self-administration security apparatus detained five journalists from a news agency deemed close to the Dayr-al-Zawr Military Council (see para. 91). While three were subsequently released, two remain in SDF custody. An investigative journalist was also detained and interrogated by security services and threatened with further retaliation to prevent content deemed hostile to the de facto authorities being made public.

114. Accordingly, SDF continued to unlawfully deprive individuals of their liberty (paras. 108 and 110), including some in a manner tantamount to enforced disappearance (para. 111) or in conditions amounting to cruel or inhuman treatment.

### C. Child recruitment

115. In June 2019, SDF signed an action plan with the United Nations to end and prevent the recruitment and use of children under the age of 18.<sup>82</sup> Nevertheless, underage boys and girls continued to be recruited<sup>83</sup> and SDF has yet to devise adequately rigorous enforcement of its undertakings against child recruitment. Families looking for their children did not receive support from various self-administration or SDF offices, which failed to allocate resources to reveal the fate of abducted children and, in most cases, refused to register the cases.

116. For instance, on 17 October, two girls, aged 14 and 15, went missing in Hasakah Governorate. Two days later, YPG informed the parents that the girls had “voluntarily” joined the Women’s Protection Units (YPJ), and subsequently that they would allow the girls to come home if the girls wished to do so, otherwise the girls would undertake a 20-day military training. Despite requests to YPJ and the self-administration child protection office, no further information was provided to the parents.

117. Similarly, a woman from Hasakah Governorate said her 14-year-old daughter had been recruited by an intermediary to join the Kurdish revolutionary youth movement.<sup>84</sup> After she received indications that the girl had been recruited, she attempted to complain before the self-administration child protection office, SDF and the Asayish office. However, all refused to register her complaint and she is still not able to reach her daughter.

118. Child recruitment is prohibited and in the case of children under the age of 15 may amount to a war crime.<sup>85</sup> Furthermore, it is a clear breach of the SDF commitment to prevent recruitment of all children under 18 in the area under its control.

## VII. Recommendations

119. **The Commission reiterates its previous recommendations and calls on the Government of the Syrian Arab Republic and all other parties to the conflict:**

(a) **To immediately cease all indiscriminate and direct attacks on civilians and civilian objects and take all feasible precautions to minimize harm to the civilian population;**

<sup>81</sup> A/HRC/54/58, para. 96.

<sup>82</sup> <https://childrenandarmedconflict.un.org/2019/07/syrian-democratic-forces-sign-action-plan-to-end-and-prevent-the-recruitment-and-use-of-children/>; <https://sdf-press.com/en/2019/07/to-protect-children-the-syrian-democratic-forces-sign-a-joint-action-plan-with-the-united-nations-in-geneva/>; and A/HRC/54/58, para. 102.

<sup>83</sup> S/2023/805, paras. 20 and 21.

<sup>84</sup> A/HRC/54/58, para. 99.

<sup>85</sup> International Committee of the Red Cross, customary international humanitarian law, rule 136.

(b) To conduct independent, impartial and credible investigations into incidents entailing civilian casualties to ensure that those responsible for violations are held accountable, ensure non-repetition and make their findings public;

(c) To immediately cease torture and other cruel, inhuman or degrading treatment or punishment, including sexual and gender-based violence, in all places of detention;

(d) To immediately cease all forms of incommunicado detention and enforced disappearance and take all feasible measures to locate all those detained and/or disappeared, establish their fate or whereabouts and ensure communication with their families;

(e) To release those arbitrarily detained and ensure that perpetrators are held accountable through fair trials;

(f) To ensure that all credible reports of murders and other killings of civilians, including custodial deaths, are investigated;<sup>86</sup>

(g) To ensure and facilitate unfettered access for impartial humanitarian, protection and human rights organizations to every part of the country, including to places of confinement or detention;

(h) To take forceful and effective action to end child recruitment;

(i) To respect and protect freedom of opinion and expression, peaceful assembly, association and movement, as well as property rights, including of refugees and internally displaced persons.

120. The Commission again calls on the Syrian Arab Republic to immediately cease using cluster munitions in populated areas and ratify the Convention on Cluster Munitions and the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.

121. The Commission further calls upon Member States supporting or otherwise influencing parties to the conflict to take action to ensure rights-respecting and law-compliant action by the parties they support, in line with their obligations under customary international humanitarian law and common article 1 to the Geneva Conventions of 1949 and other relevant treaties, including by:

(a) Conditioning any support to the parties on their respect of international human rights law and international humanitarian law standards, on their conduct of effective investigations, within the scope of holding their own forces accountable, and on them taking verifiable internal measures of compliance with international law, such as ensuring that individuals are not unlawfully deprived of their liberty, including through regular individual reviews for internment for continued imperative reasons of security, as well as other practical measures;<sup>87</sup>

(b) Refraining from providing arms, military support, funding or other forms of support to parties to the conflict when there are reasonable grounds to believe that such parties have committed violations of international human rights law, international humanitarian law, including war crimes, and international criminal law, or where there is an expectation that such support may be used to commit or enable further violations of international law.

122. Finally, the Commission recommends that Member States:

(a) Repatriate their nationals held in the north-east for alleged association with Da'esh, prioritizing children held with their mothers, in accordance with the best interests of the child. In addition, they should repatriate adult male citizens, including to hold accountable alleged perpetrators of war crimes, crimes against humanity and

<sup>86</sup> Common article 3, Geneva Conventions of 12 August 1949.

<sup>87</sup> <https://sri.icrc.org/en/practical-measures>.

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**genocide in proceedings compliant with international fair trial standards. Repatriations may not happen where there are substantial grounds for believing that the returnee would be at risk of irreparable harm upon return on account of torture, ill-treatment or other serious breaches of human rights obligations;**

**(b) Continue seeking accountability, including by ensuring and investing in effective legislative, investigative, judicial and prosecutorial infrastructure;**

**(c) Support the establishment of and funding for the new institution on the missing;**

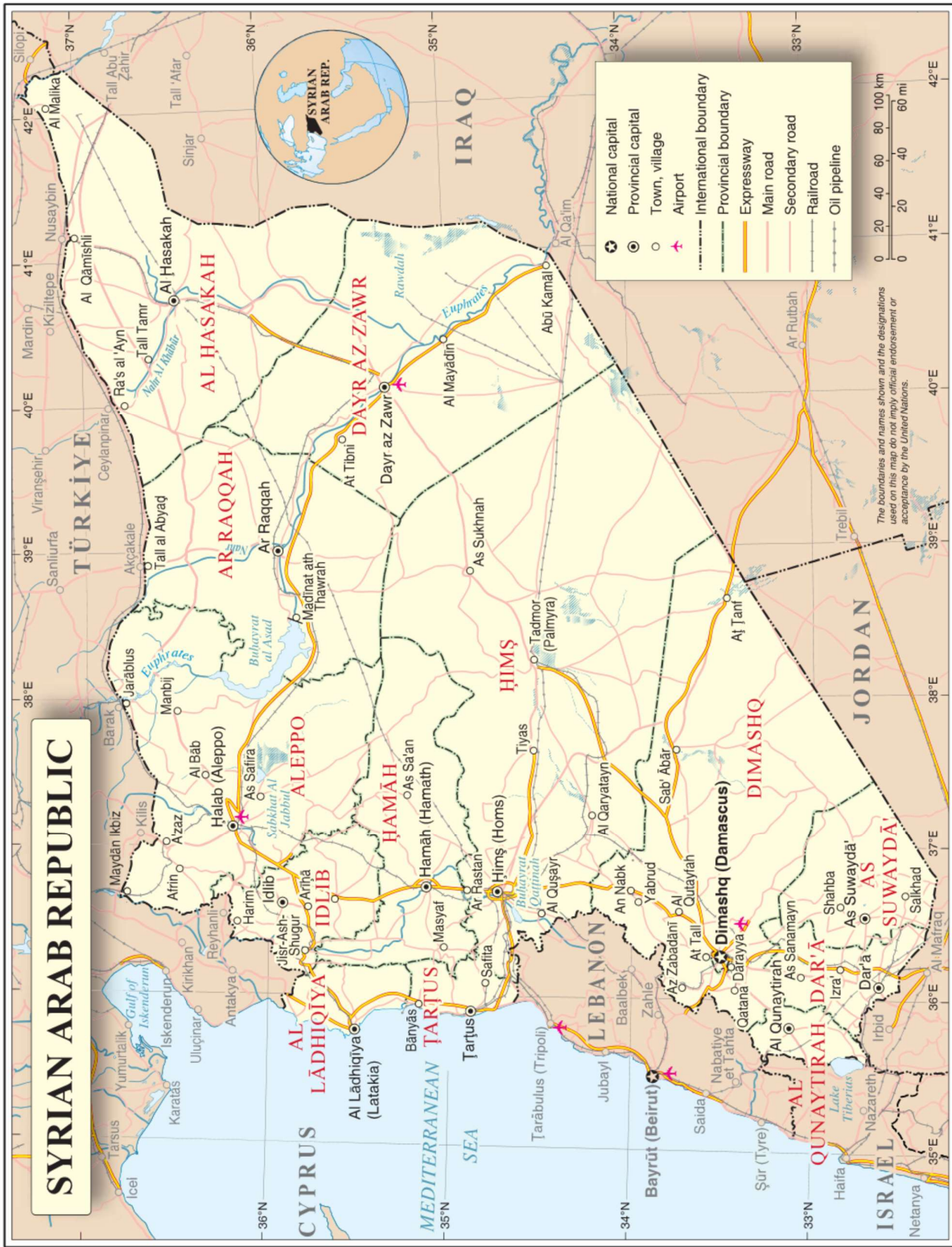
**(d) Ensure that any return is voluntary, safe, dignified, sustainable, to the destination of the returnee's choice and without risk of irreparable harm upon return on account of torture, ill-treatment or other serious breaches of human rights obligations;**

**(e) Conduct independent assessments of the impact of unilateral coercive measures, with a view to mitigating unintended consequences on the daily lives of the civilian population, including by streamlining cumbersome humanitarian exemption procedures;**

**(f) Ensure humanitarian access and effective delivery of aid and extend greater solidarity and support to efforts to address the humanitarian needs of all Syrians, which have reached their highest levels since the beginning of the conflict.**

# Annex I

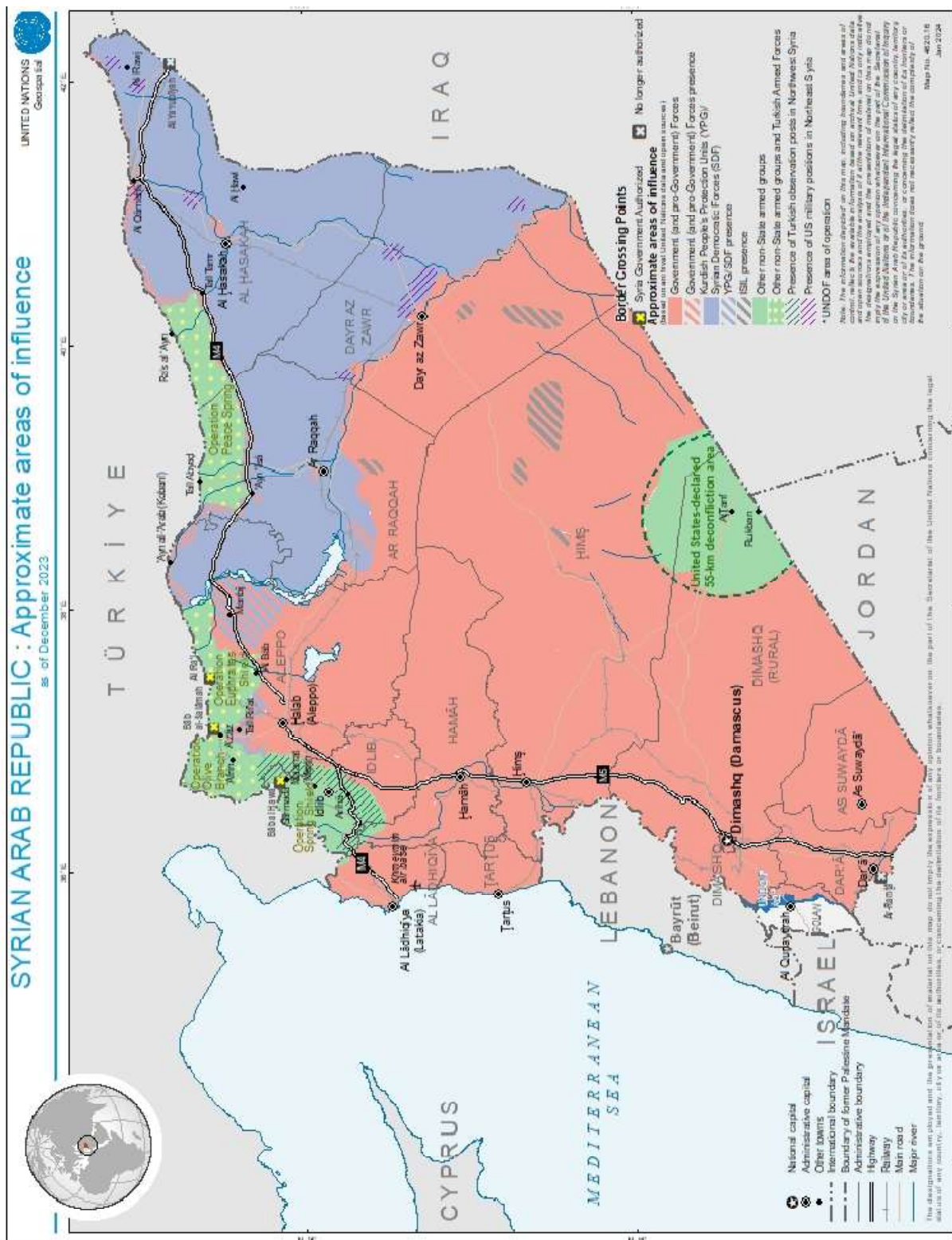
## Map of the Syrian Arab Republic



Office of Information and Communications Technology  
Geospatial Information Section

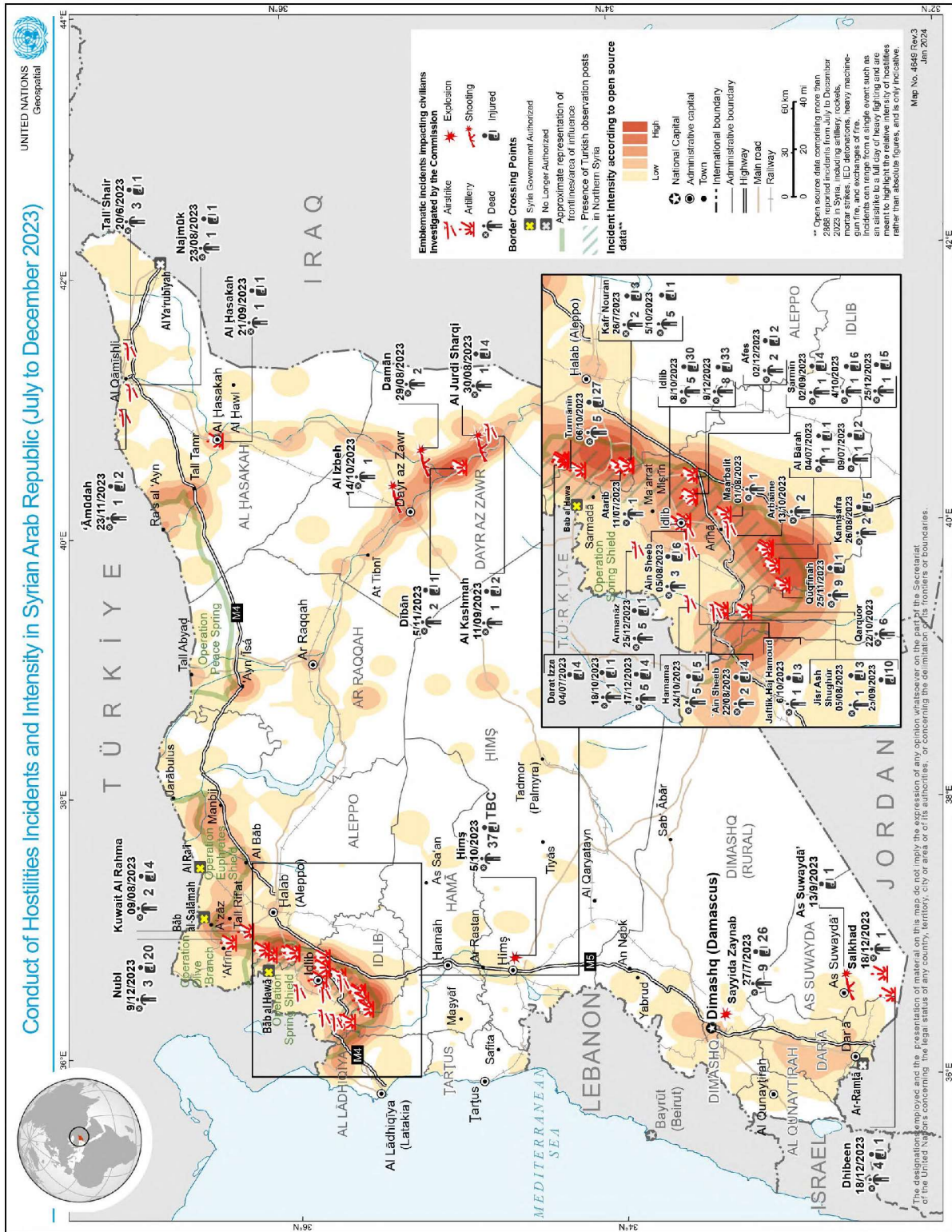
Annex II

Approximate Areas of Influence – December 2023



Annex III

Conduct of hostilities incident map





## Annex IV

### Conduct of hostilities in north-west Syrian Arab Republic

#### Ground attacks by Government forces

1. On 4 July, around noon, government forces fired at least three artillery shells landed in and around the town of Darat Izza, in rural western Aleppo within a 10–20-minute period. Two shells landed in an unpopulated open area on the outskirts of town, approximately 800 meters from each other. A third shell landed in front of a house 1-1.5 kilometres away from the first two, injuring four children aged between 5 and 13 years old, one seriously, as they played together in the courtyard. The impact also destroyed the house's solar panel system and damaged windows and walls. There was no indication of military activity near the house at the time of the attack.

2. Around 5 p.m. on the same day, government forces likely stationed near Kafr Nabl carried out an artillery attack on Al-Bara village and its outskirts, south of Idlib and eight kilometres from the front line. Several shells landed within a 200-metre radius. One shell landed in front of a house, seriously injuring an 80-year-old woman and a 60-year-old man. The woman died of her wounds the following day. There was no military presence in the area at the time of the attack.

3. Five days later on 9 July, government forces, reportedly stationed near Kafr Nabl, conducted another artillery attack on the vicinity of Al-Bara, firing two artillery shells just before 10 a.m. The first shell appears to have destroyed an artillery gun belonging to Hay'at Tahrir al-Sham with a direct strike. Approximately two minutes later, the second shell struck and damaged a civilian house in the village around two kilometres away, injuring three children - a nine year-old boy, a seven-year-old boy and a two year-old girl. The nine year-old boy died of his injuries. The situation prior to these attacks was calm, with no exchange of fire between armed groups and government forces, nor was there any known military objective in the vicinity of the house.

4. Shortly after 8 p.m. on 11 July, Government forces, likely from the 46th Regiment stationed near Atarib and west of Aleppo, struck a clearly marked first responder vehicle with an anti-tank guided missile. The vehicle was transporting first responders to the site of an earlier artillery attack on open farmland and had come to a stop on a long, straight section of road surrounded by open, flat agricultural land southeast of Atarib. One first responder was killed and the vehicle was destroyed. No military facilities or activities were visible in the area before or during the attack. A drone was observed in the sky near the time of the attack.



5. *Source:* Maxar Technologies & open sources

6. At around 10.30 p.m. on 26 July, Government forces killed two shepherds and injured two of their family members in an attack on open agricultural land in Kafr Nuran, Aleppo, two kilometres from the front line. There was a military checkpoint 400 metres from the site of the attack. A few hours later, Government forces injured another family member with an anti-tank guided missile as he went to retrieve his relatives' possessions from the incident site. Before the incident, the situation was calm and there were no clashes between government forces and opposition armed groups in the area. There was a drone in the sky before and during the attacks. On 5 October, Government forces conducted an artillery attack against another five civilian members of the same family in a house outside the village of Kafr Nuran, killing three women and two men, and seriously injuring another woman.

7. Government forces fired four artillery shells towards the sparsely populated village of Maarbalit, east of Ariha and south of Idlib in the early evening of 1 August. One shell landed next to a civilian house where four siblings were playing. A four-year-old boy was seriously injured in the attack and died of his injuries. A drone was observed in the sky at the time of the attack.

8. On 5 August, at around 9 p.m., Government forces fired three artillery shells at the residential neighbourhood of Jisr al-Shughur, west of Idlib. The first and third shells landed on civilian homes, causing material damage. The second shell hit the wall of a civilian home, killing a six-year-old girl and injuring her three siblings, aged 16, 14 and five. There was a drone in the sky around the time of the attack. There was no known military presence in the vicinity at the time of the attack and the closest military objective was the Estabraq Turkish military base 3.2 kilometres away.



Source: Maxar Technologies

9. On 26 August, there were intense clashes between pro-Government forces and armed groups south of Idlib. In the late afternoon, government forces targeted several towns in Jabal Al Zawya area, including residential areas of Kansafra town, with artillery. The attack killed a six-year-old boy, his four-year-old sister and injured five other civilians, including three children, their mother and another woman as they were preparing to flee the area. There was a drone in the sky at the time of the attack. There is no information available to suggest that there was a military target in the vicinity of the attack.

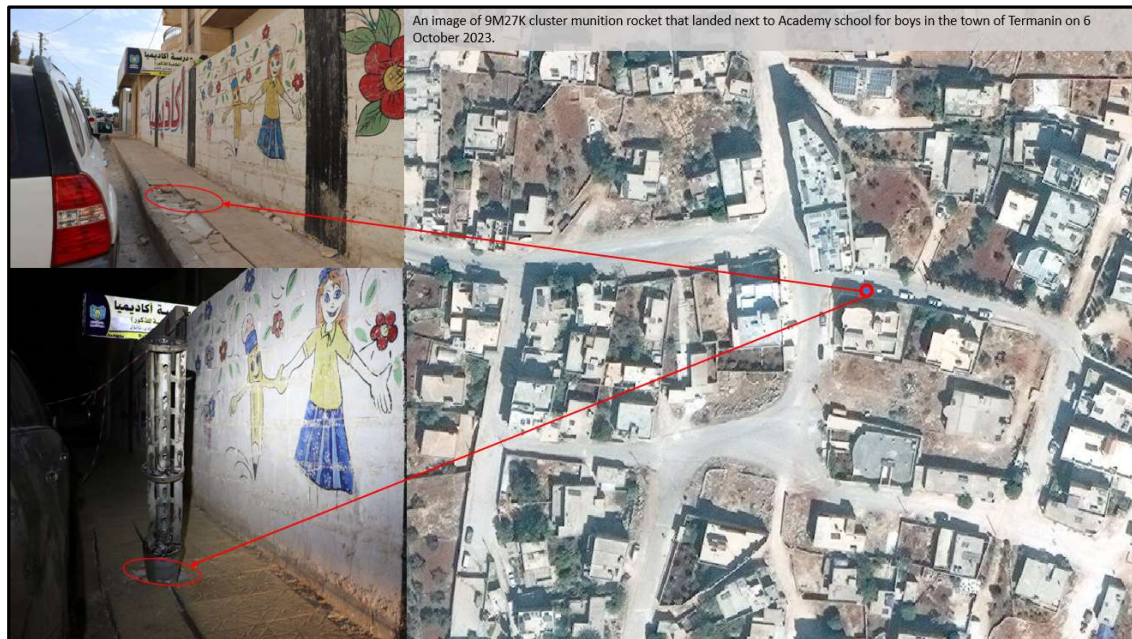
10. On the evening of 2 September, Government forces likely based east of Sarmin, fired four to five “Grad” rockets at Sarmin town amidst an exchange of fire with armed groups. The attack struck a civilian home 300 metres from Abdel Aziz Jalal school, killing a nine-month-old baby and injuring his mother, eight-year-old sister, eight-year-old brother, and an elderly civilian.

11. The following month, on 4 October, pro-Government forces fired numerous “Grad” rockets at a residential area of Sarmin town, landing near two schools, the local council building, the cemetery, and areas near the Grand Mosque, all within a 500-metre radius. One of the schools and the mosque were damaged. The attack killed an eight-year-old girl and injured six civilians - two women, one man, and three girls. It also damaged the mosque and one of the schools and caused large-scale displacement of civilians from Sarmin. There was no military activity or presence in the neighbourhood.

12. In the early evening of 25 September, pro-Government forces fired at least four rockets at a residential area in Jisr Al Shugur, Idlib, near the Bab al-Hawa Mosque, injuring ten civilians, destroying a water tanker truck and damaging residential buildings. One rocket hit a market in the city centre but did not explode. There was a drone in the sky around the time of the attack.

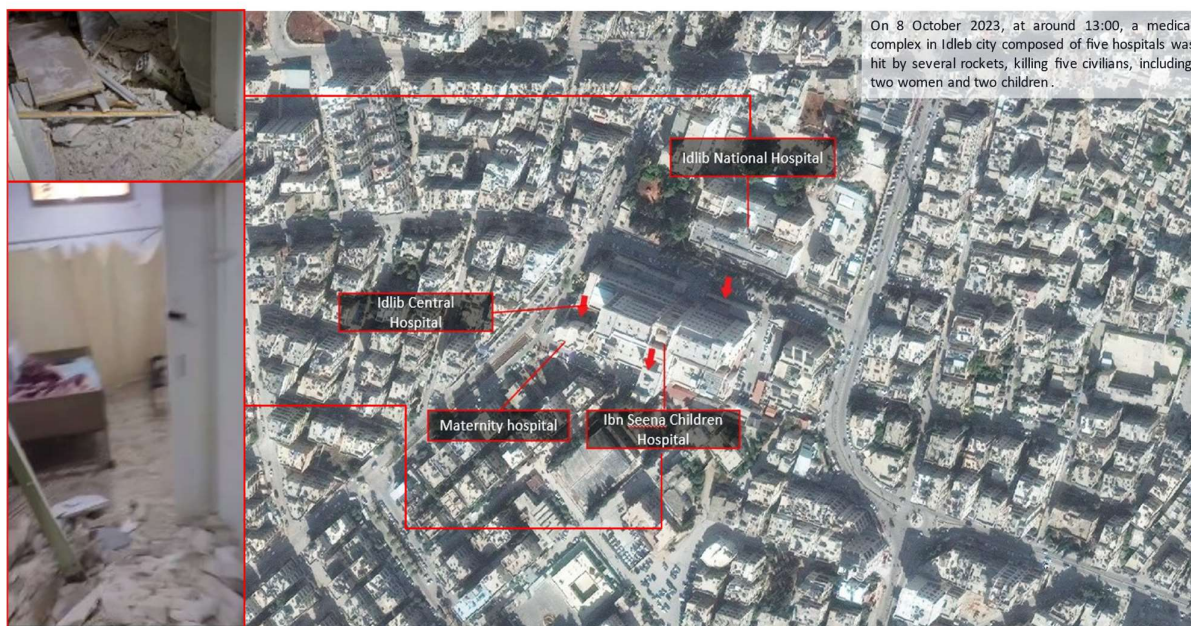
13. On 6 October, Government forces attacked the town of Termanin with rocket artillery between approximately 8.30 p.m. and 11.30 p.m., resulting in five civilian deaths and 27 injuries, including several women and children. Government forces fired “Grad” rockets on the centre of the town, near the market and east of it where many shops and internet providers are located. Government forces also fired “Uragan” 9M27K cluster munition rockets that landed close to Termanin medical compound and the Academy school for boys. Satellite imagery from the day after the attack did not reveal any military activity or objects in Termanin other than one armoured vehicle 480 metres south of the impact area the day after the incident. The following day, a nine-year-old boy reportedly picked up a submunition that failed to detonate on impact during the attack. It exploded, injuring him and two others. As

previously reported by the Commission, cluster munitions continue to endanger civilians years after a cessation of hostilities.



Source: Maxar Technologies and open sources

14. On 8 October, the centre of Idlib city was attacked with “Grad” rockets fired from the government-controlled area of Saraqib, 16 kilometres southeast of Idlib city. The first wave of ten rockets were fired around 9.30 a.m., striking main roads, civilian houses, and the local authorities’ “Education Directorate”, all within a 300-metre radius. The second wave began around 1 p.m. and landed within a 250-meter radius, striking main streets and five hospitals – Idlib University Hospital, Idlib Central Hospital, Idlib National Hospital, Ibn Seena Children Hospital, and the Comprehensive Clinics Hospital. The attack killed five civilians, including two women and two children, and injured 30. The attack also caused considerable structural damage to the hospitals and affected access to medical services. According to a doctor, the attack on the hospitals caused a significant decrease in the number of people seeking medical treatment following the attack. On the same day, three first responder centres were attacked in three towns, damaging first responders’ vehicles in Idlib city and putting a women and family centre in Sarmin temporarily out of service.



*Source:* Maxar Technologies and open sources

15. An explosive projectile, likely a “Grad” rocket, struck a house in Darat Izza around 10.20 p.m. on 18 October, killing a thirteen-year-old girl and injuring her eleven-year-old sister. The projectile was fired by Government forces, likely stationed in Ein Jara. There is no information to suggest that there was any military activity in the vicinity of the house.

16. Around 1.30 p.m. on 22 October, a tent outside a civilian house in Qarqour was struck dead centre with an explosive munition, killing six children between the ages of two and six. The six children had been playing in and around the tent for at least half an hour before it was struck. Shortly thereafter, three additional munitions targeted relatives who were trying to evacuate the victims, landing within a 320-metre radius. There was a drone in the sky at the time of the attack.



Source: Maxar Technologies and open sources

17. Around 10.30 a.m. on 25 November, nine members of the same family were struck by an artillery shell as they harvested olives in their olive grove near Quqfin village. The attack killed nine civilians, including six children ranging in age from two to sixteen, two men, and one woman and injured another woman. The shell seems to have been fired from the mountains where Government forces are stationed. Another shell landed 300 meters to the west of the attack site. There was a drone in the sky at the time of the attack.

18. At approximately 11.46 a.m. on 2 December, Afes town was attacked with artillery by government forces stationed in Saraqib. One of the shells hit the courtyard of Afes Martyrs primary school, minutes after pupils had been called back inside after playing in the courtyard. The shelling injured a 28-year-old teacher and mother of a new-born baby, injured at least three children, one seriously, inside their classroom and caused material damage to the school. The teacher and one pupil subsequently died from their injuries. At the time of the attack, the situation was calm and there was no military presence in the vicinity of the school. As a result of the attack, the school was forced to close temporarily. According to an eyewitness, the primary school is the only operational school in Afes, the other five are closed.



Source: Maxar Technologies and open sources

19. On 9 December, Government forces positioned near Saraqib attacked the old city of Idlib with rocket artillery. The attack started at around 5 p.m. and lasted for five minutes. Eight civilians were killed, including two children and one woman and 33 civilians were injured, including seven children and one woman. Many of the injuries involved loss of limbs. Consistent with an established pattern of attacks by government forces on markets, most of the rockets (five) struck a market area in Ard al Hara in the centre of the city during business hours which is where most of the deaths and injuries took place. Rockets also struck the Al Shahada IDP camp and the industrial area east of the city. A drone was spotted flying over the area before and after the attack.

20. Around 5.40 p.m. on 17 December, Government forces attacked Darat Izza with over 40 rockets and artillery shells. Five civilians, including a child and a pregnant woman were killed and four civilians were injured. As a result of the attack, many residents of Darat Izza were displaced and schools temporarily closed. Government forces may have attacked Darat Izza in retaliation for an attack against them in rural Latakia, that allegedly resulted in the death of six soldiers. There were no military targets or military activity in the targeted areas of Darat Izza at the time of the attack.

21. On 25 December, Al-Hikma Private School in Sarmin was attacked with shelling on 25 December. School had finished for the day, however ten IDP families were living in a school building next door. An IDP man was killed and five were injured, including three children. According to one witness, the school has been shelled four times in the past three months, causing fear among students.

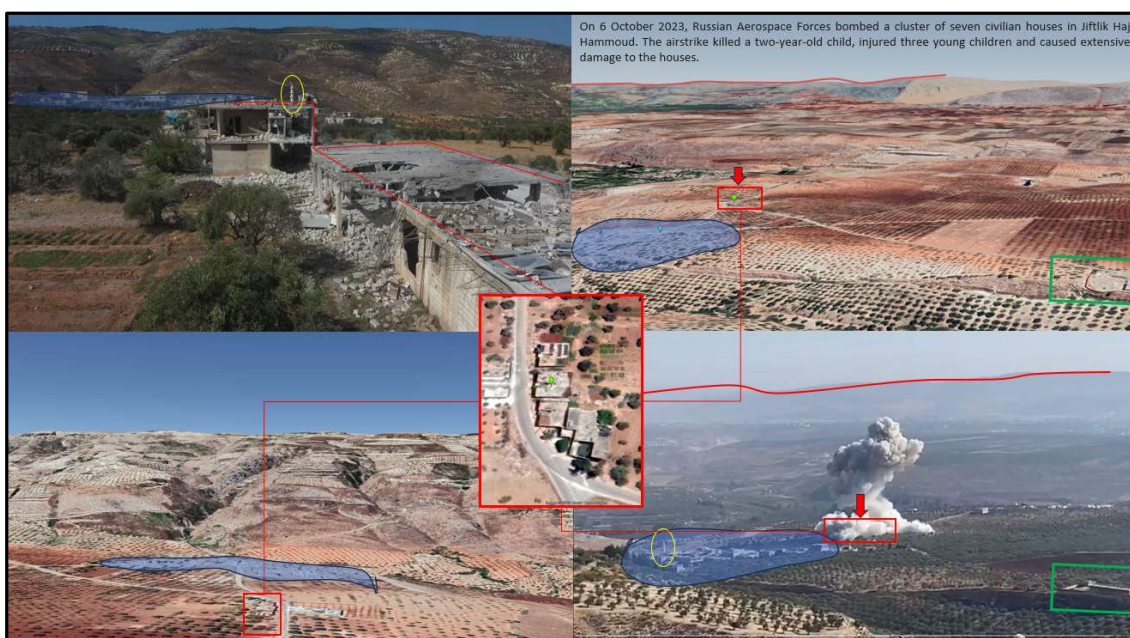
### Russian airstrikes

22. On 5 August, three civilian members of the same family were killed and six people were injured in an airstrike by Russian Aerospace Forces' on a farm in Ain Sheeb, west of Idlib. The attack also damaged farm structures and vehicles. There were some reports that one of the farm buildings may have been used for military purposes despite the presence of civilians at the farm, the incident remains under investigation. The Syrian Ministry of Defence issued a statement that the headquarters of the terrorist group "Jabhat al-Nusra" was destroyed.

23. On 22 August at around 10.30 p.m., Russian Aerospace Forces carried out two strikes on a former water pumping station in Ain Sheeb, 10 kilometres west of Idlib, where a number of IDP families had been living since 2019. The airstrikes killed two civilians, an elderly man and an 18-year-old, and injured at least four others, including two children, as they all fled the attack. The airstrikes also injured livestock belonging to the IDPs and damaged structures

in the IDP settlement such as grain stores. Verified photographs and video footage show that the IDP site was surrounded by open terrain. Eyewitnesses also indicated that there was no military objective in the vicinity.

Following the attack on the Homs Military Academy, the Russian Aerospace Forces escalated its air attacks in northwest Syria in support of the Government. In this context, around 9.30 a.m. on 6 October, two guided bombs hit a cluster of seven houses in the isolated hamlet of Jiftlik Haj Hammoud in western rural Idlib, north of Jisr Al Shughour, since generations belonging to a family of farmers. To the Commission's knowledge, this area has not been targeted before. The airstrike killed a two-year-old child, injured three young children and caused extensive damage to the houses. Several Russian aircraft were in the air over Idlib around the time of the airstrike. Witnesses and satellite imagery indicate that there was no military activity nor military objects near the affected houses at the time of the attack. On 7 November, the Director of the Political Department of the Syrian Ministry of Defence, Major General Hassan Suleiman, stated that regime forces had launched a series of "*specific operations and focused strikes*" in western Idlib targeting "terrorist organizations in coordination with Russian forces."



Source: Maxar Technologies, Google Earth Pro and open sources

24. Russian Aerospace Forces launched several raids in Jabal Al Zawiya, Idlib. Around 10:20 p.m. on 13 October, Russian Aerospace Forces carried out an airstrike on an area near a civilian farmhouse in Bezah, Jabal Al Arabae'en, Idlib, killing one elderly civilian man working in agriculture and his wife and demolishing their house. Another civilian house approximately 250 meters away was also destroyed in the attack, with no casualties. Several Russian airplanes and drones were in flight over Idlib on the day of the attack. The Commission did not find any information to suggest that the farmhouse was a military target, however, according to the Syrian Ministry of Defence, who posted a video of the farmhouse being attacked, they were targeting "terrorist headquarters and fortifications" in the Idlib countryside.

25. Russian Aerospace Forces carried out an airstrike on Ahl Saraqib IDP camp, opposite the Al-Shariki swimming pool on the outskirts of Al Hamama village, west of Idlib, around 12:00 on 24 October. Two bombs were dropped. One hit the swimming pool while the other hit the camp's tents, killing five civilians, including three women and two children from the same family, injuring five, three children and two men from the same family, and destroying ten IDP tents. Several Russian airplanes and drones were in flight over Idlib on the day of the attack. There was no known military presence at the camp at the time of the attack. According to OCHA, 250 people were displaced from the IDP camp as a result of the attack.





*Source:* Maxar Technologies and open sources

26. Five civilians from one family were killed, including three children and another child, the sole survivor of the family, was injured in a Russian airstrike that targeted houses on a farm near Armanaz, west of Idlib, on the evening of 25 December. Prior to this attack, multiple Russian fixed-wing aircraft were observed departing from Hmemim Airbase, and subsequently flying in the vicinity of the town. Investigations are ongoing.

## Annex V

**Repatriation of foreign, non-Iraqi women and children from SDF-run camps in north-eastern Syria (as of 31 December 2023)<sup>a</sup>**

<i>States and territories</i>	<i>No. children</i>	<i>No. women</i>	<i>No. unknown/men</i>	<i>Total</i>
Afghanistan <sup>f</sup>	-	1	-	1
Albania	28	9	-	37
Australia	21	4	-	25
Austria	4	-	-	4
Barbados	2	1	-	3
Belgium	33	12	-	45
Bosnia and Herzegovina	12	6	8	26
Canada <sup>b</sup>	17	9	-	26
Denmark	18	4	-	22
Finland	14	4	-	18
France <sup>b</sup>	169	57	-	226
Germany	80	27	1 <sup>c</sup>	108
Indonesia <sup>f</sup>	-	-	-	-
Italy	5	1	1	7
Kazakhstan	417	158	37	612
Kingdom of Saudi Arabia <sup>e</sup>	2	0	18	20
Kosovo <sup>d</sup>	78	33	12	123
Kyrgyzstan <sup>b</sup>	232	100		332
Malaysia	7	2	16	25
Maldives	4	1	-	5
Moldova	4	1	-	5
Morocco	-	-	8	8
Netherlands	44	18	-	62
New Zealand	1	-	-	1
Nigeria	3	-	-	3
North Macedonia	14	5	11	30
Norway	11	3	-	14
State of Palestine	2	-	-	2
Russian Federation <sup>b</sup>	409	13	-	422
Slovakia	2	1		3
South Africa <sup>f</sup>	-	-	-	-
Spain	13	2	-	15
Sudan	8	2	-	10
Sweden	41	18	-	59
Switzerland	2	-	-	2
Tajikistan	177	73	-	250
Ukraine	31	8	-	31
United Kingdom <sup>b</sup>	14	2	-	16
United States of America <sup>b</sup>	18	5	7	30
Uzbekistan	248	98	1	347

**Countries for which the Commission received information that citizens are held and for whom there is no indication of any repatriation:**

Algeria<sup>e</sup>, Azerbaijan, Bahrain, Bangladesh, China, Comoros, Congo, Czechia, Egypt<sup>e</sup>, Estonia<sup>e</sup>, Georgia, India, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Lebanon, Libya, Mali, Pakistan, Philippines, Poland, Portugal, Romania<sup>e</sup>, Senegal, Serbia, Seychelles, Somalia, Tanzania, Trinidad and Tobago, Tunisia, Türkiye, Viet Nam<sup>e</sup>, Yemen.

<sup>a</sup> This table is based on replies to Note Verbales sent to States alleged to have nationals in north-eastern Syria and letters to other relevant parties (footnote 2) and open-source data. Where open sources provided different numbers, the lowest figure was used. The table does not reflect the repatriation of Iraqi nationals, who form the largest group of foreigners in SDF-run camps in north-eastern Syria.

<sup>b</sup> Repatriations reportedly occurred during the reporting period (1 July 2023 to 31 December 2023). In mid-January 2024, Maldives undertook additional repatriations.

<sup>c</sup> One boy was repatriated after he turned 18.

<sup>d</sup> References to Kosovo shall be understood to be in the context of Security Council resolution 1244 (1999).

<sup>e</sup> According to information submitted by States in response to communications by the Commission and United Nations special procedures, the national authorities have no indication as to the presence of citizens in north-eastern Syria, or are still trying to determine such presence.

<sup>f</sup> Countries for which reports indicate individuals were repatriated, without further information.

## Annex VI

## Correspondence with the Government of the Syrian Arab Republic



Independent International Commission of Inquiry on the Syrian Arab Republic

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REFERENCE: COISYRIA/158/2023

The Secretariat of the United Nations Independent International Commission of Inquiry on the Syrian Arab Republic presents its compliments to the Permanent Mission of the Syrian Arab Republic to the United Nations Office at Geneva and specialized institutions and has the honour to refer to the UN Human Rights Council (HRC) resolution 52/30 of 4 April 2023 extending the mandate of the Commission until 31 March 2024.

The Commission takes this opportunity to request your Government's assistance should there be information available to share regarding incidents or events impacting the human rights of persons in the Syrian Arab Republic that could aide ongoing investigations.

At present, the Commission seeks information on human rights violations and abuses in light of its upcoming mandated report to the Human Rights Council session in March 2024, which will cover events between 1 July 2023 and 31 December 2023.

In this regard, the Commission first requests any information your Government may be able to share regarding the incidents listed in Annex I to this note, which allegedly occurred during this time period. This list includes the incidents referred to in the identical letters dated 5, 12 and 15 October 2023 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council. In addition to the information provided on the aforementioned incidents, the Commission would welcome further information concerning other attacks by armed groups or other armed actors entailing civilian casualties.

Second, the Commission continues to receive information regarding deaths in detention as well as torture in Government detention facilities, including within security branches and military prisons. The Commission would welcome any information on steps taken by the Syrian authorities to prevent such deaths and practices, and/or investigate any such allegations that were allegedly committed by your authorities/forces – also in light of the provisional measures indicated by the International Court of Justice on 16 November 2023 for the Syrian Arab Republic to, in accordance with its obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, take all measures within its power to prevent acts of torture and other cruel, inhuman or degrading treatment or punishment and ensure that its officials, as well as any organizations or persons which may be subject to its control, direction or influence, do not commit any acts of torture or other acts of cruel, inhuman or degrading treatment or punishment.

Third, the Commission has become aware of Legislative Decree No. 32 of 2023 and Legislative Decree No. 35 of 2023 respectively issued by President Bashar al-Assad on 3 September and 16 November 2023, and would appreciate additional details regarding the scope and implementation of these decrees, including in relation to the questions raised in Annex II to this note.

Fourth, the Commission also seeks information regarding the number of individuals executed after being sentenced by a court in 2023, with breakdown per jurisdiction and gender. It kindly request information on steps undertaken by the government to inform families of the death of their relatives and to conduct restitution of the remains of the deceased.

Fifth, information has been obtained regarding the arrest and detention of civil society activists and citizens voicing criticisms of the Government of the Syrian Arab Republic in online fora including under the Cybercrime Law No. 20 of 2022. The Commission would be grateful for

information and available data regarding cases of arrests, prosecutions, and convictions under this law since its enactment.

Finally, reports of Syrian refugees deported from Lebanon facing extortion by Syrian authorities continue to be collected. Those unable to pay have reportedly been detained, with families unaware of their fate or whereabouts. The Commission seeks information on the procedure followed by Syrian authorities when deportees are handed over as well as the number of deportees detained or conscripted in the military.

For the information to be received and processed ahead of its next reporting obligations, the Commission would kindly request that any inputs be received by 2 January 2024. We remain ready to discuss the most appropriate means by which to obtain the above information, including through meetings or briefings.

The Commission also takes this opportunity to reiterate its continued interest in the facilitation of a visit to the Syrian Arab Republic by your Government to fulfil its mandate, and to engage in dialogue concerning requests such as contained in the present communication. The Commission is also continuing to explore possibilities for visiting the northwest and the northeast of the Syrian Arab Republic (as mentioned already e.g. in its letter dated 5 April 2023) and would welcome your Government's views. For any questions regarding the details of this request or opportunities to collaborate, please contact the Secretariat, at [ohchr-coisyrria@un.org](mailto:ohchr-coisyrria@un.org).

The Secretariat of the Commission of Inquiry avails itself of the opportunity to renew to the Permanent Mission of the Syrian Arab Republic the assurances of its highest consideration.

Geneva, 28 November 2023



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### Annex I

#### List of alleged incidents occurring from July-October 2023 on which the Commission requests information for its upcoming mandated report to the Human Rights Council session in March 2024

##### Attacks alleged to have occurred in Idlib governorate and western Aleppo

- On 4 July 2023, shelling allegedly injured four children in the town of Darat Izza, in western rural Aleppo.
- On 4 July, shelling allegedly killed one woman and injured a man on the outskirts of Al-Bara town, south of Idlib.
- On 9 July 2023, shelling allegedly killed one child and injured two other children in the village of Al-Bara, Idlib governorate.
- On 11 July 2023, an alleged missile strike on the Syrian Civil Defense killed one humanitarian worker in the village of Al-Atarib in the western Aleppo countryside.
- On 26 July 2023, an alleged missile strikes caused the death of two civilians and the injury of other three in Kafr Nouran on the outskirts of Al-Atarib, west of Aleppo.
- On 1 August 2023, shelling allegedly caused the death of one child in Ma'arbalit village, east of Ariha, south of Idlib.
- On 4 August 2023, allegedly missile strikes killed two civilians and injured three near the village of Fafrateen, east of Sheikh Aqeel, west of Aleppo.
- On 5 August 2023, shelling allegedly killed one child and injured three children, in the city of Jisr al-Shughur, west of Idlib.
- On 5 August 2023, alleged airstrikes killed three civilians and injured six in Ain Sheeb, west of Idlib.
- On 22 August 2023, an airstrike allegedly killed two civilians, including a boy and injured a girl and in Uri town, Idlib.
- On 26 August 2023, shelling allegedly killed two children and injured five people including three children in Kansafra Idlib.
- On 2 September 2023, shelling allegedly killed one child and injured four in Sarmin, Idlib.
- On 3 September 2023, shelling allegedly killed one child and injured one in Sarmin, Idlib.
- On 23 September 2023, shelling allegedly killed one woman and an elderly man in Sarmin IDP camp, Idlib.
- On 25 September 2023, shelling allegedly injured 10 people including two children in Jisr al-Shughur, Idlib.
- On 4 October 2023, alleged artillery shelling killed one girl and injured six in Sarmin, Idlib.
- On 5 October 2023, alleged artillery shelling killed five civilians including three women in Kafr Nouran, Idlib.
- On 6 October 2023, shelling allegedly killed four civilians in Idlib city.
- On 6 October 2023, alleged use of incendiary munitions and cluster shelling killed 4 civilians in Tarmanin, Idlib.
- On 6 October 2023, alleged airstrike killed one child and injured two in Jaftlik Haj Hammoud in western Idlib.
- On 8 October 2023, shelling allegedly killed four civilians, including two children and injured 31 civilians in Idlib city.
- On 13 October 2023, alleged airstrike killing one woman and one man in Jabal Al Arbbaeen, Idlib.

- On 18 October 2023, alleged incendiary weapon attack killed one girl and injured another in Darat Izza.
- On 19 October 2023, shelling allegedly killed one girl and injured another in Darat Izza, western Aleppo.
- On 22 October 2023, shelling allegedly killed five children in Al Qarqur village, Al Ghab plain, Hama.
- On 24 October 2023, alleged airstrike killed five civilians and injured others in Ahl Sarqeb IDP camp, Al Hamama village, west of Idlib.

#### **Attacks and other incidents alleged to have occurred in northern Aleppo governorate**

- On 9 August 2023, shelling allegedly killed two civilians, including a girl and injured four in the Kuwait Al Rahma IDP camp located at Al Khaldiyah mountain, east of Afrin.
- On 6 October 2023, alleged aerial attack on a building formerly hosting a COVID-19 hospital in Ain Al Arab, Aleppo governorate.

#### **Attacks and other incidents alleged to have occurred in Dayr Az Zawr, Raqqah and Hasakah governorates**

- On 23 August 2023, alleged air strike injured a media worker and killed a driver on the Amuda-Qamishli road, Hasakah governorate.
- On 27 August 2023, the leader of the Deir ez-Zor Military Council, Ahmed Al-Khabil (Abu Khawla), was reportedly arrested and detained in Hasaka city, Hasaka governorate
- On 29 August 2023, alleged killing of a father and child during house raid in Dhaman, Dayr Az Zawr governorate.
- On 30 August 2023, alleged shooting of civilians in Al Jardi town, in front of the Abu Obaida mosque, Dayr Az Zawr governorate.
- On 5 September 2023, alleged damage and looting of civilian property in Al Tayana village, Dayr Az Zawr governorate.
- On 11 September 2023, an alleged drone strike killed one civilian and injured four, including one child in Kashkiya village, Dayr Az Zawr governorate.
- On 21 and 22 September 2023, alleged shelling resulted in the death of one child and of one woman in Hasakah City, Hasakah governorate.
- On 25 September 2023, alleged attack on the Mehkan water station, Dayr Az Zawr.
- On 5 October 2023, alleged aerial attacks in the vicinity of Washukanni IDP camp, near the town of Tuwaina, west of Hasakah city; the water treatment plant in Al Rakba village, southern Tel Tamr; the Western Dam electricity transfer station; the Amuda power station; Qamishli's main power station in northern Qamishli city; and the Swediyeh electricity generation station, all in Hasakah governorate.
- On 6 October 2023, alleged aerial attack on a water treatment station on the outskirts of Al-Wawileh village, Tal Tamer area and on a building formerly hosting a COVID-19 hospital in Giri Fara, Al Malikiyah, Hasakah governorate.
- On 7 October 2023, alleged ground-based attack injuring a civilian woman and her civilian husband in a residential area of the Al-Khalidiya village, Ain Issa, northern rural Raqqa governorate.
- On 8 October 2023, alleged aerial attack on an Asayish training facility, resulting in 29 killed, in the Al Malikiyah countryside, Hasakah governorate.
- On 9 October 2023, two civilian women and three girls were injured while working on a farmland reportedly as a result of ground-based strikes in the outskirts of the village of Al-Basheiriyeh, near Al-Darbasiyah, northern rural Hasakah governorate.

- On 9 October 2023, alleged ground-based attack in countryside of Ain Issa, north of Raqqa Governorate, northern Syria, killing two children in the village of al-Mastura, northwest of the town of Ain Issa, Raqqah governorate.
- On 14 October 2023, alleged killing of a man during a raid operation in al Izbeh, Dayr Az Zawr governorate.

**Attacks and other incidents in Damascus, Hama, Homs, As Suwayda, Dar'a, Al-Ladhiqiya, Tartus**

- On 27 July 2023, an alleged vehicle born IED in a residential area of Saida Zeinab area, Rural Damascus governorate, killed nine civilians, including one woman and at least three children.
- On 13 September 2023, a male protester was allegedly shot and lightly injured at the Baath Party headquarters in Suweida, Suweida governorate.
- On 5 October 2023, an alleged drone strike on Homs Military Academy, Homs governorate, reportedly killed 89 people and injured 277.
- On 22 October, an alleged aerial attack on Damascus International Airport killed one civilian worker and injured another. The airstrike also reportedly temporarily halted operations of the UN's Humanitarian Air Service from the airport.
- In October, alleged aerial attacks on Damascus International Airport (13 and 22 October) and Aleppo International Airport (13, 15, 22, and 25 October) temporarily halted operations of the UN's Humanitarian Air Service.

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## Annex II

### Questions for the Syrian Permanent Mission on the Implementation of Legislative Decrees No. 32 and No. 36 of 2023

The Commission has become aware of Legislative Decree No. 32 of 2023 and Legislative Decree No. 35 of 2023 respectively issued by President Bashar al-Assad on 3 September and 16 November 2023. While the Commission understands that some of the information requested relates to sensitive security information, it would greatly appreciate additional details regarding the scope and implementation of these decrees:

#### Legislative Decree No. 32

- a) Does the decree have any impact on the ability of individuals who were tried and sentenced by military field courts prior to their abolition to appeal those convictions?
- b) If not, are there other available frameworks for revisiting or overturning decisions by now-abolished Military Field Courts?
- c) How many cases were transferred from Military Field Courts to the Military Courts?
- d) What steps are being taken to provide accurate information and status updates on detainees who were processed by these courts to their families and legal representatives?
- e) How is the Syrian government ensuring the transparent and fair processing of cases previously referred to the now-abolished Military Field Courts which are now before the Military Courts?
- f) What are the measures taken in order to ensure preservation of the case materials and archives of the Military Field Courts, and how are these measures aligned with provisional measures indicated by the International Court of Justice on 16 November 2023?

#### Legislative Decree No. 36

##### **1. Questions regarding the release procedure**

- a) Who is the competent authority for determining who should benefit from the Legislative Decree's provisions?
- b) What documents are detainees provided with to attest the applicability of the decree to their individual situation, including for those released on basis of the Legislative Decree?
- c) What are the established protocols for informing families, including those residing abroad, about the release of detainees?
- d) Has the Syrian Government considered collaborating with an independent detention monitoring body to ensure transparency and respect for the rights of detainees during the release process?

##### **2. Questions regarding the beneficiaries of the Legislative Decree**

- a) How many detainees have benefited from full or partial pardons following the adoption of Legislative Decree 36?
- b) Can the Government make available information on the actual crimes pardoned, at least in aggregate form?
- c) Noting the statement by Judge Muhammad Eid Baloza, reported in al-Watan, that until 19 November, around 500 detainees had been released in accordance with Legislative Decree 36, how many detainees have been hitherto or are set to be released on basis of this Legislative Decree?
  - What is the number of female and child detainees who have been or are set to be released under this decree?
  - Where and when were they arrested, and where were they detained prior their release?
- d) What mechanisms are currently established to ensure accurate and transparent reporting of the decree's implementation?

- e) Are there any prospects for the Government to issue other amnesty decrees in relation with other offenses, including those covered by law 19 of 2012?

**3. Questions regarding the impact on released individuals**

- a) What is the Legislative Decree's impact on the security records of released detainees, particularly concerning security clearance processes?
- b) Are released detainees informed about avenues for addressing claims of ill-treatment or torture experienced during detention? What measures ensure prompt investigation and accountability for such violations?
- c) Are there any measures aimed at supporting the social reintegration of released detainees, as well as assisting detainees in addressing psychological, social, or economic challenges post-release?

**4. Questions regarding the domestic legal framework and international obligations**

- a) Could you elaborate on how the Legislative Decree aligns with Syria's domestic legal framework and international legal obligations, particularly concerning its article 6.a granting amnesty for perpetrators of kidnapping under certain conditions?
- b) What steps are being taken to ensure that the implementation of the Legislative Decree process does not impede the pursuit of justice for grave violations of human rights and international humanitarian law, particularly in relation with above-mentioned art 6.a?

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REFERENCE: COISYRLA/01/2024

The Secretariat of the United Nations Independent International Commission of Inquiry on the Syrian Arab Republic presents its compliments to the Permanent Mission of the Syrian Arab Republic to the United Nations Office at Geneva and specialized institutions.

Further to our previous note verbale, dated 28 November 2023, the Commission expresses its sincere condolences regarding the loss of life and serious injuries caused by the attack on the 5 October 2023 graduation ceremony at the Homs Military Academy referred in the identical letters dated 5 October 2023 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council.

The Commission noted the information provided by the Syrian Presidency on 2 December, attributing the attack to the "Turkestan Liberation Party." The Commission would very much appreciate if any video or photographic evidence concerning the 5 October incident could be released or otherwise made available to the Commission.

In this regard, the Commission also takes this opportunity to reiterate its request for access, including specifically for the purpose of investigating this incident. Access to the specific location, remnants (including debris from an explosive-laden drone, as referred to in the identical letters) and facilitation of contacts with victims and witnesses would be much appreciated.

In addition, the Commission would welcome any information you may be able to share regarding the following alleged incidents:

- On 25 November, it is alleged that Government forces launched an artillery attack on an olive field near the village of Quqfin, east of Idlib. The attack killed nine people, including six children and one woman and injured one woman as they harvested olives.
- On 2 December, it is alleged that Government forces fired an artillery shell at Afes school in Sarmin shortly before noon which landed in the school yard, damaging the school and injuring a teacher and three children.
- On 9 December, Idlib city was hit by several rockets allegedly fired by Government forces, positioned near Saraqib. The attack started at around 5 p.m. and lasted for 5 minutes. Eight civilians were killed, including two children and one woman and 33 civilians were injured, including five children.
- On 17 December, Darat Izza was hit with rockets and artillery shells, allegedly fired by Government forces killing four civilians, including a child and a pregnant woman.
- On the evening of 25 December, an alleged Russian Aerospace Forces airstrike targeted a house on the Alata farm near the town of Armanaz west of Idlib, killing five civilians from the same family, including three children.
- On 25 December, an attack on Sarmin, allegedly by Government forces led to the death of one young man and impacted a school.

In order for the information to be processed ahead of its next reporting obligations, the Commission would kindly request that any inputs be received by 19 January 2024. For any questions regarding the details of this request or opportunities to collaborate, please contact the Secretariat, at [ohchr-coisyrta@un.org](mailto:ohchr-coisyrta@un.org).

The Secretariat of the Commission of Inquiry avails itself of the opportunity to renew to the Permanent Mission of the Syrian Arab Republic the assurances of its highest consideration.

Geneva, 4 January 2024

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REFERENCE: COISYRIA/004/2024

The Secretariat of the United Nations Independent International Commission of Inquiry on the Syrian Arab Republic presents its compliments to the Permanent Mission of the Syrian Arab Republic to the United Nations Office and other international organizations in Geneva and has the honour to refer to the UN Human Rights Council (HRC) resolution 52/30 of 4 April 2023 extending the mandate of the Commission until 31 March 2024.

The Commission takes this opportunity to thank the Permanent Mission for your Government's past assistance in furtherance of its mandate. In the same spirit, it requests your Government's assistance should there be information available to share regarding incidents or events impacting the human rights of persons in the Syrian Arab Republic that could aid ongoing investigations.

At present, the Commission seeks information on human rights violations and abuses in light of its upcoming mandated report to the Human Rights Council. In this regard, the Commission requests any information your Government may be able to share regarding alleged airstrikes which hit multiple locations in Sweida and Dara provinces, killing five civilians, including two children and a woman on 18 December 2023. The Commission would also be grateful for information regarding the alleged shelling of Idlib city on 31 December 2023 which injured eight civilians.

Additionally, the Commission takes this opportunity to inform H.E. Mr. Haydar Ali Ahmad of the upcoming visit of the Commissioners, Mr. Paulo Pinheiro, Mr. Hanny Megally, and Ms. Lynn Welchman, to Geneva the week of 22 January 2024. The Commissioners would welcome the opportunity to meet with H.E. Ambassador Ali Ahmad for an informal exchange on the situation in Syria and to update on the Commission's work.

The Commission looks forward to hearing back from the Permanent Mission and can be reached at [ohchr-coisyrria@un.org](mailto:ohchr-coisyrria@un.org).

The Secretariat of the Commission of Inquiry avails itself of the opportunity to renew to the Permanent Mission of the Syrian Arab Republic the assurances of its highest consideration.

Geneva, 12 January 2024



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